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SOUTH PLAINFIELD BOARD OF EDUCATION

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Attendance Areas

8110 ATTENDANCE AREAS

The Board of Education directs the assignment of pupils to the schools, programs, and classes in a manner that is consistent with the best interests of the pupils and the best uses of the resources of this district.

The Board shall determine the school attendance areas of the district to determine the assignment of pupils to school in accordance with Policy No. 5120.

The Superintendent shall annually review existing attendance areas and recommend to the Board such changes as may be justified by considerations of safe pupil transportation and travel; convenience of access to the schools; financial and administrative efficiency, the effectiveness of the instructional program, and a wholesome and educationally sound balance of pupil populations.

Adopted: 17 September 2008



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8130 SCHOOL ORGANIZATION

The Board of Education directs the organization of the instructional program of this district in the following schools and grades:

<u>Schools</u>	<u>Grades</u>
Grant Elementary School	5 – 6
John F. Kennedy Elementary School	Kindergarten – 4
Franklin Elementary School	Kindergarten -4
John E. Riley Elementary School	Kindergarten – 4
South Plainfield Middle School	7 – 8
South Plainfield High School	9 – 12

The Superintendent shall continually monitor the effectiveness of the district organizational plan and recommend to the Board such modifications in the plan as may be in the best interest of pupils, make most effective use of district resources, and serve the educational goals of the Board.

Adopted: 17 September 2008



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8140 PUPIL ENROLLMENTS

The Board of Education recognizes that efficient district operations require an accurate and up to date accounting of the number of pupils resident in this district and enrolled in district classes and programs.

Pupil attendance shall be recorded in the school register during school hours on each day the school is in session. Separate registers shall be kept for pupils 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 pupils, shared-time classes for pupils with disabilities, full-time bilingual education programs and vocational day programs, summer schools operated by the district, and any other programs as required by the New Jersey Department of Education and N.J.A.C. 6A:32-8.1(d).

A pupil who has been placed on home instruction shall have his or her attendance status recorded on the regular register attendance pages for the program in which the pupil is enrolled. For the period beginning the first day the pupil is unable to attend school and ending the day before the first instructional day at the pupil's place of confinement, the pupil shall be marked absent. No absences will be recorded for the pupil while on home instruction, providing the hours of instruction are no less than required by N.J.A.C. 6A:14-4.8 and 4.9. The number of possible days of enrollment for a pupil on home instruction shall be the same as for other pupils in the program in which the pupil is enrolled.

Such records shall be made and maintained as will enable the Board to plan program and facilities development, to make appropriate allocation of district resources, and receive the district's maximum amount of State and federal aid.

The Superintendent or designee shall annually and in accordance with the timelines established by the Commissioner, file a report with the Commissioner stating the school district's enrollment.

N.J.S.A. 18A:25-4

N.J.A.C. 6A:14-4.8; 6A:14-4.9; 6A:32-8.1; 6A:32-8.2

Adopted: 17 September 2008



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School Year

8210 SCHOOL YEAR

The Board of Education recognizes that the preparation of a school calendar is essential to orderly educational planning and to the efficient operation of the district.

The Board shall determine annually the days when the schools will be in session for instructional purposes. The school calendar will provide no fewer than one hundred eighty days of instruction. Days on which school is closed for holidays, teachers' institutes, and inclement weather shall not be considered as days in session.

A school day shall consist of not less than four hours of actual instruction, except that in an approved Kindergarten, one continuous session of two and one half hours may be considered a full day. A half-day class shall be considered the equivalent of a full day's attendance only if the class is in session for four hours or more, exclusive of recess periods or lunch periods.

An approved Kindergarten shall meet the requirements set forth in N.J.A.C. 6A:32-8.3(c).]

The Commissioner of Education shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse pupils for religious observance upon the written request signed by the parent or person standing in loco parentis. Staff members shall avoid, whenever possible, scheduling a test on a religious holiday commonly observed by residents of the district.

The Superintendent shall in consultation with the teacher's association, annually prepare and submit to the Board a school calendar no later than May 1. The Board reserves the right to alter the school calendar when such alteration is feasible and serves the best interests of the pupils of this district.

N.J.S.A. 18A:25-3; 18A:36-2; 18A:36-16
N.J.A.C. 6A:32-8.3

Adopted: 17 September 2008



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School Day

8220 SCHOOL DAY

The Board of Education shall determine the times that school will be in session for the purpose of providing adequate time for pupils to profit from the educational program of the district.

The schools of the district will be in session for pupils on those days specified by the Board as recommended by the Superintendent.

The Superintendent may close the schools, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of pupils and staff members. The Superintendent shall inform the Board President of any such alteration as soon as possible and shall prepare rules for the proper and timely notification of concerned persons in the event of any emergency closing of the schools.

N.J.A.C. 6:20-1.3; 6:21-2.5

Adopted: 17 September 2008



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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 Board Secretary 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



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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 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; 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 an 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 examinations 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



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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 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.



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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 or 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,



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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.



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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: 17 September 2008

Revised: 20 September 2010

Revised: 19 January 2011



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Personnel Records

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.

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.



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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.

Adopted: 17 September 2008



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SOUTH PLAINFIELD BOARD OF EDUCATION

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Pupil Records
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8330 PUPIL RECORDS

The Board of Education believes that information about individual pupils must be compiled and maintained in the interest of the pupil's educational welfare and advancement. The Board will strive to balance the pupil's right to privacy against the district's need to collect, retain, and use information about individual pupils and groups of pupils. The Board authorizes the establishment and maintenance of pupil files that include only those records mandated by law, rules of the State Board of Education, authorized administrative directive, and those records permitted by this Board.

The Superintendent shall prepare, present to the Board for approval, and distribute regulations that implement this Policy and conform to applicable State and federal law and rules of the State Board of Education.

For purposes of this Policy:

1. "Adult pupil" means a pupil who is at least eighteen years of age, or is attending an institution of postsecondary education, or is an emancipated minor.
2. "Parent" means the natural or adoptive parent, the legal guardian, surrogate parent, or a person acting in place of a parent in accordance with N.J.A.C. 6A:32-2.1. Unless parental rights have been terminated by a court of appropriate jurisdiction, the parent retains all rights under N.J.A.C. 6A:32. "Parent" shall also include, for the purposes of N.J.A.C. 6A:32, the adult pupil. A foster parent may act as a parent under the provisions of N.J.A.C. 6A:32 if the parent's authority to make educational decisions on the pupil's behalf has been terminated by a court of appropriate jurisdiction.

General Considerations

Pupil records shall contain only such information as is relevant to the education of the pupil and is objectively based on the personal observations or knowledge of certified school personnel who originate the record. The district shall notify parents and adult pupils annually in writing of their rights in regard to pupil records and pupil participation in educational, occupational, and military recruitment programs. Copies of the applicable State and federal laws and local policies shall be made available upon request. The district shall make every effort to notify parents and adult pupils in their dominant language.



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Nothing in this Policy shall be construed to prohibit certified school personnel, at their discretion, from disclosing pupil records to non-adult pupils or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the pupil or other persons.

No liability shall be attached to any member, officer, or employee of the Board of Education permitting access or furnishing pupil records in accordance with Department of Education rules.

Pupil Information Directory

A pupil information directory is a publication of a school district that includes pupil information as defined in N.J.A.C. 6A:32-2.1. In the event the district publishes information included in the pupil information directory, the Superintendent or designee will inform parents or adult pupils of such publication, and parents or adult pupils will be afforded a ten-day period to submit a written statement to the Superintendent prohibiting the school district from including any and all types of information about the pupil in any pupil information directory before allowing access to such directory to educational, occupational, and military recruiters pursuant to N.J.S.A. 18A:36-19.1 and P.L. 107-110 sec. 9528, Armed Forces Recruiter Access to Students and Student Recruiting Information of the No Child Left Behind Act of 2001.

School Contact Directory

The district shall compile and maintain, but need not publish, a school contact directory for official use, which is separate and distinct from the pupil information directory. School personnel shall provide information from the school contact directory for official use only to judicial, law enforcement, and medical personnel who are currently providing services to the pupil in question. In order for a parent or adult pupil to exclude any information from the school contact directory for official use, the parent or adult pupil shall notify the Superintendent or designee in writing on a form prescribed by the Commissioner of Education.

Mandated and Permitted Pupil Records

Mandated pupil records are those records school districts have been directed to compile by State statute, regulations, or authorized administrative directive in accordance with N.J.A.C. 6A:32-7.3.

Permitted pupil records are records authorized by the Board to be collected in order to promote the educational welfare of the pupil. The Board shall authorize the permitted records to be



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collected by adopting at a regular public Board meeting a resolution listing such permitted records or Regulation 8330, which will list such permitted records.

Maintenance and Security of Pupil Records

The Superintendent or designee shall be responsible for the security of pupil records maintained in the school district. Policy and Regulation 8330 assure that access to such records is limited to authorized persons.

Records for each individual pupil shall be maintained in a central file at the school attended by the pupil. When records are maintained in different locations, a notation in the central file as to where such other records may be found is required.

Pupil health records shall be maintained and located in a locked cabinet or room in the school building or complex where the pupil is assigned. Records kept in electronic form shall be both accessible and secure. Pupil health records shall be maintained separately from other pupil records, until such time as graduation or termination, whereupon the health history and immunization record shall be removed from the pupil's health record and placed in the pupil's mandated record. Records shall be accessible during the hours in which the school program is in operation.

Security blocks will be installed for records stored in any computer system to protect against any security violations of the records stored therein. To guard against the loss of pupil records, the district shall maintain an updated hard copy and backup versions of pupil records.

Any district internet website shall not disclose any personally identifiable information about a pupil, in accordance with N.J.S.A. 18A:36-35.

Access to Pupil Records

The district shall control access to, disclosure of, and communication regarding information contained in pupil health records to assure access only to those authorized organizations, agencies, and persons under the conditions permitted by federal and State statute and regulations in accordance with N.J.A.C. 6A:32-7.5.

The district will charge a reasonable fee for reproduction, not to exceed the schedule of costs set forth in N.J.S.A. 47:1A-2, provided that the cost does not effectively prevent the parents or adult pupils from exercising their rights under N.J.A.C. 6A:32-7 or under rules and regulations regarding pupils with disabilities.



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Pupil Records

Access to and disclosure of a pupil's health record shall meet the requirements of the Family Education Rights and Privacy Act, 34 C.F.R. Part 99 (FERPA).

The following authorized organizations, agencies, and persons shall have access to pupil records:

1. The pupil who has the written permission of a parent and the parent of a pupil under the age of eighteen whether or not the child resides with that parent except per N.J.S.A. 9:2-4; the place of residence shall not be disclosed and access shall not be provided if denied by a court.
2. Pupils at least sixteen years of age who are terminating their education in the district because they will graduate secondary school at the end of the term or no longer plan to continue their education.
3. The adult pupil and the pupil's parent who has the written permission of such pupil, except that the parent shall have access without consent of the pupil as long as the pupil is financially dependent on the parent and enrolled in the public school system or if the pupil has been declared legally incompetent by a court of appropriate jurisdiction. The parent of the financially dependent adult pupil may not disclose information contained in the adult pupil's record to a second or third party without the consent of the adult pupil.
4. Certified school district personnel who have assigned educational responsibility for the pupil shall have access to the general pupil record, but not to the pupil health record except under conditions permitted in N.J.A.C. 6A:16-1.5.
5. Certified educational personnel who have assigned educational responsibility for the pupil and who are employed by agencies as indicated in N.J.A.C. 6A:32-7.5(e)5 shall have access to the general pupil record, but not to the pupil health record, except under conditions permitted in N.J.A.C. 6A:16-1.5.
6. In order to fulfill its legal responsibility as a Board, the Board has access through the Superintendent or designee to information contained in a pupil's record. Information shall be discussed in executive session unless otherwise requested by the parent or adult pupil.
7. Secretarial and clerical personnel under the direct supervision of certified school personnel shall be permitted access to those portions of the record to the extent that is necessary for the entry and recording of data and the conducting of routine



clerical tasks. Access shall be limited only to those pupil files which such staff are directed to enter or record information and shall cease when the specific assigned task is completed.

8. Accrediting organizations in order to carry out their accrediting functions, the Commissioner of Education and members of the New Jersey Department of Education staff who have assigned responsibility which necessitates the review of such records.
9. Officials of other district Boards of Education within the State of New Jersey or other educational agencies or institutions where the pupil is placed, registered, or seeks to enroll subject to the following conditions:
 - a. Original mandated pupil records school districts have been directed to compile by New Jersey statute, regulation or authorized administrative directive shall be forwarded to the receiving school district with written notification to the parent or adult pupil;
 - b. Original permitted pupil records which the Board has required shall be forwarded to the receiving school district only with the written consent of the parent or adult pupil except where a formal sending-receiving relationship exists between the school districts;
 - c. All records to be forwarded, including disciplinary records as specified in N.J.S.A. 18A:36-19(a), shall be sent to the Superintendent or designee of the school district to which the pupil has transferred within ten school days after the transfer has been verified by the requesting school district;
 - d. The Superintendent or designee shall request all pupil records in writing from the school district of last attendance within two weeks from the date that the pupil enrolls in the new school district;
 - e. The Superintendent or designee of the school district of last attendance shall upon request, provide a parent(s) or an adult pupil with a copy of the records disclosed to other educational agencies or institutions; and
 - f. Proper identification, such as a certified copy of the pupil's birth certificate, shall be requested at the time of enrollment in a new school district.



10. Officials of the United States Department of Education who have assigned responsibilities which necessitate review of such records.
11. Officers and employees of a State agency who are responsible for protective and investigative services for pupils referred to that agency, pursuant to N.J.S.A. 9:6-8.40. Wherever appropriate, the district shall ask such State agency for its cooperation in sharing the findings of the investigation.
12. Organizations, agencies, and persons from outside the school if they have the written consent of the parent or adult pupil, except that these organizations, agencies, and persons shall not transfer pupil record information to a third party without the written consent of the parent or adult pupil.
13. Organizations, agencies, and individuals outside the school, other than those specified in N.J.A.C. 6A:32-7.5(e), upon the presentation of a court order.
14. Bona fide researchers who explain in writing, in advance to the Superintendent, the nature of the research project and the relevance of the records sought and who satisfy the Superintendent or designee that the records are to be used under strict conditions of anonymity and confidentiality. Such assurance shall be received in writing by the Superintendent prior to the release of information to the researcher.

Nothing shall be construed to prohibit school personnel from disclosing information contained in the pupil health record to pupils or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the pupil or other persons.

In providing access to pupil records in accordance with N.J.A.C. 6A:32-7.5, individuals shall adhere to requirements pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).

Conditions for Access to Pupil Records

All authorized organizations, agencies, and persons with access to pupil records shall have access to the records of a pupil subject to the following conditions:

1. No pupil record shall be altered or disposed of during the time period between a request to review the record and the actual review of the record.



2. Authorized organizations, agencies, and persons from outside the school whose access requires the consent of parents or adult pupils shall submit their request in writing together with any required authorization to the Superintendent or designee.
3. The Superintendent or designee shall be present during the period of inspection to provide interpretation of the records where necessary and to prevent their alteration, damage, or loss. In every instance of inspection of pupil records by persons other than parents, pupil, or individuals who have assigned educational responsibility for the individual pupil, an entry shall be made in the pupil's record of the names of persons granted access, the reason access was granted, the time and circumstances of inspection, the records studied, and the purposes for which the data will be used.
4. Unless otherwise judicially instructed, the district shall, prior to the disclosure of any pupil records to organizations, agencies, or persons outside the school district pursuant to a court order, give the parent or adult pupil at least three days' notice of the name of the requesting agency and the specific records requested. Such notification shall be provided in writing if practicable. Only those records related to the specific purpose of the court order shall be disclosed.
5. A record may be withheld from a parent of a pupil under eighteen or from an adult pupil only when the district obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court may be withheld. When the district has or obtains evidence of such court order, the parent or adult pupil shall be notified in writing within five days of his or her request that access to the record has been denied and that the person has the right to appeal this decision to the court issuing the order.

Rights of Appeal for Parents and Adult Pupils

Pupil records are subject to challenge by parents and adult pupils on the grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information or denial of access to organizations, agencies, and persons in accordance with N.J.A.C. 6A:32-7.7(a).

To request a change in the record or to request a stay of disclosure pending final determination of the challenged procedure, the process shall be as follows:



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Pupil Records

1. A parent or adult pupil shall notify the Superintendent in writing of the specific issues relating to the pupil's record.
2. Within ten days of notification, the Superintendent or designee shall notify the parent or adult pupil of the school district's decision.
3. If the school district disagrees with the request, the Superintendent or designee shall meet with the parent or adult pupil to revise the issues set forth in the appeal.
4. If the matter is not satisfactorily resolved, the parent or adult pupil may appeal this decision either to the Board of Education or the Commissioner of Education within ten days.
5. If appeal is made to the Board of Education, a decision shall be rendered within twenty days. The decision of the Board may be appealed to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4, Appeals.
6. At all stages of the appeal process, the parent or adult pupil shall be afforded a full and fair opportunity to present evidence relevant to the issue. A record of the appeal proceedings and outcome shall be made part of the pupil's record with copies made available to the parent or adult pupil.

Appeals relating to pupil records for pupils with disabilities shall be processed in accordance with the requirements of 1 through 6 above.

Regardless of the outcome of any appeal, a parent or adult pupil shall be permitted to place a statement in the pupil's record commenting upon the information in the pupil's record or setting forth any reasons for disagreement with the decision of the agency. Such statements shall be maintained as part of the pupil's record as long as the contested portion of the record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.

Retention and Disposal of Pupil Records

A pupil's record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the pupil is enrolled in the school district.



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Pupil Records

The school district shall retain the pupil health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.

Pupil records of currently enrolled pupils, other than that described in 1. below, may be disposed of after the information is no longer necessary to provide educational services to a pupil. Such disposition shall be accomplished only after written parental or adult pupil notification and written parental or adult pupil permission has been granted or after reasonable attempts of such notification and reasonable attempts to secure parental or adult pupil permission have been unsuccessful.

Upon graduation or permanent departure of a pupil from the school district, the parent or adult pupil shall be notified in writing that a copy of the entire pupil's record will be provided to them upon request. Information in pupil records, other than that described in 1. below, may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq. Such disposition shall be accomplished only after written parental or adult pupil notification and written parental or pupil permission has been granted, or after reasonable attempts at such notification and reasonable attempts to secure parental or adult pupil permission have been unsuccessful and prior written authorization has been obtained from the New Jersey Department of State, Records Committee.

1. In accordance with N.J.A.C. 6A:32-7.8(e), the New Jersey public school district of last enrollment, graduation, or permanent departure of the pupil from the school district shall keep for 100 years a mandated record of a pupil's name, date of birth, name of parents, gender, citizenship, address, telephone number, health history and immunization, standardized assessment and test answer sheet (protocol), grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult pupil.

N.J.S.A. 18A:36-19; 18A:36-19.1; 18A:40-4; 18A:40-19
N.J.A.C. 6A:32-7.1; 6A:32-7.2; 6A:32-7.3; 6A:32-7.4; 6A:32-7.5

Adopted: 17 September 2008



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Family Educational Rights
and Privacy Act

8335 FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Board of Education policies and regulations will be in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA). FERPA affords parents and adult pupils certain rights with respect to the pupil's education records. FERPA requires the district to provide parents and adult pupils the right to inspect and review the pupil's education records within forty-five days of the day the school district receives a request for access, to request an amendment(s) of the pupil's education records the parent or adult pupil believes are inaccurate, and to consent to disclosures of personally identifiable information contained in the pupil's education records, except to the extent that FERPA authorizes disclosure without consent.

FERPA permits disclosure of pupil records without consent if the disclosure is to school officials with legitimate educational interests. FERPA permits the school district to disclose education records without a parent's or adult pupil's consent to officials of another school district in which a pupil seeks or intends to enroll. FERPA requires a school district to make a reasonable attempt to notify the parent or adult pupil of the records request unless it states in its annual notification that it intends to forward records on request.

The parent or adult pupil has the right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

The New Jersey Administrative Code 6A:32-7 – Pupil Records adopted by the New Jersey Department of Education incorporates the requirements of FERPA and Board of Education Policy 8330 ensures parents and adult pupils are afforded certain rights with respect to the pupil's education records as required by FERPA.

20 U.S.C. Sec. 1232g. – The Family Educational Rights and Privacy Act
N.J.A.C. 6A:32-7

Adopted: 17 September 2008



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Emergency and Crisis Situations

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8420 EMERGENCY AND CRISIS SITUATIONS

The Board of Education recognizes its responsibility to provide for the safety and security in each school building in the district. The district will develop and implement written plans and procedures to provide for the protection of health, safety, security, and welfare of the school population; the prevention of, intervention in, response to and recovery from emergency and crisis situations; the establishment and maintenance of a climate of civility; and supportive services for staff, pupils, and their families.

The Superintendent of Schools or designee shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners, and school and community resources, as appropriate, in the development of the school district's plans, procedures, and mechanisms for school safety and security. The plans, procedures, and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A:9-64 et seq., and the Commissioner of Education and shall be reviewed annually, and updated as appropriate.

A copy of the school district's school safety and security plan shall be disseminated to all school district employees. New employees shall receive a copy of the school district's safety and security plan, as appropriate, within sixty days of the effective date of their employment. All employees shall be briefed in writing, as appropriate, regarding updates and changes to the school safety and security plan.

The school district shall develop and provide an in-service training program for all school district employees to enable them to recognize and appropriately respond to safety and security concerns, including emergencies and crisis, consistent with the school district's plans, procedures, and mechanisms for school safety and security and the provisions of N.J.A.C. 6A:16-5.1. New employees shall receive this in-service training, as appropriate, within sixty days of the effective date of their employment. This in-service training program shall be reviewed annually and updated, as appropriate.



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Emergency and Crisis Situations

In accordance with N.J.S.A. 18A:41-1, at least one fire drill and one school security drill will be conducted each month within school hours, including any summer months, which the school is open for instructional programs. A school security drill means an exercise, other than a fire drill, to practice procedures that respond to an emergency situation including, but not limited to, a non-fire evacuation, lockdown, bomb threat, or active shooter situation that is similar in duration to a fire drill. Schools are required to hold a minimum of two active shooter, non-fire evacuation, bomb threat, and lockdown security drills annually. Fire alarm systems shall be initiated only during a fire drill evacuation. Responses made necessary by the unplanned activation of emergency procedures or by any other emergency shall not be substituted for a required school security drill.

The Principal or designee will provide local law enforcement or other emergency responders, as appropriate, with a friendly notification at least forty-eight hours prior to holding a school security drill. Although these outside agencies are not required to observe school security drills, the Principal is encouraged to invite representatives from local law enforcement and emergency responder agencies to attend and observe at least four different security drills annually.

Such drills and in-service training programs shall be conducted in accordance with a building security drill guide and training materials that educate school employees on proper evacuation and lockdown procedures in a variety of emergency situations on school grounds as provided by the New Jersey Office of Homeland Security and Preparedness.

The school district will be required to annually submit a security drill statement of assurance to the New Jersey Department of Education by June 30 of each school year. Each school in the district will be required to complete a security drill record form as required by the New Jersey Department of Education.

N.J.S.A. 2C:33-3

N.J.S.A. 18A:41-1 et seq.

N.J.A.C. 6A:16-5.1; 6A:27-11.2

Adopted: 17 September 2008

Revised: 20 September 2010

Revised: 11 May 2011



POLICY

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Preparedness for Toxic Hazard

8431 PREPAREDNESS FOR TOXIC HAZARD

The Board of Education is concerned for the safety of the pupils and staff members assigned to district schools and will take reasonable steps to protect pupils and staff members from hazards that may result from industrial accidents beyond the control of school officials.

The Board will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will, in accordance with procedures prepared by the Superintendent, identify potential sources of toxic hazard and develop a plan that includes preventive and remedial measures to be followed in the event pupils and staff members are exposed to a toxic hazard. The plan will also include a system for the periodic evaluation of school environments.

The THP Officer will enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard. The Board may, in its discretion, appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

The plan for toxic hazard preparedness developed by the THP Officer and approved by this Board will be disseminated to the public. Teaching staff members will be instructed in the specific measures to be taken when toxic hazard is present and in the recognition of toxic hazards in the environment. A teaching staff member who detects a toxic hazard in school shall immediately notify the school Principal and the school nurse or, in the absence of either, the person authorized to perform that office.

Nothing in this policy should be construed in any way as an assumption of liability by the Board of Education for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

N.J.S.A. 13:1K-19 et seq.
N.J.S.A. 34:5A-1 et seq.
N.J.A.C. 6A:16-1.4
N.J.A.C. 7:1G-2.1
N.J.A.C. 8:59-1.4

Adopted: 17 September 2008



POLICY

SOUTH PLAINFIELD BOARD OF EDUCATION

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Care of Injured and Ill Persons
M

8441 CARE OF INJURED AND ILL PERSONS

The Board of Education directs the Superintendent to provide for prompt and appropriate medical attention for pupils, staff members, or visitors who are injured or become ill on school premises or at school sponsored events.

Any injury or illness shall be reported immediately to the school nurse or, in the absence of the school nurse, the Building Principal, who will determine whether an emergency exists. Immediate steps may be taken as necessary to remove the injured or ill person from imminent danger and/or prevent exacerbation of the disability. Routine first aid will be administered by district personnel as necessary to ensure the safety and comfort of the injured or ill person.

The parent(s) or legal guardian(s) of an injured or ill pupil and, if necessary, the family of an injured or ill staff member or adult visitor will be notified promptly and tactfully of the injury or illness. If the school nurse or school medical inspector or, in the absence of both, the Principal, determines that the injured or ill person should be removed from school for rest and/or treatment at home or for consultation with a private physician, the parent(s) or legal guardian(s), or family member shall be requested to provide transportation.

In a serious emergency requiring immediate medical attention, an ambulance may be summoned for transportation to a hospital or the school nurse may drive the injured or ill person to the hospital.

The Superintendent shall, in consultation with the school medical inspector and school nurse, prepare standing orders for the emergency treatment of injuries and disabilities by the school nurse and regulations for the handling of injured and ill persons by all other school employees. All district personnel will be briefed annually on the regulations governing the handling of injured and ill persons.

Injuries and disabilities that occur in the course of the athletic program are subject to the provisions of Policy No. 2431 and implementing regulations. Pupil disabilities attributable to substance abuse will be handled in accordance with Policy No. 5530. Injuries that occur in the course of school bus transportation will be handled in accordance with regulations implementing Policy No. 8630.

N.J.S.A. 18A:40-3

N.J.A.C. 6A:16-1.4(a)1; 6A:16-1.4(a)2; 6A:16-1.4(a)3

Adopted: 17 September 2008



POLICY

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Reporting Accidents

8442 REPORTING ACCIDENTS

The Board of Education directs that all reasonable efforts be made to ensure a safe learning and working environment for the pupils and employees of this district. To that end and to the end that legitimate employee claims for worker's compensation be expedited, the Board requires that accidents be reported and evaluated. Any accident that results in an injury, however slight, to a pupil, an employee of the Board, or a visitor to the schools must be reported promptly and in writing to the district business office. Injured persons shall be referred immediately to the school nurse for such medical attention as may be appropriate.

The injured employee or visitor or the staff member responsible for an injured pupil shall complete a form, available in the office of the Building Principal, that includes the date, time and place of the incident; the names of persons involved; the nature of the injury, to the extent that it is known; and a description of all relevant circumstances.

A copy shall be retained by the Building Principal and a copy shall be sent to the business office.

Any employee of the Board who suffers a job-related injury must report the injury and its circumstances to the Building Principal or job supervisor, as appropriate, no later than twenty-four hours following the occurrence of the injury. The failure of an employee to comply with this mandate may result in disciplinary action.

Adopted: 17 September 2008



POLICY

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Control of Communicable Disease
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8451 CONTROL OF COMMUNICABLE DISEASE

The Board of Education recognizes that control of the spread of communicable disease is essential to the well-being of the school community and to the efficient operation of the schools.

The Board shall be bound by the statutes and by rules of the State Board of Education for the exclusion and readmission of pupils who have contracted a communicable disease and of teachers and pupils who have been exposed to a communicable disease and for the instruction of teachers in health and the prevention of disease. The Board shall comply with regulations of the New Jersey Department of Health and the Middlesex County Board of Health governing the prevention, control, and reporting of communicable disease.

The teacher may exclude from the classroom and the Principal may exclude from the school building any pupil who appears to be ill or has been exposed to a communicable disease. A pupil may be isolated in school to await the arrival of or instructions from an adult member of his/her family. If the school medical inspector or the school nurse is present in the building, his/her recommendation shall be sought before any such exclusion or isolation is ordered.

Any pupil retained at home or excluded from school by reason of having or being suspected of having a communicable disease shall not be readmitted to his/her classroom until he/she presents written evidence of being free of communicable disease. That evidence may be supplied by the school medical inspector or another qualified physician who has examined the pupil.

Any pupil or adult who has weeping skin lesions that cannot be covered shall be excluded from school.

The Superintendent shall develop procedures for the control of communicable disease that include the instruction of teaching staff members in the detection of disease and measures for its prevention and control; the removal from school premises to the care of a responsible adult for pupils identified and excluded in accordance with this policy; the preparation of standards for the readmission of pupils who have recovered from communicable disease; the provision of appropriate home instruction to excluded pupils in accordance with law; and the filing of reports as required by law.

N.J.S.A. 18A:40-3; 18A:40-7 et seq.

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

N.J.A.C. 6A:16-1.4

N.J.A.C. 8:57-1.3; 8:57-1.6; 8:57-2.1 et seq.

Adopted: 17 September 2008



POLICY

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HIV/AIDS

8453 HIV/AIDS

The Board of Education will comply with rules of the State Board of Education and the State Department of Health and Senior Services with regard to the admission and employment of persons who may be diagnosed with Acquired Immune Deficiency Syndrome (AIDS) or infected with Human Immunodeficiency Virus (HIV). "AIDS" means a condition affecting a person who has a reliably diagnosed disease that meets the criteria for AIDS specified by the Center for Disease Control of the United States Public Health Services. "HIV infection" means infection with the human immunodeficiency virus or any other related virus identified as a probable causative agent of AIDS. Laboratory results indicative of infection with HIV shall mean laboratory results showing the presence of HIV or components of HIV, or laboratory results showing the presence of antibodies to HIV, or results from laboratory tests conducted to measure the presence of HIV RNA (viral load tests), such as quantitative PCR tests.

AIDS or HIV infection shall not be considered a communicable disease for purposes of admission to or attendance in a school or for eligibility for educational transportation.

In accordance with N.J.A.C. 6A:16-1.4(a)8, no person, pupil or employee, will be excluded from school solely because he/she is infected with HIV or lives with or is related to a person infected with HIV. Pupils infected with HIV, including those who may be symptomatic or diagnosed with AIDS, may be excluded from school only as a pupil not infected with HIV or diagnosed with AIDS may be excluded from school. A school employee infected with HIV may be restricted in his/her employment only if the employee has another illness that would affect his/her employment.

Any pupil excluded from the regular school program will be provided with home instruction in accordance with rules of the State Board of Education and Policy No. 2412.

No pupil, staff member, or visitor may attend or visit school if he/she has an uncoverable and/or uncovered weeping skin lesion, whether or not the person has been screened for HIV.

It is not required that anyone in the school be especially notified that an HIV-infected pupil or employee is present. School employee physicals, pupil physicals and athletic physicals do not require disclosure of HIV status. Records of health and medical examinations should not include information about an individual's infection with HIV. Therefore, HIV/AIDS status is an exception to records required pursuant to pupil physical examinations, N.J.A.C. 6A:16-2.2, and school employee physical examinations, N.J.A.C. 6A:32-6.1 et seq. In the event the school nurse or a school official is apprised that a pupil or employee is HIV-infected, the fact of the infection will be held in strict confidence and will not be classified as a communicable disease for admission, local health reporting or educational transportation.



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HIV/AIDS

Information that identifies a pupil as having an HIV infection or AIDS shall be shared only with prior written informed consent of the pupil age twelve or greater, or of the pupil's parent(s)/legal guardian(s) as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the pupil. The person who receives such information shall not reveal it to any other person without the express written consent of the minor pupil's parent(s) or legal guardian(s), or the adult pupil.

The Board shall annually provide pupils, parent(s) or legal guardian(s), staff members, school volunteers, and members of the community with information intended to increase awareness of HIV and AIDS, including information regarding the nature of the disease and its prevention. The Board will cooperate with other agencies to provide HIV/AIDS awareness information to the community.

N.J.S.A. 26:5C-5; 26:5C-6; 26:5C-7; 26:5C-8;
26:5C-9; 26:5C-10; 26:5C-11;
26:5C-12; 26:5C-13; 26:5C-14

N.J.A.C. 6A:16-1.3; 6A:16-1.4; 6A:16-1.5; 6A:16-3.2; 6A:32-9.1

N.J.A.C. 8:57-2.1 et seq.

Adopted: 17 September 2008



POLICY

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Reporting Violence, Vandalism, Harassment,
Intimidation, Bullying, Alcohol,
and Other Drug Abuse

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8461 REPORTING VIOLENCE, VANDALISM, HARASSMENT,
INTIMIDATION, BULLYING, ALCOHOL,
AND OTHER DRUG ABUSE

The Board of Education shall observe “School Violence Awareness Week” during the week beginning with the third Monday in October of each year by organizing activities to prevent school violence. Activities shall include, but are not limited to, age-appropriate opportunities for pupil discussion on conflict resolution, issues of pupil diversity, and tolerance. The Board shall invite law enforcement personnel to join members of the teaching staff in the discussions and provide programs for school employees that are designed to help them recognize warning signs of school violence and to instruct them on recommended conduct during an incident of school violence.

Any school employee who observes or has direct knowledge from a participant or victim of an act of violence or the possession and/or distribution of alcohol or other drugs on school grounds, and any school employee who reports a pupil for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school Principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form adopted by the Board to include all of the incident detail and offender and victim information that are reported on the Electronic Violence and Vandalism Reporting System (EVVRS).

A report alleging an incident of harassment, intimidation, or bullying shall be made in accordance with the provisions of N.J.S.A. 18A:37-13.1 and Policy 5512.

The Building Principal, for each incident report of violence, vandalism, harassment, intimidation, bullying, alcohol, or other drug abuse, shall review the incident report for accuracy; forward a copy of the incident report to the Superintendent; and notify the Superintendent of the action taken regarding the incident. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.



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Reporting Violence, Vandalism, Harassment,
Intimidation, Bullying, Alcohol,
and Other Drug Abuse

The majority representative of the school employees' bargaining units shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, harassment, intimidation, or bullying pursuant to N.J.S.A. 18A:17-46. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in instances when school administrators have reason to believe that the safety of a school staff member is at risk.

Two times each school year, between September 1 and January 1 and between January 1 and June 30, at a public hearing held pursuant to N.J.S.A. 18A:17-46, the Superintendent shall report to the Board all acts of violence, vandalism, harassment, intimidation, bullying, and incidents of alcohol and other drug abuse that occurred during the previous reporting period in accordance with the provisions of N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3. The report shall include the number of reports of harassment, intimidation, or bullying, the status of all investigations, the nature of the bullying based on one of the protected categories identified in section 2 of P.L.2002, c.83 (C.18A:37-14), the names of the investigators, the type and nature of any discipline imposed on any pupil engaged in harassment, intimidation, or bullying, and any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying. The information shall also be reported once during each reporting period to the Department of Education. The report must include data broken down by the enumerated categories as listed in section 2 of P.L.2002, c.83 (C.18A:37-14), and data broken down by each school in the district, in addition to district-wide data. It shall be a violation to improperly release any confidential information not authorized by Federal or State law for public release.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with the provisions of P.L. 2002, c.83 (C.18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district. The



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Reporting Violence, Vandalism, Harassment,
Intimidation, Bullying, Alcohol,
and Other Drug Abuse

Commissioner shall promulgate guidelines for a program to grade schools for the purposes of N.J.S.A. 18A:17-46. The grade received by a school and the district shall be posted on the homepage of the school's website. The grade for the district and each school of the district shall be posted on the homepage of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the websites within ten days of the receipt of a grade by the school and district.

Whenever it is alleged a school employee has knowingly falsified the report on violence, vandalism, harassment, intimidation, or bullying required under N.J.S.A. 18A:17-46, the Board shall make a determination regarding whether the employee committed the act. The Board shall provide written notice of the allegations to the employee and the employee shall be entitled to a hearing before the Board in accordance with the provisions of N.J.A.C. 6A:16-5.3(g)2. Upon a determination by the Board that an employee has knowingly falsified the report, the Board may take appropriate action as outlined in N.J.A.C. 6A:16-5.3(g)3. Any action taken by the Board shall be based on its consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record. Any employee having been found responsible for the falsification of the report by the Board shall have the right to file a grievance under their respective bargaining agreements, appeal the Board's determination to the Commissioner of Education and subsequently to the State Board of Education, or appeal the decision to the Superior Court of New Jersey. The availability of appeal options shall be based upon the action taken by the Board.

A Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.

The Board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements of N.J.S.A. 18A:17-46.

N.J.S.A. 18A:17-46; 18A:36-5.1

N.J.A.C. 6A:16-5.2; 6A:16-5.3

Adopted: 17 September 2008

Revised: 12 May 2010

Revised: 17 August 2011



POLICY

SOUTH PLAINFIELD BOARD OF EDUCATION

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Reporting Potentially Missing or Abused Children

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8462 REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN

The Board of Education recognizes early detection of missing, abused, or neglected children is important in protecting the health, safety, and welfare of all children. In recognition of the importance of early detection of missing, abused, or neglected children, the Board of Education adopts this Policy pursuant to the requirements of N.J.S.A. 18A:36-25. The Board provides this Policy for its employees, volunteers, or interns to provide for the early detection of missing, abused, or neglected children through notification of, reporting to, and cooperation with the appropriate law enforcement and child welfare authorities pursuant to N.J.S.A. 18A:36-25 and N.J.S.A. 9:6-8.10.

Employees, volunteers, or interns working in the school district shall immediately notify designated child welfare authorities of incidents of alleged missing, abused, and/or neglected children. Reports of incidents of alleged missing, abused, or neglected children shall be reported to the New Jersey State Central Registry (SCR) at 1-877 NJ ABUSE. If the child is in immediate danger a call shall be placed to 911 as well as to the SCR.

The person having reason to believe that a child may be missing or may have been abused or neglected may, prior to notifying designated child welfare authorities, inform the Building Principal or designee if the action will not delay immediate notification. The person notifying designated child welfare authorities shall inform the Building Principal or designee of the notification, if such had not occurred prior to the notification. Notice to the Building Principal or designee need not be given when the person believes that such notice would likely endanger the reporter or pupil involved or when the person believes that such disclosure would likely result in retaliation against the pupil or in discrimination against the reporter with respect to his or her employment.

The Building Principal or designee upon being notified by a person having reason to believe that a child may be missing or may have been abused or neglected, must notify appropriate law enforcement authorities of incidents of potentially missing, abused, or neglected child situations. Notification to appropriate law enforcement authorities shall be made for all reports by employees, volunteers, or interns working in the school district. Confirmation by another person is not required for a school district employee, volunteer, or intern to report the suspected missing, abused, or neglected child situation.

School district officials will cooperate with designated child welfare and law enforcement authorities in all investigations of potentially missing, abused, or neglected children in accordance with the provisions of N.J.A.C. 6A:16-11.1(a)5.



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Reporting Potentially Missing or Abused Children

The district designates Supervisor of Student Personnel Services as the school district's liaison to designated child welfare authorities to act as the primary contact person between the school district and child welfare authorities with regard to general information sharing and the development of mutual training and other cooperative efforts. The district designates Supervisor of Student Personnel Services as the school district's liaison to law enforcement authorities to act as the primary contact person between the school district and law enforcement authorities, pursuant to N.J.A.C. 6A:16-6.2(b)1, consistent with the memorandum of understanding, pursuant to N.J.A.C. 6A:16-6.2(b)13.

An employee, volunteer, or intern working in the school district who has been named as a suspect in a notification to child welfare and law enforcement authorities regarding a missing, abused, or neglected child situation shall be entitled to due process rights, including those rights defined in N.J.A.C. 6A:16-11.1(a)9.

The Supervisor of Student Personnel Services shall provide training to school district employees, volunteers, and/or interns on the district's policy and procedures for reporting allegations of missing, abused, or neglected child situations. All new school district employees, volunteers, and/or interns shall receive the required information and training as part of their orientation.

There shall be no reprisal or retaliation against any person who, in good faith, reports or causes a report to be made of a potentially missing, abused, or neglected child situation pursuant to N.J.S.A. 9:6-8.13.

N.J.S.A. 18A:36-24

N.J.A.C. 6A:16-11.1

Adopted: 17 September 2008



8465 HATE CRIMES AND BIAS-RELATED ACTS

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

Definitions

A "hate crime" is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race, color, disability, religion, sexual orientation, or ethnicity.

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

Required Actions

Whenever any school employee in the course of his/her employment develops reason to believe that (1) a hate crime has been committed or is about to be committed on school property, or has been or is about to be committed by any pupil, whether on or off school property and whether or not such offense was or is about to be committed during operating school hours, or (2) a pupil enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during operating school hours, the school employee shall immediately notify the Building Principal and Superintendent, who in turn shall notify the South Plainfield Police Department and Bias Investigation Officer for the county prosecutor's office. The Principal shall notify the South Plainfield Police Department and the county prosecutor's office immediately if there is reason to believe that a hate crime that involves an act of violence has been or is about to be physically committed against a pupil or there is otherwise reason to believe that a life has been or will be threatened.



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Hate Crimes and Bias-Related Acts

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

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

It is understood a referral to the South Plainfield Police Department or county prosecutor's office is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge.

Unless the South Plainfield Police Department or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected hate crime or bias-related act occurring on school property and may take such actions as necessary and appropriate to redress and remediate any such acts.

School officials will secure and preserve any such graffiti or other evidence of a suspected hate crime or bias-related act pending the arrival of the South Plainfield Police Department or the county prosecutor's office. The school officials, when feasible, will cover or conceal such evidence until the arrival of the South Plainfield Police Department or county prosecutor's office.

N.J.A.C. 6A:16-6.1 et seq.; 6A:16-6.3(e)
State Memorandum of Agreement approved by the Department
of Law & Public Safety and the Department of Education

Adopted: 17 September 2008



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Weapons
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8467 WEAPONS

The Board of Education prohibits the possession, use, or exchange of any weapon in any school building, on school grounds, at any school-sponsored event, and on school sanctioned transportation except as the possession and use of a weapon is authorized by law and required in the performance of the possessor's duty.

For the purpose of this policy, "weapon" means anything readily capable of lethal use or of inflicting serious bodily injury. "Weapon" includes, but is not limited to, all firearms, knives, dangerous instruments intended to inflict harm, components that can be readily assembled into a weapon, explosive devices, and imitation firearms. For the purposes of this policy "firearm" means those items enumerated in N.J.S.A. 2C:39-1f and 18 U.S.C. 921.

Any pupil or school employee who has reasonable grounds to suspect the presence of a weapon prohibited by this policy shall immediately report his/her suspicion to the Principal or designee and/or immediate supervisor. The Principal or designee and/or immediate supervisor shall conduct an appropriate search in accordance with Policy No. 5770 and confiscate any weapon discovered in the course of the search. He/she shall, if appropriate and feasible, summon the aid of law enforcement officers in the conduct of the search. Any school employee who confirms the presence of a weapon under circumstances that place persons at serious risk may confiscate the weapon immediately and may use such force as is reasonable and necessary to obtain possession.

Unless the weapon has been taken into custody by a law enforcement officer, the Principal or designee and/or immediate supervisor shall immediately store any confiscated weapon in a securely locked box or container and report the presence of the weapon to the Superintendent. The Superintendent shall promptly notify, by telephone call and by letter, the Chief of Police of South Plainfield that a weapon is present on school premises; the notice shall request removal of the weapon by an authorized law enforcement officer. The Superintendent shall obtain and file a receipt for any weapon removed by a law enforcement officer.

Any pupil who possesses, uses, or exchanges a weapon in violation of this policy shall be subject to stringent discipline, which may include expulsion. Any pupil or school employee who suspects or knows of the presence of a weapon in violation of this policy and fails to report the same shall be subject to discipline. Any person who possesses a weapon on school premises or school transportation or at a school-sponsored function shall be reported to the appropriate law enforcement agency.



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Weapons

Any pupil who is convicted or is an adjudicated delinquent for possession of a firearm or who is found to be in possession of a firearm on school property must be immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. Pupils convicted or found to be delinquent for possessing a firearm on school property, on a school bus, or at a school-sponsored function or committing a crime while possessing a firearm shall be immediately removed from the regular education program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the pupil. (Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act)

Any pupil who commits an assault upon members of the school community with a weapon other than a firearm on school property must be immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. (Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act)

Pupils with disabilities violating the provisions of this policy shall be dealt with in accordance with Policy No. 2460 and Regulation No. 2460.6.

Nothing in this policy shall be construed to prohibit the reporting of a crime committed by a child with a disability to the appropriate law enforcement or judicial authorities, or to prevent such authorities from exercising their responsibilities with regard to the application of federal or state law to crimes committed by a child with disabilities.

Any pupil requiring removal from the regular education program for the reasons enumerated above shall be removed in accordance with Policy and Regulation No. 5611.

The Superintendent, or designee, shall prepare regulations to implement this policy for the guidance of school staff in dealing with incidents involving weapons in the school district.

N.J.S.A. 2C:39-1 et seq.; 2C:58-6.1; 2C:58-15

N.J.S.A. 18A:6-1

N.J.S.A. 23:4-16

N.J.A.C. 6A:14-2.8 et seq.

Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act

18 U.S.C. 921

20 U.S.C 1415

Adopted: 17 September 2008



8468 CRISIS RESPONSE

The Board of Education recognizes its responsibility to be prepared to confront circumstances in which the physical and/or mental well-being of pupils, staff and other individuals on school grounds is threatened or overtly impacted upon by an individual or group of individuals. Situations at issue include, but are not limited to, acts of terrorism, hostage situations and other threats or acts of a violent nature. The Board further recognizes there is a need to deal with the aftermath of such events and circumstances, and to contend with the psychological trauma, pain and confusion which may ensue as the result of these events.

The Board establishes through the person of the Superintendent or his/her designee, a Crisis Team whose responsibility it shall be to act:

1. As a source of information;
2. As a vehicle through which direct services may be delivered;
3. In an advisory capacity to the Superintendent, or his/her designee, and/or other agents or agencies dealing with the crisis situation.

The Crisis Team may consist of the following membership:

1. The Superintendent of Schools, or his/her designee;
2. An administrator from each of the schools within the district;
3. School Psychologist(s);
4. Guidance Counselor(s);
5. School Social Worker(s);
6. Director of Special Services and/or Guidance;
7. Director of Buildings and Grounds;
8. Teacher representative(s);
9. A representative of local/State Police;
10. A representative of local medical facility/hospital;



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Crisis Response

11. School Nurse;
12. Others as deemed appropriate to the function of the Crisis Team; e.g., a fire department representative, EMT specialist, other school or community representatives.

The Crisis Team shall be convened at least on an annual basis:

1. To review established policy and procedures;
2. To orient new members as to their responsibilities;
3. To maintain and reinforce lines of communication between the various disciplines and specialists who make up the Crisis Team.

Adopted: 17 September 2008



POLICY

SOUTH PLAINFIELD BOARD OF EDUCATION

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Food Services

8500 FOOD SERVICES

The Board of Education recognizes the midday meal as an important part of each pupil's school day. The Superintendent shall ensure a wholesome, nutritious food services program in the district and one which reinforces the concepts of nutrition education as taught in the classrooms of this district.

The Board shall provide food service facilities for the consumption of food on school premises. All pupils not expressly excused by the Principal shall be expected to remain at school for lunch.

The operation and supervision of the food services program shall be the responsibility of the Director of Food Services.

The district shall participate in the Federal Child Nutrition Program.

The Food Service Program shall be operated on a nonprofit basis. All moneys derived from the operation, maintenance, or sponsorship of the food service facilities shall be deposited in the Food Service Account. The net cash resources of the food service account may not exceed three months' operating cost. A periodic review of the food service account shall be made by the School Business Administrator/Board Secretary. Any surplus funds shall be used to reduce the cost of the service to pupils or to purchase cafeteria equipment.

The Superintendent shall ensure the maintenance of sanitary, neat premises, free from fire and health hazards, for the preparation and consumption of food and the safekeeping and storage of food and food equipment in strict compliance with regulations of the New Jersey State Department of Health.

N.J.S.A. 18A:18A-42.1; 18A:33-3 et seq.; 18A:58-7.1

N.J.A.C. 6A:23-2.6 et seq.

N.J.A.C. 8:24-2.1 through 7.5

Adopted: 17 September 2008



8505 SCHOOL NUTRITION

The Board believes that children need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive, and that good health fosters pupil attendance and education.

Obesity rates have doubled in children and tripled in adolescents over the last two decades, and physical inactivity and excessive calorie intake are the predominant causes of obesity. Heart disease, cancer, stroke, and diabetes are responsible for two-thirds of deaths in the United States, and major risk factors for those diseases, including unhealthy eating habits, physical inactivity, and obesity, often are established in childhood. Further, the items most commonly sold from school vending machines, school stores, and snack bars include low-nutrition foods and beverages, such as soda, sports drinks, imitation fruit juices, chips, candy, cookies, and snack cakes.

To promote healthful behavior in the school, the Board is committed to encouraging its pupils to consume fresh fruits, vegetables, low fat milk and whole grains. The Board is also committed to encouraging pupils to select and consume all components of the school meal.

In order to promote and protect children's health, well-being, and ability to learn, the Board is committed to providing school environments that support healthy eating and physical activity and will ensure that:

1. All pupils will have opportunities, support, and encouragement to be physically active on a regular basis.
2. Foods and beverages sold or served at school will meet the nutrition recommendations of the U.S. Dietary Guidelines for Americans, and the USDA nutrition standards for National School Lunch, School Breakfast and/or After School Snack Programs. The district will regulate the types of food and beverage items offered outside the Federal meal requirements, such as ala carte sales, vending machines, school stores, and fund raisers.
3. All pupils will be provided with adequate time for pupil meal service and consumption in a clean, safe, and pleasant dining environment. Lunch and recess or physical education schedules will be coordinated with the meal service.



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School Nutrition

4. To the maximum extent practicable, all schools in the district will participate in available Federal school meal programs (including the School Breakfast Program, National School Lunch Program including - After-School Snack Programs, Summer Food Service Program, and Child and Adult Care Food Program).
5. Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services.
6. The Board will engage pupils, parent(s) or legal guardian(s), teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies.

The following items shall not be served, sold, or given out as free promotion anywhere on school property at anytime before the end of the school day:

1. Foods of minimal nutritional value as defined by the United States Department of Agriculture;
2. All food and beverage items listing sugar, in any form as the first ingredient; and
3. All forms of candy.

All snack and beverage items sold or served anywhere on school property during the school day, including items sold in a la carte lines, vending machines, snack bars, school stores, and fundraisers or served in the reimbursable After School Snack Program, shall meet the following standards:

1. Based on manufacturers nutritional data or nutrient facts labels:
 - a. No more than eight grams of total fat per serving, with the exception of nuts and seeds; and
 - b. No more than two grams of saturated fat per serving.
2. All beverages shall not exceed twelve ounces, with the following exceptions:



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School Nutrition

- a. Water; and
 - b. Milk containing two percent or less fat.
3. Whole milk shall not exceed eight ounces.

In elementary schools, one hundred percent of all beverages offered shall be milk, water or one hundred percent fruit or vegetable juices.

In middle and high schools:

1. At least sixty percent of all beverages offered, other than milk and water, shall be one hundred percent fruit or vegetable juices.
2. No more than forty percent of all ice cream/frozen desserts shall be allowed to exceed the above standards for sugar, fat, and saturated fat.

Food and beverages served during special school celebrations or during curriculum related activities shall be exempt from this policy, with the exception of foods of minimal nutritional value as defined by USDA regulations.

Schools shall reduce the purchase of any products containing trans fats.

This policy does not apply to medically authorized special needs diets pursuant to Federal regulations; school nurses using FMNVs during the course of providing health care to individual pupils; or special needs pupils whose Individualized Education Plan (IEP) indicates their use for behavior modification.

Adequate time shall be allowed for pupil meal service and consumption. Schools shall provide a pleasant dining environment. The Board recommends that physical education or recess be scheduled before lunch whenever possible.

The district's curriculum shall incorporate nutrition education and physical activity consistent with the New Jersey Department of Education Core Curriculum Content Standards.

The Superintendent will specifically address the issue of biosecurity for the school food service. Biosecurity may be part of the plans, procedures and mechanism for school safety.



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School Nutrition

The Board is committed to promoting the nutrition policy with all food service personnel, teachers, nurses, coaches, and other school administrative staff so they have the skills they need to implement this policy and promote healthy eating practices. The Board will work toward expanding awareness about this policy among pupils, parent(s) or legal guardian(s), teachers, and the community at large.

The Superintendent shall develop regulations consistent with this policy, including a process for measuring the effectiveness of its implementation, and designating personnel within each school with operational responsibility for ensuring the school is complying with the policy.

N.J.A.C. 2:36-1.7(a); 2:36-1.7(b)

Adopted: 17 September 2008



POLICY

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OPERATIONS
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School Lunch Program Biosecurity Plan
M

8506 SCHOOL LUNCH PROGRAM BIOSECURITY PLAN

The Board of Education is committed to protecting the health of the children and adults in school buildings by strengthening the safety of foodservice operations. Therefore, the Board requires the creation and implementation of a School Lunch Program Biosecurity Plan that will keep school meals free from intentional contamination and enable the foodservice to respond to threats or incidents of bioterrorism.

The School Lunch Program Biosecurity Plan shall be a document that spells out school lunch program policies and procedures that minimize the risk of intentional contamination of food and reduce the risk of illness or death in the school community. The Plan shall describe strategies for preventing threats and incidents of product tampering and food contamination. The Plan shall also include appropriate response actions to be taken should an incident occur. There may be a general Plan for all the schools in the district; however, the Plan will address the specific roles and responsibilities for individual schools or locations where food is served.

The School Lunch Program Biosecurity Plan shall be prepared, revised, and updated in accordance with the requirements of N.J.A.C. 2:36-1.13 - Biosecurity for School Food Service and the U.S. Department of Agriculture, "A Biosecurity Checklist for School Food Service Programs," March 2004 version, as amended and supplemented, as New Jersey's Biosecurity Policy for Child Nutrition Programs.

N.J.A.C. 2:36-1.13

Adopted: 17 September 2008



POLICY

SOUTH PLAINFIELD BOARD OF EDUCATION

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Free and Reduced Rate Meals

8540 FREE AND REDUCED RATE MEALS

The Board of Education recognizes the importance of good nutrition to each pupil's educational performance and directs that needy pupils be provided with lunch and breakfast at reduced rates or free of charge.

Pupils shall be eligible for free or reduced rate meals who would not otherwise receive proper nourishment. The Board designates the Business Administrator to determine, in accordance with standards issued annually by the State Department of Education, the pupils eligible for free or reduced rate meals.

The Superintendent shall annually notify all interested persons in the school district of the availability, eligibility requirements, and application procedures for free and reduced rate meals by the distribution of an application for such meals to the family of each pupil enrolled in the district, by placing a notice in the Board's official newspaper, and by informing appropriate municipal agencies and community organizations.

A parent(s) or legal guardian(s) who so requests shall be given an application form and at least two weeks to prepare and submit the form. Where necessary, the Principal or the Principal's designee shall assist the applicant in the preparation of the form. The pupil's eligibility shall be determined and the applicant shall be notified of that determination in writing within 10 school days of the receipt of the application. Any pupil found eligible shall be offered free or reduced rate meals immediately and shall continue to receive such meals during the pendency of any inquiry regarding his/her eligibility.

A denial of eligibility for free or reduced rate meals shall be in writing and shall include the reasons for which eligibility was denied, notice of the applicant's right to appeal the denial, and the procedures for appeal. Appeal procedures shall include a hearing, held with reasonable promptness and at the convenience of the applicant and before a hearing officer other than the school official who denied the application; the applicant's opportunity to be represented by counsel; a decision rendered promptly and in writing; and an opportunity to appeal the decision of the hearing officer to the Superintendent.

The identity of pupils who receive free or reduced rate meals will be protected, and they shall not be required to work in consideration for receiving such meals.



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Free and Reduced Rate Meals

The Superintendent shall develop regulations to implement this policy and shall seek out and apply for such federal, state, and local funds as may be applied to the district's program of free and reduced rate meals.

7 C.F.R. 210.1 et seq.
N.J.S.A. 18A:33-5; 18A:58-7.2
N.J.A.C. 2:36

Adopted: 19 November 2008



POLICY

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Transportation
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8600 TRANSPORTATION

The Board of Education directs the Superintendent to supervise development of bus routes to provide safe, economical and reasonably expeditious transportation for:

1. Pupils who live remote from the schoolhouse as defined by New Jersey law;

Transportation will be furnished for South Plainfield pupils as follows:

Kindergarten	1/2 mile or over
Grades 1 through 4	1 mile or over
Grades 5 through 8	Over 2 miles
Grades 9 through 12	Over 2-1/2 miles

2. Educationally disabled pupils in accordance with their IEP;
3. Pupils participating in Board-approved extracurricular activities or field trips;
4. Pupils whose route to the school is deemed hazardous by the Board; and
5. Other pupils as required by law.

The criteria to be used in designing routes and assigning pupils to them shall include:

1. The distance to be traveled to and from school;
2. The age and state of health of the child;
3. The requirements of the instructional program; and
4. The hazards involved on the route to be traveled.

Transportation to and from school shall be provided as required by law to eligible nonpublic school pupils and to pupils attending charter schools. All pupils riding on district buses shall be required to observe the district's bus conduct regulations or risk loss of the privilege of such transportation.



On a space-available basis, the Board may transport both public and nonpublic pupils who live within statutory limits (courtesy busing). The Board or a cooperative transportation services agency may charge for this service. The charge shall be equitable and shall include, but not be limited to, the cost of fuel, driver salaries, and insurance.

Buses, whether contracted or district-owned, shall be kept in optimum condition and shall conform to all State safety regulations.

Bus routes must be acted upon by the Board and submitted to the County office.

Courtesy Transportation Along Hazardous Routes

The South Plainfield Board of Education is concerned with the safety of pupils who walk to and from school along roadways determined to be hazardous routes. The Superintendent shall work in conjunction with municipal officials to determine the criteria necessary for the classification of a hazardous route and shall maintain a list of all hazardous routes in the district. The Superintendent shall develop rules and regulations to supply courtesy transportation for pupils who must walk to and from school along routes designated by the South Plainfield School District to be hazardous. The criteria used to determine hazardous routes may include, but shall not be limited to, the following:

1. Population density;
2. Traffic volume;
3. Average vehicle velocity;
4. Existence or absence of sufficient sidewalk space;
5. Roads and highways that are winding or have blind curves;
6. Roads or highways with steep inclines and declines;
7. Drop-offs that are close proximity to a sidewalk;
8. Bridges or overpasses that must be crossed to reach the school;
9. Train tracks or trestles that must be crossed to reach the school; and



10. Busy roads and highways that must be crossed to reach the school.

Pupils who would otherwise be required to walk to and from school along routes designated as hazardous shall be included in the calculation of the district's regular vehicle capacity utilization.

Contractors

Contractors shall provide buses that meet all State, local, and contract specifications, and conform to district transportation regulations.

Transportation to Other than Domicile

The Board of Education acknowledges that in some cases working parent(s) or legal guardian(s) will require transportation for their children to and/or from a location other than their domicile.

The Board of Education will honor such requests only if the following conditions are met:

1. The child must be eligible for transportation from their domicile based upon Board policy.
2. The parent(s) or legal guardian(s) must make the request in writing to the Transportation Supervisor at least three days prior to the event.
3. Transportation will be provided only on an established route to the assigned school.
4. The request must be for a full school year and the child(ren) must go to the same childcare provider five days per week. The only exception to this is if the change is permanent for the duration of the school year. The Transportation Supervisor will relay his/her decision to the Principal, prior to effectuating the change.
5. Requests will be honored on a space available basis.

Transportation to Before and After School Program

The Board of Education shall provide transportation to those pupils participating in the district Before and After School Program from the assigned schools to the program. There shall be no provisions for transporting pupils from the program to their homes.



Pupils with Educational Handicaps

Transportation to and from school will be provided by the district for every pupil resident in the district who is identified as a handicapped pupil and whose Individualized Education Program (IEP) requires such transportation, whether or not the handicapped pupil is attending schools of the district or public schools anywhere in the State, or nonpublic schools as authorized under provisions of the law subject to approval by the office of the County Superintendent. Parent(s) or legal guardian(s) wishing to transport handicapped pupils to and from school shall be eligible for transportation reimbursement under State guidelines.

Extracurricular Activities and Field Trips

Buses may be provided, as is reasonable, to transport pupils engaged in extracurricular and athletic activities. Consideration for this transportation shall take into account pupil participation and available resources.

Buses will be provided for field trips for pupils of the school district in accordance with the Board of Education policy regarding field trips.

Parent/Guardian Responsibility

Parent(s) or legal guardian(s) are responsible for providing transportation to and from events conducted at the schools for which transportation is not furnished by the Board of Education. In order to ensure that parent(s) or legal guardian(s) are aware of the lack of Board of Education transportation for an event, the Principal or designee shall inform parent(s) or legal guardian(s), in writing, of the need to provide for necessary transportation.

Buses – Pupil Discipline

N.J.S.A. 18A:25-2 provides that the driver shall be in charge of the school bus at all times and shall be responsible for order. The driver shall never exclude a pupil from the bus, but if unable to manage any pupil, shall report the matter to the Principal of the school the pupil attends.

A pupil may be excluded from the bus for disciplinary reasons by the Principal and the pupil's parent(s) or legal guardian(s) shall provide transportation to and from school during the period of such exclusion. The bus driver will forward all written referral to the Building Principal.

First Offense: Discussion with the Principal or Assistant Principal with notification sent to parent(s) or legal guardian(s).



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Transportation

Second Offense: Discussion with the Principal or Assistant Principal with notification sent to parent(s) or legal guardian(s).

Third Offense: Discussion with the Principal or Assistant Principal with notification sent to parent(s) or legal guardian(s). Exclusion from the bus for one day.

Fourth Offense: Discussion with the Principal or Assistant Principal with notification sent to parent(s) or legal guardian(s). Exclusion from the bus for five days.

Serious violations may require skipping steps and imposing immediate extended exclusion from the bus.

N.J.S.A. 18A:39-1 et seq.

N.J.S.A. 27:15-16

N.J.S.A. 39:3B-1 et seq.

N.J.A.C. 6A:27-1.1 et seq.; 6A:27-2.1 et seq.; 6A:27-3.1

Adopted: 17 September 2008



8601 PUPIL SUPERVISION AFTER SCHOOL DISMISSAL

The Board of Education adopts this Pupil Supervision After School Dismissal Policy as a result of the New Jersey Supreme Court's decision in *Joseph Jerkins, an infant by his Guardian Ad Litem, Charles Jerkins; Charles Jerkins and Toni Jerkins, individually, v. Soweto Anderson; Kemba N. Anderson; John Does 1-10 (fictitious individuals) and ABC Corporations 1-10 (fictitious entities), and Board of Education of Pleasantville Public Schools and Rosemay Clarke*.

The New Jersey Supreme Court, in *Jerkins*, indicated dangers exist for younger pupils at dismissal as children are susceptible to numerous risks, including negligent conduct, when leaving school property. Because of these risks, the Board of Education adopts and requires the implementation of Policy 8601 for the supervision of younger pupils after dismissal. The supervision provisions of Policy Guide 8601 are applicable to parents or legal guardians of pupils attending district-operated schools or programs in grades Pre-School to fourth who are not eligible for district-provided transportation after dismissal or are eligible and elect not to use district-provided transportation after dismissal.

Any parent(s) or legal guardian(s) of a pupil attending a district-operated school or program in grades Pre-School to fourth, where the pupil is not eligible for district-provided transportation or is eligible and elects not to use district-provided transportation after dismissal may request the school or program not release the pupil to walk home after dismissal unless the pupil is released to the parent(s) or legal guardian(s) or escort(s) designated by the parent(s) or legal guardian(s). The parent(s) or legal guardian(s) designated escort(s) must be at least (13) thirteen years old. The parent(s) or legal guardian(s) requesting their child(ren) only be released to a parent(s) or legal guardian(s) or parent(s) or legal guardian(s)-designated escort after dismissal must submit a completed Request for Supervision at Dismissal from School Form to the Principal or designee, or program administrator.

The Form shall be made available in the Main office of the school building or the location of the program.

Only those parents or legal guardians requesting the school or program not release their child(ren) to walk home after school dismissal unless the child(ren) is released to the parent(s) or legal guardian(s) or designated escort need to complete the Request Form.

In order for the school administration to effectively implement the requirements of this Policy and to ensure the safety and security of pupils that will be released to a parent(s) or legal guardian(s) or designated escort, the parental request shall be applicable for every school day and shall apply for a duration period of the entire school year. The Request Form must be re-



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submitted at the end of the duration period. In addition, a parent(s) or legal guardian(s) may rescind their Request by submitting a written request to the Principal or program administrator indicating the date in which the parent(s) or legal guardian(s) no longer requests the school provide supervision of their child(ren) after school dismissal. The child(ren) will be dismissed in accordance with typical dismissal protocol effective the date indicated in the rescinding request.

The Principal or designee, or program administrator upon receiving the Request for Supervision at Dismissal from School Form, shall notify the appropriate school staff member(s) who has supervision of the pupil at dismissal time at the end of the school day of the parent's or legal guardian's request. The supervising staff member that receives such notice shall retain supervision of the pupil when other pupils are dismissed from school at the end of the school day.

Each Principal or program administrator will develop and implement a written Pupil Supervision After School Dismissal Plan for their school building or program location. This Plan shall include the school building's or program's supervision procedures for pupils at the end of the school day to the designated area in the school building or program and the location of the designated area in the school building or program. The Plan shall be based on the school's or program's ability to provide supervision, the accessibility for the parent(s) or legal guardian(s) or designated escort to pick-up the child without disrupting dismissal of the remaining school population, and other considerations unique to the school building or program location. The school's or program's Pupil Supervision After School Dismissal Plan shall be provided to all parent(s) or legal guardian(s) that have submitted a Request Form.

In the event the parent(s) or legal guardian(s) or designated escort does not arrive to pick up their child(ren) after the dismissal time of school, the Principal or designee will attempt to contact the parent(s) or legal guardian(s) using the district's emergency call procedures.

For school districts that do not have after-school programs or elect not to use the after-school program for the supervision of children who are not permitted to walk home alone unless escorted by a parent(s) or legal guardian(s) or designated escort the pupil(s) shall be supervised by school staff in the designated area of the building and will only be released when the parent(s) or legal guardian(s) or designated escort arrives to pick up the pupil.

In order to ensure the safety of other pupils being dismissed from school in accordance with typical school dismissal protocol, to limit interaction of parent(s) or legal guardian(s) or designated escorts with other pupils within the building, and to avoid traffic and vehicular safety problems outside the school building, the Principal or program administrator may prohibit the parent(s) or legal guardian(s) or designated escort from entering the school building until a time



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period after school has dismissed or until school buses and other vehicular traffic have cleared the school site. This determination shall be made by each Principal or program administrator after considering the unique circumstances at the school building and the building's typical dismissal protocol.

In the event of an emergency such that, when an unforeseen event prevents a parent or legal guardian or designated escort from arriving for the child(ren) at dismissal within the time period designated by the Principal or program administrator, the pupil will be relocated to the Main Office in the school building and will remain in the Main Office supervised by the Main Office staff until the parent(s) or legal guardian(s) or designated escort arrives.

The school will provide parent(s) or legal guardian(s) information regarding any supervised after-school services, if any, that may be available to pupils at the school's facilities after formal school dismissal.

This Policy shall be published in pupil/school handbooks. In addition, the school district shall provide to parent(s) or legal guardian(s) in the beginning of the school year, the school's calendar to include the starting and dismissal times for full session, half-session, and early dismissal days due to weather or other emergencies. Parent(s) or legal guardian(s) shall be required to return to the school a signed acknowledgement of receipt of the pupil/school handbook, which shall include this Policy and the school calendar. In addition, any changes to the school's calendar made during the school year shall also be provided to parent(s) or legal guardian(s).

Adopted: 17 September 2008



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Bus Driver Responsibility
M

8630 BUS DRIVER RESPONSIBILITY

The Board of Education requires all school bus drivers employed by the district or employed by a contracted school bus company to be reliable persons of good moral character who possess the qualifications and communication skills necessary to perform the duties of the position. The school bus driver will possess the appropriate license and endorsement(s) to drive a school bus in the State of New Jersey and is subject to all the Federal and State requirements to maintain the appropriate license.

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

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

In the event of an emergency, the school bus driver shall follow procedures established by this Board. The school bus driver will immediately inform the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation following an accident that involves injury, death or property damage. The school bus driver must also complete a Preliminary School Bus Accident Report prescribed by the Commissioner of Education and provide the Report to the Principal of the receiving school by the end of the next working day. The Principal of the receiving school shall retain a copy of the Report and forward other copies of the Report as prescribed by the New Jersey Department of Education.

A school bus driver, during the driver's work schedule, may only use a cellular or other wireless telephone, for school related business. The driver is prohibited from using a cellular or other wireless telephone, while operating a school bus. A cellular, or other wireless telephone, may only be used for school related business by the school bus driver while operating the school bus, when the school bus is parked in a safe area off a highway or in an emergency situation. A driver who violates this policy provision is subject to fines pursuant to N.J.S.A. 39:3B-25.

The school bus driver is responsible for the safety of his/her pupils and shall rigorously observe all motor vehicle laws and regulations and State Board of Education rules in the operation of his/her school bus.

N.J.S.A. 18A:25-2

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

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

Adopted: 17 September 2008



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Pupil Transportation Vehicles and School Buses

8635 PUPIL TRANSPORTATION VEHICLES AND SCHOOL BUSES

All pupil transportation vehicles and school buses will be scheduled to maximize their use while ensuring all routes are scheduled in a safe manner for drivers and passengers.

Pupil transportation vehicles and school buses will have time periods during the day between scheduled bus routes when they are not in use. These time periods may vary from route to route and vehicle to vehicle depending on issues such as a school's opening and ending times and the location of pupils transported to and from the school. Based on scheduling issues and the amount of time between transportation routes, the school bus driver may be required to return the school vehicle/bus to the school district transportation facility during the school day. In the event the schedule does not provide adequate time or it is not practical for the vehicle/bus to be returned to the school district's transportation facility between routes during the school day, the school bus driver may be required to park the vehicle/bus at another school building or location in the school district designated by the Transportation Supervisor.

If the transportation route is for pupil transportation to and from a school building out-of-district, the driver may be required to return the transportation vehicle/bus to the district's transportation facility or to a school building or location designated by the Transportation Supervisor for the time period between routes. In the event there is not adequate time or it is not practical for a vehicle/bus to return to the school district between out-of-district transportation routes, the Transportation Supervisor will authorize the vehicle/bus remain at an approved location between such routes. The Transportation Supervisor, in consultation with the driver and the out-of-district school, will designate a location for the driver to maintain the vehicle/bus in between the scheduled routes.

The safety and security of the transportation staff and the school vehicle/bus will be the most important consideration in designating an out-of-district location for vehicles that may not return to the transportation facility during the school day.

Adopted: 17 September 2008



POLICY

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Community Use of Transportation
M

8651 COMMUNITY USE OF TRANSPORTATION

The Board of Education will permit the school busing vehicles owned or leased by this district to be used for the purpose of transporting senior citizens' groups, disabled citizens, and children and adults participating in a recreation or other program operated by the municipality in accordance with law and rules of the State Board of Education. The Board will not permit the use of school busing vehicles for any purpose not expressly authorized by law and Board policy.

The transportation of senior citizens shall be restricted to destinations that are within this school district or any contiguous school district. The transportation of disabled citizens may be within any district. The transportation of children and adults participating in a recreation or other program shall be limited by the location of the program.

The transportation of community members under this policy shall be limited to those hours and days when vehicles are not required for the transportation of pupils. No transportation will be supplied for weekends, holidays, summer vacation time, or for the purpose of attendance at political activities. The Board reserves the right to refuse or cancel any community transportation in the interests of the educational program or the efficient operation of the district.

Vehicles must be operated by the holder of a valid New Jersey bus driver's license who has been approved by this Board.

A request for community transportation must be submitted to the Transportation Supervisor and approved by the Superintendent and/or the School Business Administrator/Board Secretary.

N.J.S.A. 18A:39-22 et seq.
N.J.S.A. 39:3B-5.4
N.J.A.C. 6A:27-7.8 et seq.

Adopted: 17 September 2008



POLICY

SOUTH PLAINFIELD BOARD OF EDUCATION

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Transportation by Private Vehicle
M

8660 TRANSPORTATION BY PRIVATE VEHICLE

The Board of Education authorizes the transportation by private vehicle of pupils of this district between the school and a school activity approved by this Board in accordance with this policy.

Any such transportation must be approved in advance and in writing by the Superintendent or School Business Administrator/Board Secretary. The writing must set forth the date, time, and reason for the transportation; the places from and to which pupils will be transported; the name and address of the driver; the names of the pupils to be transported; a brief description of the transportation vehicle; and the signature of the driver. The parent(s) or legal guardian(s) of a participating pupil will be given, on request, the name of the driver and the description of the vehicle.

No person shall be approved as driver for the transportation of pupils in a private vehicle who is not an employee of this Board or the parent(s) or legal guardian(s) of a pupil enrolled in this district and the holder of a currently valid license to operate a motor vehicle in the State of New Jersey.

The Board may withdraw the authorization of any private vehicle driver.

Any private vehicle used for the transportation of pupils must be owned by the approved driver or the spouse of the approved driver; have the capacity to hold not more than eight persons; and must conform to registration, inspection, and insurance requirements of the State of New Jersey for privately owned vehicles. Seat belts shall be worn by the driver and the passengers while the vehicle is in motion. No vehicle may be used to transport more persons than its normal load capacity.

The responsibility of teaching staff members for the discipline and control of pupils will extend to their transportation of pupils in a private vehicle. Drivers who are not teaching staff members are requested to report pupil misconduct to the Building Principal.

Expenses incurred by drivers of private vehicles in the course of transporting pupils will be reimbursed by the Board at the approved mileage rate and upon presentation of evidence of costs for tolls and parking fees.

N.J.S.A. 18A:16-6; 18A:25-2; 18A:39-20.1
N.J.A.C. 6A:27-7.6; 6A:27-7.7

Adopted: 17 September 2008



POLICY

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Transportation of Disabled Pupils
M

8670 TRANSPORTATION OF DISABLED PUPILS

The Board of Education shall provide transportation services for pupils with disabilities as required by law and dictated by the pupil's educational needs and physical welfare. The Board will provide the transportation specified as a related service in the program of special education approved for a disabled pupil. Such transportation will conform to the pupil's Individualized Education Program (IEP) and the transportation requirements described by the Child Study Team or prescribed by the school physician. Transportation to a placement outside this district will conform to the school calendar of the receiving school.

The transportation of a disabled pupil may include such special equipment, transportation aides, and special arrangements for other assistance to and from and in and around the school. When necessary for the pupil's welfare, the case manager will provide the transportation coordinator and driver with specific information about the pupil. For pupils with disabilities below the age of five, safety belts or restraint systems will be used.

The transportation of disabled pupils to special education programs approved by the Board and located outside the state will conform to guidelines established by the New Jersey State Department of Education. Such transportation services will be dictated by the pupil's IEP and approved by the Child Study Team. The individual plan for a disabled pupil's out-of-state transportation will be submitted to the Office of the County Superintendent prior to its implementation. In general, transportation of out-of-state disabled pupils will be by the most economical and expeditious mode consistent with the pupil's special needs and will be limited to travel at the beginning and the ending of the school year.

State aid will be sought for the services provided in accordance with law and this policy. The Board directs that appropriate records be maintained and all relevant documentation be preserved in order that the district be properly reimbursed for the costs of transportation.

N.J.S.A. 18A:39-2.1; 18A:46-19.6; 18A:46-23
N.J.A.C. 6A:14-3.9(a)7; 6A:27-5.1 et seq.

Adopted: 17 September 2008



8690 MONITORING DEVICES ON SCHOOL VEHICLES

The South Plainfield Board of Education authorizes the use of a video surveillance camera system on vehicles used for the transportation of pupils. The purpose of the system is to support the discipline policies of the school district. The operation and use of the video surveillance system shall be included in the pupil readership and the driver in-service training programs.

The Superintendent or designee shall supervise the use and maintenance of video cameras.

Pupils and staff shall not tamper or interfere with video camera equipment on school buses.

Camera supports shall be installed in all buses, and cameras shall be rotated among the buses and activated at the discretion of the Superintendent or designee.

The Superintendent or designee shall notify pupils, parent(s) or legal guardian(s), and staff that video surveillance may occur on any school bus and that video recordings may be used in pupil disciplinary proceedings. A notice shall be placed in each vehicle indicating that such a surveillance system may be in operation.

The Superintendent or designee shall routinely review videotapes taken on school buses and shall document any evidence of pupil misconduct. Video tapes will be maintained in the Transportation Office for a period of ten school days following the date of taping except in those instances where disciplinary action is pending. Tapes retained as part of an individual pupil's disciplinary record shall be maintained in accordance with law and Board policy governing the access, review and release of pupil records. Tapes retained as part of an expulsion record are nonprivileged, disclosable public records pursuant to Education Code 48918.

Videotapes may be viewed by persons other than the Superintendent or designee under the following conditions:

1. When pupil misconduct is revealed as a result of a school bus videotape or reported to the Superintendent or designee by a pupil, staff member, or parent(s) or legal guardian(s), pupils involved in the incident and their parent(s) or legal guardian(s) may ask the Superintendent or designee for an opportunity to view the videotape.
 - a. Requests for viewing must be made within five school days of receiving notification that misconduct occurred.
 - b. A viewing shall be provided or denied within five days of the request.



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Monitoring Devices on School Vehicles

- c. Viewing will be limited to those frames containing the incident of misconduct.
2. Bus drivers and school administrators may ask to view a videotape in order to observe a specific problem and work toward its solution.
3. Viewing shall occur only at a school-related site and in the presence of the Superintendent or designee.
4. All persons who view a tape shall be identified in a written log.

N.J.S.A. 18A:11-1
20 USCA 1231g
30 CFR 300.571 Part 99, 300.572, 300.5773

Adopted: 17 September 2008



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Property Insurance

8710 PROPERTY INSURANCE

The Board of Education recognizes its responsibility under law to insure the replacement value of the property of this school district, both real and personal, against loss or damage by fire and expressly extends such insurance coverage to loss or damage caused by theft, water, glass breakage, explosion, boiler failure, smoke, windstorm, vandalism, and other hazards.

In placing property insurance coverage, the Board shall be guided by the price of the coverage, the ability of the insurer to meet obligations promptly and fully, the reputation and past performance of the insurer's agent, and the goal of distributing the insurance coverage of the district through one insurance broker.

The Board shall annually appoint an insurance advisor who shall review the insurance program of the district, consider alternatives, and report recommendations to the Board; recommend specific insurance placement and prepare specifications; assist the Board in the establishment and maintenance of property valuation and insurance records; provide annual safety and fire inspections; process all claims; provide workshops and lectures on fire safety and prevention and safety precautions to the appropriate staff members; and recommend such measures as may reduce the cost of insurance premiums. Quotations shall be received every three years for the desired coverages.

To be eligible to represent this Board an insurance agent must write all insurance through a company whose minimum financial status, so far as loss paying ability is concerned, is rated by A.M. Best and Company to be no less than A+; and must derive over fifty percent of his/her income from insurance premium commissions or receive no less than \$100,000 annually in premium income from sources other than this school district.

The Board may, in accordance with law, enter a joint contract for the purchase of property insurance.

N.J.S.A. 18A:18A-42(e); 18A:20-25
N.J.S.A. 40A:10-52 et seq.

Adopted: 17 September 2008



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Bonding
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Dec 10

8740 BONDING

The Board of Education recognizes that the prudent trusteeship of the resources of this district dictates that employees responsible for the safekeeping of district moneys and property be bonded.

The Board directs the indemnification of the district against loss of money and property by the bonding of the Treasurer of School Moneys in accordance with the requirements of N.J.A.C. 6A:23A-16.4 and by the bonding of the Board Secretary in accordance with the requirements of N.J.S.A. 18A:17-6. If the district does not have a Treasurer of School Moneys, the Board will ensure surety bonds are obtained in accordance with the rules of the State Board of Education. All other employees may be covered under a blanket bond in an amount to be determined by the Board or as required by the rules of the State Board of Education.

The Board shall bear the cost of bonding each employee required to be bonded by law or by this policy.

N.J. Consti., Art. 7, §1, 4
N.J.S.A. 18A:6-58; 18A:17-6; 18A:17-26; 18A:17-32
N.J.A.C. 6A:23A-16.4

Adopted: 17 September 2008

Revised: 11 May 2011



POLICY

SOUTH PLAINFIELD BOARD OF EDUCATION

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Employee Indemnification

8750 EMPLOYEE INDEMNIFICATION

The Board of Education recognizes that officers and employees of this district are exposed to certain risks in the course of the performance of their duties and will provide insurance coverage against losses that may be incurred by such risks.

The Board shall in accordance with law, insure employees of the school district against injury and death arising out of or in the course of their employment.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for damages, losses, and costs incurred as a result of a civil or administrative action or other legal proceeding brought against any such persons for any acts or omissions arising out of and in the course of their employment, student teaching, or other assignment to professional field experience with this Board. This indemnification will include all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, and will hold harmless and protect such person from any financial loss resulting from such action. No employee will be held harmless or have his/her defense costs defrayed in a disciplinary proceeding instituted against him/her by the Board or when the employee is appealing an action taken by the Board. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in N.J.S.A. 59:10-4. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for the costs of defense against any criminal or quasi-criminal action for any such act or omission when such prosecution is dismissed or results in a final disposition favorable to the officer or employee. This indemnification will include the cost of defending such proceeding, including reasonable counsel fees and expenses of the original hearing or trial and all appeals. No employee will be held harmless or have his/her defense costs defrayed as a result of a criminal or quasi-criminal complaint filed against the employee by or on behalf of the Board. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall insure against any liability arising out of the use of motor vehicles in the course of the conduct of automobile driver training courses and against any liability arising from the use of a motor vehicle by a person duly appointed by the Board to transport pupils and while in the course of such transportation.



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Employee Indemnification

The Board may insure against any major liability arising from the use of a motor vehicle by an employee or pupil of the district in the performance of district business.

The Board may, in accordance with law, enter a joint contract for the purchase of liability insurance.

N.J.S.A. 18A:16-6; 18A:16-6.1; 18A:18A-3.2;
18A:18A-42(e); 18A:18B-1; 18A:18B-2;
18A:39-6; 18A:39-6.1; 18A:39-20.1
N.J.S.A. 40A:10-52

Adopted: 17 September 2008



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Pupil Accident Insurance
Mar 87
Aug 09

8760 PUPIL ACCIDENT INSURANCE

The Board of Education recognizes injuries to pupils may occur from accidents occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the schools district.

In accordance with the provisions of N.J.S.A. 18A:43-1, the Board is not required to, but may arrange for, maintain, and may pay the premiums for insurance coverage by a qualified insurer for loss sustained by pupils through accidental means while participating in those school activities insured by the Board's insurance provider. This insurance coverage, if purchased by the Board, will not cover all school activities and will be secondary insurance requiring all claims be submitted to the pupil's parent's or legal guardian's insurance provider before being submitted to the school district's insurance provider. All claim decisions and payment amounts will be made by the school district's insurance provider in accordance with the terms of the insurance policy purchased by the Board. The insurance coverage provided under this program will be based on a payment schedule and may not provide for full payment of such claims.

The Board, if such insurance is provided, may require payment to the Board by pupils to whom the benefit of such insurance is extended, of a proportional share of premiums or any part thereof in accordance with the provisions of N.J.S.A. 18A:43-2. In the event the Board requires such payment, the amount to be paid by pupils shall be established by a schedule determined by the Board, but no pupil electing not to participate in the accident insurance coverage shall be required to make any payment toward the cost of the premiums.



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Pupil Accident Insurance

The Board may provide parent(s) or legal guardian(s) the opportunity to purchase insurance coverage, at no cost to the Board, for injury resulting from accidents sustained by pupils occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the school district.

The Superintendent and/or designee will recommend suitable and qualified insurance providers for Board consideration and approval. Parent(s) or legal guardian(s) of pupils who may be eligible for such insurance coverage will be notified of its availability.

In accordance with the provisions of N.J.S.A. 18A:43-3, in the event the Board elects to provide this pupil accident insurance, it shall not be construed to impose any liability on the part of the Board for an injury sustained by a pupil as a result of or in connection with any activities outlined in N.J.S.A. 18A:43-1 or as a result of or in connection with the conduct of the physical education program of the school district.

N.J.S.A. 18A:43-1; 18A:43-2; 18A:43-3

Adopted: 17 September 2008

Revised: 16 December 2009



POLICY

SOUTH PLAINFIELD BOARD OF EDUCATION

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School Board Insurance Group

8770 SCHOOL BOARD INSURANCE GROUP

The Board of Education shall provide insurance for loss or damage to school district property, real or personal; loss or damage from liability resulting from the use of district property; loss or damage from liability for the acts and omissions of school district officers or employees; loss or damage from liability established by the workers' compensation statutes; and the expenses of defending any claim against the Board members, officers, or employees of this district arising out of and in the course of the performance of their duties.

The Board recognizes the benefits to the school district of joining with other Boards of Education in providing coverage for the insurance needs of this district and in participating in programs of risk management to prevent loss and to control liability.

The Board may, upon formal resolution duly adopted, become a member of a school board insurance group in order to participate in any joint self-insurance fund or funds, risk management programs, or related services offered or provided by the group. The Board's membership in the group will be governed by the bylaws of the insurance group, which must be reviewed and approved by the Commissioner of Insurance in accordance with State law.

Trustees of the school board insurance group shall be selected in accordance with the bylaws of the insurance group; if the bylaws do not provide for the manner of a trustee's election, the trustee or trustees representing this Board of Education shall be elected by a plurality vote of those Board members present and voting.

N.J.S.A. 18A:18B-1 et seq.

Adopted: 17 September 2008



8810 RELIGIOUS HOLIDAYS

The Board of Education recognizes the acknowledgment of religious holidays in the public school may be a source of community concern. It is a goal of the district educational program to teach mutual understanding and brotherhood and respect for group differences. In pursuing this goal, the educational program may recognize that various religious groups celebrate different holidays with different practices.

In the acknowledgment or observance of any religious holiday, the Superintendent shall ensure the school and/or school officials do not mandate, organize, participate in an official capacity, endorse, persuade, compel, prevent or deny participation in constitutionally protected prayer or religion in violation of the governing principles of the First Amendment of the United States Constitution. Consistent with these principles, the Superintendent shall ensure:

1. No worship or religious service of any kind is sponsored by the school district and conducted during the school day, whether or not conducted by a clergyman;
2. Religious exhibits or displays include only materials that are a necessary or integral part of the curriculum;
3. Any religious music played is selected primarily for its artistic content; and
4. Any acknowledgment of a religious holiday neither advances nor inhibits any particular religious sect or religion consistent with the governing principles of the First Amendment of the United States Constitution.

U.S. Consti., First Amendment

N.J. Consti., Art. 1, ¶4

United States Department of Education - Guidance on Constitutionally Protected Prayer in
Public Elementary and Secondary Schools

N.J.S.A. 18A:36-16

N.J.A.C. 6:20-1.3(j)

Adopted: 17 September 2008



8820 OPENING EXERCISES

The flag of the United States of America shall be displayed both inside and outside the school. There shall be a flag in each classroom and in the all purpose room.

The morning exercises will include the Pledge of Allegiance. Those pupils whose parent(s) or legal guardian(s) have provided a written statement of their religious or conscientious objections to such ceremonies shall maintain a respectful attitude during the conduct of the exercises.

Teachers shall provide appropriate exercises for their classes' observance of Flag Day and Arbor Day and Commodore John Barry Day. Additional appropriate exercises shall be held in school on the day preceding patriotic holidays established by law.

Assembly programs are considered an integral and necessary part of the school's curriculum. Pupils will be encouraged to cooperate with assembly guidelines and take part in the educational and entertainment atmosphere of the programs.

Holidays and special events may be recognized in the school so long as such recognition respects the rights and feelings of others and is consistent with law.

Songs and customs which have come from various elements of the national population may be used to broaden the pupils' awareness of the many elements that make up the American culture.

N.J.S.A. 18A:36-3

Adopted: 17 September 2008



POLICY

SOUTH PLAINFIELD BOARD OF EDUCATION

OPERATIONS
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Memorials

8860 MEMORIALS

The Board of Education recognizes that each officer and employee of this district is important not only to the school district but to the community at large. The loss of any officer or employee of this Board by death is a loss that the Board and the district share with the community.

In order to memorialize that loss in a fitting manner, the Board directs that, whenever notice is received of the death of a Board member or a person employed by the Board, the flag of the United States at each school district building shall be flown at half mast for one school day. Written notice shall be posted in an appropriate manner in each district building on that day in order that pupils, staff members, and visitors are informed of the purpose of the memorialization.

The Superintendent may, in his/her discretion, grant an employee of this district a brief absence without loss of pay or personal leave for the purpose of attending the funeral of his/her direct supervisor or subordinate provided that no disruption in the educational program will be caused by any such absence.

The Superintendent shall recommend to the Board and the Board may approve appropriate recognition measures beyond those provided for in this policy when the deceased Board officer or employee has, by length of service or extraordinary accomplishment, especially distinguished his/her service to this school district.

Adopted: 17 September 2008

