

**Manasquan High School Enrollment for BOE Agenda: December 2023**

Month: November 2023

| DISTRICT            | Full Time Students | Shared Time Students | Full Time Students PTC 20 LLD | Shared Time Students PTC 20 LLD | Full Time Student CLI   | Total Student Count |
|---------------------|--------------------|----------------------|-------------------------------|---------------------------------|-------------------------|---------------------|
| Avon                | 20                 | 0                    | 0                             | 0                               | 0                       | 20                  |
| Belmar              | 124                | 6                    | 13                            | 4                               | 3                       | 150                 |
| Brielle             | 215                | 4                    | 0                             | 0                               | 3                       | 222                 |
| Lake Como           | 37                 | 1                    | 2                             | 0                               | 2                       | 42                  |
| Manasquan           | 266                | 6                    | 2                             | 0                               | 2                       | 276                 |
| Sea Girt            | 43                 | 0                    | 0                             | 0                               | 1                       | 44                  |
| Spring Lake         | 32                 | 1                    | 1                             | 0                               | 1                       | 35                  |
| Spr Lk Hts          | 116                | 4                    | 2                             | 2                               | 0                       | 124                 |
| Parent Paid         | 26                 | 0                    | 0                             | 0                               |                         | 26                  |
| Employee Child      | 9                  | 0                    | 0                             | 0                               |                         | 9                   |
| Neptune & Pt. Plsnt |                    |                      |                               |                                 | 2                       | 2                   |
| Totals              | 888                | 22                   | 20                            | 6                               | 14                      | 950                 |
|                     |                    |                      |                               |                                 | TOTAL MHS               | 950                 |
|                     |                    |                      |                               |                                 | TOTAL MES               | 503                 |
|                     |                    |                      |                               |                                 | <b>TOTAL ENROLLMENT</b> | <b>1,453</b>        |

## DOCUMENT B

**MANASQUAN SCHOOL DISTRICT FIRE DRILL REPORT**  
**2023-2024 school year**

|                          | <u>ATTENDANCE<br/>PERCENTAGE</u> | <u>AVERAGE DAILY<br/>ENROLLMENT</u> | <u>AVERAGE DAILY<br/>ATTENDANCE</u> |
|--------------------------|----------------------------------|-------------------------------------|-------------------------------------|
| <b>HIGH SCHOOL</b>       |                                  |                                     |                                     |
| Nov-22                   | 94.47                            | 933.03                              | 881.61                              |
| Nov-23                   | <b>94.04</b>                     | <b>935.28</b>                       | <b>885.44</b>                       |
| <b>ELEMENTARY SCHOOL</b> |                                  |                                     |                                     |
| Nov-22                   | 96.548                           | 502.167                             | 466.778                             |
| Nov-23                   | <b>96.694</b>                    | <b>502.389</b>                      | <b>471.333</b>                      |

**HIGH SCHOOL/CENTER FOR LEARNING INDEPENDENCE**

| <u>DATE OF DRILL</u>     | <u>TIME OF DRILL</u> | <u>LENGTH OF DRILL</u> | <u>COMMENTS</u> | <u>SECURITY DRILLS</u> |
|--------------------------|----------------------|------------------------|-----------------|------------------------|
| November 27th            | 1:08 p.m.            | 5 minutes              |                 | Shelter in Place Drill |
| November 30th            | 11:05 a.m.           | 8 minutes              |                 | Fire Drill             |
|                          |                      |                        |                 |                        |
| <b>ELEMENTARY SCHOOL</b> |                      |                        |                 |                        |
| <u>DATE OF DRILL</u>     | <u>TIME OF DRILL</u> | <u>LENGTH OF DRILL</u> | <u>COMMENTS</u> |                        |
| November 15th            | 2:26 p.m.            | 5 minutes              |                 | Fire Drill             |
| November 29th            | 9:30 a.m.            | 8 minutes              |                 | Shelter in Place Drill |

|   |  |
|---|--|
| <p align="center"><b>Manasquan High School</b><br/> <b>2023 - 2024 Tardy Report</b></p> |  |
|---|--|

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# Manasquan High School

## 2023 - 2024 Suspensions by Month

| OUT OF SCHOOL SUSPENSIONS:        | SEPT. | OCT. | NOV. | DEC.  | JAN. | FEB. | MAR. | APR. | MAY | JUNE | TOTAL |
|-----------------------------------|-------|------|------|---|------|------|------|------|-----|------|-------|
| FIGHTING                          | 2     |      | 1    |   |      |      |      |      |     |      | 3     |
| DEFIANCE                          | 1     |      |      |   |      |      |      |      |     |      | 1     |
| MARAJUANA USE CONFIRMED           |       | 1    |      |   |      |      |      |      |     |      | 1     |
| DISRESPECTFUL TO STAFF            |       | 1    | 1    |   |      |      |      |      |     |      | 2     |
| Disruptive/inappropriate behavior |       |      | 1    |   |      |      |      |      |     |      | 1     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
| TOTALS                            | 3     | 2    | 3    | 0   | 0    | 0    | 0    | 0    | 0   | 0    | 8     |
| IN SCHOOL SUSPENSIONS:            | SEPT. | OCT. | NOV. | DEC.  | JAN. | FEB. | MAR. | APR. | MAY | JUNE | TOTAL |
| SMOKING / POSESSION OF TABACCO    | 1     |      | 1    |   |      |      |      |      |     |      | 2     |
| MARAJUANA USE CONFIRMED           |       | 1    |      |   |      |      |      |      |     |      | 1     |
| LEAVING SCHOOL GROUNDS            |       | 1    |      |   |      |      |      |      |     |      | 1     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
|                                   |       |      |      |   |      |      |      |      |     |      | 0     |
| TOTALS                            | 1     | 2    | 1    | 0   | 0    | 0    | 0    | 0    | 0   | 0    | 4     |
| TOTAL STUDENTS SUSPENDED          | 4     | 4    | 4    | 0   | 0    | 0    | 0    | 0    | 0   | 0    | 12    |
|                                   |       |      |      |   |      |      |      |      |     |      |       |
| TOTAL SATURDAY DETENTIONS         |       | 0    | 0    | 1   |      |      |      |      |     |      | 1     |
|                                   |       |      |      |   |      |      |      |      |     |      |       |
| STUDENTS SUSPENDED 1 TIME         |       | 9    |      | TOTAL NUMBER OF SUSPENSIONS TO DATE                   |      |      |      |      |     | 11   |       |
| STUDENTS SUSPENDED 2 TIMES        |       | 1    |      |   |      |      |      |      |     |      |       |
| STUDENTS SUSPENDED 3 TIMES        |       |      |      | TOTAL NUMBER OF INDIVIDUAL STUDENTS SUSPENDED TO DATE |      |      |      |      |     | 10   |       |
| STUDENTS SUSPENDED 4 TIMES        |       |      |      |   |      |      |      |      |     |      |       |
| STUDENTS SUSPENDED 5 TIMES        |       |      |      |   |      |      |      |      |     |      |       |
| STUDENTS SUSPENDED 6 TIMES        |       |      |      |   |      |      |      |      |     |      |       |
| STUDENTS SUSPENDED 7 TIMES        |       |      |      |   |      |      |      |      |     |      |       |
| STUDENTS SUSPENDED 8 TIMES        |       |      |      |   |      |      |      |      |     |      |       |
| STUDENTS SUSPENDED 9 TIMES        |       |      |      |   |      |      |      |      |     |      |       |

# Manasquan High School

## 2023 - 2024 Suspensions by Grade

| <b>OUT OF SCHOOL SUSPENSIONS:</b> | <b>9</b> | <b>10</b> | <b>11</b> | <b>12</b> | <b>TOTALS</b> |
|-----------------------------------|----------|-----------|-----------|-----------|---------------|
| FIGHTING                          |          |           | 3         |           | 3             |
| DEFIANCE                          |          |           | 1         |           | 1             |
| MARAJUANA USE CONFIRMED           | 1        |           |           |           | 1             |
| DISRESPECTFUL TO STAFF            |          |           | 2         |           | 2             |
| Disruptive/inappropriate behavior |          |           | 1         |           | 1             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
| Totals                            | 1        | 0         | 7         | 0         | 8             |
| <b>IN SCHOOL SUSPENSIONS:</b>     | <b>9</b> | <b>10</b> | <b>11</b> | <b>12</b> | <b>TOTALS</b> |
| SMOKING / POSESSION OF TABACCO    |          | 1         |           | 1         | 2             |
| MARAJUANA USE CONFIRMED           | 1        |           |           |           | 1             |
| LEAVING SCHOOL GROUNDS            |          |           |           | 1         | 1             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
|                                   |          |           |           |           | 0             |
| TOTALS                            | 1        | 1         | 0         | 2         | 4             |
| <b>TOTAL STUDENTS SUSPENDED</b>   | <b>2</b> | <b>1</b>  | <b>7</b>  | <b>2</b>  | <b>12</b>     |
|                                   |          |           |           |           |               |
| TOTAL SATURDAY DETENTIONS         | 0        | 0         | 1         |           | 1             |

# REGULATION GUIDE

## SUPPORT STAFF MEMBERS

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Attendance

**M**

### R 4212 ATTENDANCE

#### A. Review of Attendance Data

1. A record shall be kept of the attendance of each support staff member, including secretarial staff; maintenance and custodial staff; food service staff; other support staff members, and staff members that supervise support staff members. Any absence, for part or all of a school day, shall be recorded along with the reason for the absence. The record will distinguish sick leave, professional days, unpaid leaves of absence, personal leave, bereavement leave, and any other leaves of absences taken by the support staff member. The support staff member's attendance record will include notation of verification of an absence where such verification is required by the Superintendent or by Policy and Regulation 1642.01. The support staff member's rate of absence shall be calculated at least once per school year and entered on the support staff member's attendance record. A support staff member's attendance record shall be part of the support staff member's personnel file.
2. A cumulative attendance record shall be assembled for each department or classification of employees in the school district.
3. An attendance report shall be prepared from the cumulative attendance record. The attendance summary shall show the rate of absence for a department and/or classification of employee.

#### B. Attendance Reporting and Improvement Plan

1. Planning
  - a. Each absence of a support staff member shall be reported by the support staff member in accordance with the school district's procedure.



# REGULATION GUIDE

## SUPPORT STAFF MEMBERS

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### Attendance

- b. The absence of a support staff member shall be provided to the support staff member's Principal or supervisor designated by the Superintendent, as appropriate, who shall determine if a substitute or replacement is required for the period of the absence.
- c. A report of such absences shall also be provided to the Superintendent or designee.
- d. The supervisor designated by the Superintendent shall determine if an absence requires further verification. Reasons for further verification may include, but are not limited to, the following:
  - (1) A pattern of absences on the same day(s) of the week;
  - (2) A pattern of absences before or after nonworking days;
  - (3) The habitual exhaustion of personal leave.
- e. The Superintendent or designee will meet with the support staff member supervisors to discuss attendance records of support staff members. The attendance records shall be analyzed for patterns of absences, such as excessive absenteeism in a given department, school, or work place in the school district, among certain groups of support staff members, for certain specific causes, or on certain days of the week, month, or year. Specific strategies for reducing the rate of absences shall be developed.

## 2. Implementation

- a. The Superintendent or designee or the support staff member's supervisor designated by the Superintendent, shall be responsible for implementing a plan for the improvement of support staff member attendance.



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## SUPPORT STAFF MEMBERS

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### Attendance

- b. The support staff member's supervisor designated by the Superintendent shall encourage the regular attendance of the support staff members in their workplace, school, or department. The support staff member's supervisor designated by the Superintendent shall maintain contact with absent employees and may confer with support staff members who return from an absence of any duration.
- c. The Superintendent shall direct support staff member supervisors to incorporate a support staff member's attendance record in the support staff member's evaluation.
- d. The support staff member's supervisor designated by the Superintendent shall report to the Superintendent or designee any support staff member whom the supervisor suspects of misusing sick leave or falsifying the reasons for an absence.

### 3. Counseling

- a. The Superintendent or supervisor designated by the Superintendent may schedule a conference with a support staff member where the number and/or pattern of the support staff member's absences or the reasons offered for the support staff member's absences may indicate a concern.
- b. Prior to the giving of any admonition, reprimand, or imposition of discipline of any kind, the Superintendent or supervisor designated by the Superintendent shall determine the nature of the absences and consider any extenuating circumstances.
- c. A written report of any attendance conference shall be prepared and retained with the support staff member's evaluations. The support staff member shall be permitted to examine the report and affix their comments, if any, to evaluation reports.





# REGULATION GUIDE

## SUPPORT STAFF MEMBERS

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### Attendance

#### C. Record of Attendance

1. A record shall be kept of the attendance of all support staff members, including supervisors. Any absence, for part or all of a school day, shall be recorded with the reason for the absence. A support staff member's attendance record shall be part of the employee's personnel file.
2. The record will distinguish sick leave; professional days; unpaid leaves of absences; personal leave; bereavement leave; and any other leaves taken by the support staff member. The support staff member's attendance record will include notation of verification of an absence where such verification is required by the Superintendent, Policy 1642.01, or any other law or Board policy.
3. A support staff member's rate of absence shall be calculated at least once per school year and entered on the support staff member's attendance record.
4. At the end of each school year, the Superintendent, School Business Administrator/Board Secretary, and support staff members' supervisors will review attendance records for support staff members.

#### D. Attendance Improvement Plan

1. The attendance record prepared for support staff members shall be analyzed for patterns of absence, such as excessive absenteeism in a given school or work place, among certain groups of employees, for certain specific causes, or on certain days of the week, month, or year.
2. Specific strategies for reducing the rate of absences shall be developed.
3. The Superintendent shall designate an administrator or supervisor to be responsible for implementing the approved plan for the improvement of support staff member attendance in the school district.



# REGULATION GUIDE

## SUPPORT STAFF MEMBERS

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### Attendance

4. The record of a conference(s) dealing with excessive absenteeism may serve as an element in the evaluation of any support staff member's performance.
- E. In-Service Training
1. The School Business Administrator/Board Secretary or supervisor designated by the Superintendent shall meet with support staff members at the beginning of each school year to:
    - a. Inform support staff members of Board policy and district regulations on attendance;
    - b. Familiarize employees with the procedures to be used in requesting, reporting, and verifying absences;
    - c. Acquaint support staff members with the degree to which attendance will affect evaluation reports.

Issued: 19 December 2023



# POLICY GUIDE

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Religion in the Schools

## 2270 RELIGION IN THE SCHOOLS

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

**As a condition of receiving Elementary and Secondary Education Act of 1965 (ESEA) funds, the Board of Education must annually certify in writing to the New Jersey Department of Education that no Board policy prevents, or otherwise denies participation in, constitutionally protected prayer in public elementary and secondary schools, as detailed in tThe United States Department of Education's Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools (USDOE Guidance). The Board must provide this certification to the New Jersey Department of Education by October 1 of each year during which the Board participates in an ESEA program. The USDOE Guidance provides information on the current state of the law concerning constitutionally protected prayer and religious expression in public elementary and secondary schools.**

The following activities as outlined in the USDOE Guidance will be permitted upon applying the governing constitutional principles in particular **public school** contexts related to **prayer: prayer and religious exercise** during non-instructional time; organized prayer groups and activities; teachers, administrators, and other school employees' activities; moments of silence; accommodations of ~~for~~ **prayer and religious exercise** during instructional time; ~~prayer in classroom assignments~~; student assemblies and noncurricular events; prayer at graduation; and/or baccalaureate ceremonies.

The following activities as outlined in the USDOE Guidance will be permitted upon applying ~~the governing~~ constitutional principles **regarding religious expression other than prayer in particular public school contexts in particular contexts related to religious expression**: religious literature; teaching about religion; student dress codes and policies; **religious expression in class assignments and homework**; and/or ~~religious~~ **excusals for religious activities**.



# POLICY GUIDE

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Religion in the Schools

**In addition to the constitutional principles outlined in this Policy and the USDOE Guidance, public schools may also be subject to requirements under Federal and State laws relevant to prayer and religious expression. Such Federal and State laws may not; however, obviate or conflict with a public school's Federal constitutional obligations described in the USDOE Guidance.** The Equal Access Act, 20 U.S.C. Section 4071, is designed to ensure that student religious activities are **accorded** ~~afforded~~ the same access to Federally funded public secondary school facilities as are student secular activities.

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

Any issues regarding **prayer and religious expression** ~~religion~~ in the schools, **the USDOE Guidance**, and the provisions of this Policy shall be referred to the Superintendent of Schools who may consult with the Board Attorney.

U.S. Const. Amend. 1

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

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

Prayer **and Religious Expression** in Public Elementary and Secondary Schools

– ~~January 16, 2020~~ **May 15, 2023**

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

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

Adopted: 14 June 2011

Revised: 13 August 2020

**Revised: 19 December 2023**



# POLICY GUIDE

## TEACHING STAFF MEMBERS

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### Examination for Cause

#### 3161 EXAMINATION FOR CAUSE

- A. Pursuant to N.J.S.A. 18A:16-2 and N.J.A.C. 6A:32-6.3, the Board of Education may require physical or psychiatric examinations of a teaching staff member whenever, in the judgment of the Board, a teaching staff member shows evidence of deviation from normal physical or mental health, to determine the teaching staff member's physical and mental fitness to perform, with reasonable accommodation, the position the teaching staff member currently holds, or to detect any health risk(s) to students and other employees. When the Board requires a teaching staff member to undergo a physical or psychiatric examination:
1. The Board shall provide the teaching staff member with a written statement of the reasons for the required examination; and
  2. The Board shall provide the teaching staff member with a hearing, if requested.
    - a. Notice of the teaching staff member's right to a hearing shall be provided with the statement of reasons for the required examination;
    - b. The teaching staff member must request the Board hearing, in writing, within five working days of the teaching staff member's receipt of the written statement of reasons:
      - (1) The teaching staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the teaching staff member failed to timely request a hearing before the Board;
    - c. The Board hearing shall be conducted in accordance with the provisions of N.J.S.A. 18A:25-7 and will offer the teaching staff member the opportunity to appear before the Board to refute the reason(s) for the required examination(s);



# POLICY GUIDE

## TEACHING STAFF MEMBERS

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Examination for Cause

- d. The teaching staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the teaching staff member failed to persuade the Board at the hearing that the teaching staff member should not be required to submit to the appropriate examination(s); and
    - e. The determination of such a hearing shall be appealable to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4 – Appeals.
  3. The teaching staff member may refuse, without reprisal, to waive their right to protect the confidentiality of medical information, in accordance with P.L. 104-191, Health Insurance Portability and Accountability Act of 1996.
- B. Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of examinations made by a physician or institution designated by the Board. However, the teaching staff member shall bear the cost if the examination is performed by a physician or institution designated by the teaching staff member with approval of the Board.
  1. If the teaching staff member submits names of physicians or institutions to the Board for consideration to complete the appropriate examination(s), the Board is not required to designate the physician or institution submitted for consideration by the teaching staff member, but shall not act unreasonably in withholding its approval of the physician or institution.
  2. The teaching staff member shall authorize the physician or institution performing the examination to immediately release the examination results to the Superintendent.
  3. All records and reports relating to any such examination shall be the property of the Board, in accordance with N.J.S.A. 18A:16-5.
    - a. Health records of teaching staff members, including computerized records, shall be secured, stored, and maintained separately from other personnel files; and



# POLICY GUIDE

## TEACHING STAFF MEMBERS

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Examination for Cause

- b. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5.
  4. If the results of any such examination indicate mental abnormality or communicable disease, the teaching staff member shall be ineligible for further service until proof of recovery, satisfactory to the Board, is furnished, but if the teaching staff member is under contract or has tenure, they may be granted sick leave with compensation as provided by law and shall, upon satisfactory recovery, be permitted to complete the term of their contract, if they are under contract, or be reemployed with the same tenure as they possessed at the time their services were discontinued, if they have tenure, unless their absence shall exceed a period of two years in accordance with N.J.S.A. 18A:16-4.
- C. In order to return to work, the teaching staff member must submit to an appropriate examination and submit the results of the examination to the Superintendent.
  1. The examination must be conducted by a physician or institution upon which the Board and teaching staff member confer and agree;
  2. If the physician or institution conducting the examination is conducted by the Board's choice, the cost shall be borne by the Board; if the physician or institution conducting the examination is conducted by the teaching staff member's choice, the cost shall be borne by the teaching staff member; and
  3. The teaching staff member shall authorize the physician or institution performing the examination to immediately release the examination results to the Superintendent.



# POLICY GUIDE

## TEACHING STAFF MEMBERS

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Examination for Cause

- D. A teaching staff member who refuses to submit to an examination required by the Board in accordance with this Policy and has exhausted the hearing procedures established by law and this Policy shall be subject to discipline, which may include, but is not limited to, termination or certification of tenure charges to the Commissioner of Education, as applicable.

42 U.S.C.A. 12101

N.J.S.A. 18A:6-10; 18A:16-2; 18A:16-3; 18A:16-4; 18A:16-5

18A:25-7; 18A:28-5; 18A:30-1 et seq.

N.J.A.C. 6A:32-6.2; 6A:32-6.3

Adopted: 14 June 2011

Revised: 19 July 2022

Revised: 19 December 2023





# POLICY GUIDE

## TEACHING STAFF MEMBERS

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Attendance

M

### 3212 ATTENDANCE

The regular and prompt attendance of teaching staff members is an essential element in the efficient operation of the school district and the educational program. **Teaching staff** Staff member absenteeism disrupts the educational program and the Board of Education considers attendance an important component of a **teaching** staff member's job performance.

**Teaching staff members shall provide notice for the use of sick time as required in N.J.S.A. 18A:30-4 and Policy and Regulation 1642.01 in accordance with the district's procedure for teaching staff members to report the use of sick leave and other absences.** A teaching staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with **statute, administrative code, or Board policy**; falsifies the reason for an absence; is absent without authorization; is repeatedly tardy; or accumulates an excessive number of absences may be subject to appropriate consequences, which may include, **but not be limited to**, the withholding of a salary increment, **termination dismissal, nonrenewal**, and/or certification of tenure charges.

**Sick leave is defined in accordance with N.J.S.A. 18A:30-1 and Policy and Regulation 1642.01.** ~~In accordance with N.J.S.A. 18A:30-1, sick leave is defined to mean the absence from work because of a personal disability due to injury or illness or because the staff member has been excluded from school by the school medical authorities on account of contagious disease or of being quarantined for such a disease in the staff member's immediate household.~~ No teaching staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for **by statute; administrative code; in the collective bargaining agreement; negotiated with the member's majority representative, in an individual employment contract; or provided in the policies of the Board.** ~~In accordance with N.J.S.A. 18A:30-4, The Superintendent or Board of Education may require verification a physician's certificate to be filed with the Secretary of the Board in order to obtain sick leave~~ **in accordance with the provisions of N.J.S.A. 18A:30-4 and Policy and Regulation 1642.01.**



# POLICY GUIDE

## TEACHING STAFF MEMBERS

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### Attendance

The Superintendent, in consultation with administrative staff members, will review the rate of absence among **teaching** ~~the~~ staff members. The review will include the collection and analysis of attendance **patterns** ~~data~~, the training of teaching staff members in their attendance responsibilities, and the counseling of teaching staff members for whom regular and prompt attendance is a problem.

N.J.S.A. 18A:27-4; 18A:28-5; 18A:30-1 ~~et seq.~~; **18A:30-2; 18A:30-4**

Adopted: 14 June 2011  
Revised: 01 March 2016  
**Revised: 19 December 2023**



# REGULATION GUIDE

TEACHING STAFF MEMBERS

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**Attendance**

~~Professional Staff Attendance Review~~

~~and Improvement Plan~~

**M**

## R 3212 ATTENDANCE

### PROFESSIONAL STAFF ATTENDANCE REVIEW

### AND IMPROVEMENT PLAN

#### A. Review of Attendance Data

1. A record shall be kept of the attendance of each teaching staff member, including teachers; educational services personnel; administrators; and other certificated staff members. Any absence, for part or all of a school day, shall be recorded along with the reason for the absence. The record will distinguish sick leave, professional days, unpaid leaves of absence, personal leave, bereavement leave, and any other leaves of absences taken by the teaching staff member. The teaching staff member's attendance record will include notation of verification of an absence where such verification is required by the Superintendent or by Policy and Regulation 1642.01. The teaching staff member's rate of absence shall be calculated at least once per school year and entered on the teaching staff member's attendance record. A teaching staff member's attendance record shall be part of the teaching staff member's personnel file.
2. A cumulative attendance record shall be assembled for each school in the school district and also for the school district as required by the New Jersey Department of Education.
3. An attendance summary shall be prepared from the cumulative attendance record. The attendance summary shall show the rate of absence for each school in the district and also for the school district.

#### B. Attendance Reporting and Improvement Plan

##### 1. Planning

- a. Each absence of a teaching staff member shall be reported by the teaching staff member in accordance with the school district's procedure.



# REGULATION GUIDE

TEACHING STAFF MEMBERS

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**Attendance**

~~Professional Staff Attendance Review~~  
and Improvement Plan

- b. The absence of a teaching staff member shall be provided to the teaching staff member's Principal or supervisor designated by the Superintendent, as appropriate, who shall determine if a substitute or replacement is required for the period of the absence.
- c. A report of such absences shall also be provided to the Superintendent or designee.
- d. The Principal or supervisor designated by the Superintendent shall determine if an absence requires further verification. Reasons for further verification may include, but are not limited to, the following:
  - (1) A pattern of absences on the same day(s) of the week;
  - (2) A pattern of absences before or after nonworking days;
  - (3) The habitual exhaustion of personal leave.
- e. The Superintendent or designee will meet with Principals and supervisors to discuss attendance records of teaching staff members. The attendance records shall be analyzed for patterns of absences, such as excessive absenteeism in a given department, school, or work place in the school district, among certain groups of teaching staff members, for certain specific causes, or on certain days of the week, month, or year. Specific strategies for reducing the rate of absences shall be developed.

## 2. Implementation

- a. The Superintendent or designee or the teaching staff member's Principal or supervisor designated by the Superintendent shall be responsible for implementing a plan for the improvement of teaching staff member attendance.



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TEACHING STAFF MEMBERS

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**Attendance**

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- b. The teaching staff member's Principal or supervisor designated by the Superintendent shall encourage the regular attendance of teaching staff members in their workplace, school, or department. The teaching staff member's Principal or supervisor designated by the Superintendent shall maintain contact with absent employees and may confer with teaching staff members who return from an absence of any duration.
  - c. The Superintendent shall direct Principals and supervisors designated by the Superintendent to incorporate a teaching staff member's attendance record in the teaching staff member's evaluation.
  - d. The teaching staff member's Principal or supervisor designated by the Superintendent shall report to the Superintendent or designee any teaching staff member whom the Principal or supervisor designated by the Superintendent suspects of misusing sick leave or falsifying the reasons for an absence.
3. Counseling
- a. The Superintendent, Principal, or supervisor designated by the Superintendent may schedule a conference with a teaching staff member where the number and/or pattern of the teaching staff member's absences or the reasons offered for the teaching staff member's absences may indicate a concern.
  - b. Prior to the giving of any admonition, reprimand, or imposition of discipline of any kind, the Superintendent, Principal, or supervisor designated by the Superintendent shall determine the nature of the absences and consider any extenuating circumstances.



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TEACHING STAFF MEMBERS

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**Attendance**

~~Professional Staff Attendance Review~~  
~~and Improvement Plan~~

- c. A written report of any attendance conference shall be prepared and retained with the teaching staff member's evaluations. The teaching staff member shall be permitted to examine the report and affix their comments, if any, to evaluation reports.

## C. Record of Attendance

1. A record shall be kept of the attendance of all teaching staff members, including supervisors. Any absence, for part or all of a school day, shall be recorded with the reason for the absence. A teaching staff member's attendance record shall be part of the teaching staff member's personnel file.
2. The record will distinguish sick leave; professional days; unpaid leaves of absences; personal leave; bereavement leave; and any other leaves taken by the teaching staff member. The teaching staff member's attendance record will include notation of verification of an absence where such verification is required by the Superintendent, Policy 1642.01, or any other law or Board policy.
3. A teaching staff member's rate of absence shall be calculated at least once per school year and entered on the teaching staff member's attendance record.
4. At the end of each school year, the Superintendent of Schools, Principals, and teaching staff members' supervisors designated by the Superintendent will review attendance records for teaching staff members.

## D. Attendance Improvement Plan

1. The attendance record prepared for teaching staff members shall be analyzed for patterns of absence, such as excessive absenteeism in a given school or work place, among certain groups of employees, for certain specific causes, or on certain days of the week, month, or year.



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TEACHING STAFF MEMBERS

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**Attendance**

~~Professional Staff Attendance Review~~  
~~and Improvement Plan~~

2. Specific strategies for reducing the rate of absences shall be developed.
  3. The Superintendent shall designate an administrator or supervisor to be responsible for implementing the approved plan for the improvement of teaching staff member attendance in the school district and in schools in the district.
  4. The record of a conference(s) dealing with excessive absenteeism may serve as an element in the evaluation of any teaching staff member's performance.
- E. In-Service Training
1. The teaching staff member's Principal or supervisor designated by the Superintendent shall meet with teaching staff members at the beginning of each school year to:
    - a. Inform teaching staff members of Board policy and district regulations on attendance;
    - b. Familiarize employees with the procedures to be used in requesting, reporting, and verifying absences; and
    - c. Acquaint teaching staff members with the degree to which attendance will affect evaluation reports.

Issued: 14 June 2011

**Revised: 19 December 2023**



# POLICY GUIDE

## TEACHING STAFF MEMBERS

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Right of Privacy

### 3324 RIGHT OF PRIVACY

The Board of Education will provide facilities and school district-owned property to assist **teaching** staff members in their job responsibilities or for the **teaching** staff members' convenience. These facilities or district-owned property may include, but are not limited to, an office, a storage closet, a filing cabinet, a locker, and/or a desk. The Principal or designee may provide a **teaching** staff member with exclusive use and access to such facilities or school district-owned property or may require the facility or school district-owned property be shared with other staff members. The **teaching** staff member may be provided a lock or key by the school district or may secure the facility or school district-owned property using their own locking device with permission from the Principal or designee.

**Teaching School** staff members should be aware their expectation of privacy in these facilities and/or the school district-owned property provided by the Board of Education is reduced by virtue of actual office practices and procedures, for searches conducted pursuant to an investigation of work-related employee misconduct, or by ~~legitimate~~ school district policies or regulations. In addition, **teaching** staff members shall have a reduced expectation of privacy in these facilities and school district-owned property if there is reasonable suspicion the **teaching** staff member is violating a law or school policy. **Teaching School** staff members shall be on notice this reduced expectation of privacy may result in such facilities and/or school district-owned property being searched without a search warrant. In order to avoid exposing personal belongings to such a search, **teaching school** staff members are discouraged from storing personal papers and effects in these facilities or school district-owned property.

**The Board prohibits any audio or video recording of a teaching staff member or student by any student; other school staff member; visitor; or any other person while a teaching staff member is performing their Board-assigned job responsibilities without the prior written approval of the teaching staff member's Principal or supervisor. In addition to protecting the privacy rights of all teaching staff members, such recordings may violate the privacy rights of students and teaching staff members and can be disruptive to the educational program. The teaching staff members' Principal or supervisor's prior approval for a person to make an audio or video recording of a teaching staff member or a school-sponsored activity is not required for a school-sponsored activity that is open to parents, family members, or other members of the public to attend. Such activities include, but are not limited**





# POLICY GUIDE

## TEACHING STAFF MEMBERS

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Right of Privacy

**to: curricular activities; co-curricular activities; athletic events; student programs; or any other school-sponsored activity.**

**A person requesting prior approval to audio or video record a teaching staff member or student that is not permitted in accordance with the provisions of this Policy, must submit a written request to the Principal. The Principal will review the written request and provide the requester with a written decision. If a written approval is not provided by the Principal to the person submitting the request prior to the requested recording date or event, the request shall be deemed denied and the audio or video recording shall not be permitted.**

**Any person making an audio or video recording in violation of the provisions of this Policy shall be required to immediately cease making the recording to avoid violating the privacy rights of others. Any teaching staff member found to have violated the provisions of this Policy may be subject to discipline.**

**Adopted: 26 June 2012**

**Revised: 19 December 2023**



# POLICY GUIDE

## SUPPORT STAFF MEMBERS

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Examination for Cause

### 4161 EXAMINATION FOR CAUSE

- A. Pursuant to N.J.S.A. 18A:16-2 and N.J.A.C. 6A:32-6.3, the Board of Education may require physical or psychiatric examinations of a support staff member whenever, in the judgment of the Board, a support staff member shows evidence of deviation from normal physical or mental health, to determine the support staff member's physical and mental fitness to perform, with reasonable accommodation, the position the support staff member currently holds, or to detect any health risk(s) to students and other employees. When the Board requires a support staff member to undergo a physical or psychiatric examination:
1. The Board shall provide the support staff member with a written statement of the reasons for the required examination; and
  2. The Board shall provide the support staff member with a hearing, if requested.
    - a. Notice of the support staff member's right to a hearing shall be provided with the statement of reasons for the required examination;
    - b. The support staff member must request the Board hearing, in writing, within five working days of the support staff member's receipt of the written statement of reasons:
      - (1) The support staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the support staff member failed to timely request a hearing before the Board;
    - c. The Board hearing shall be conducted in accordance with the provisions of N.J.S.A. 18A:25-7 and will offer the support staff member the opportunity to appear before the Board to refute the reason(s) for the required examination(s);



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## SUPPORT STAFF MEMBERS

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Examination for Cause

- d. The support staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the support staff member failed to persuade the Board at the hearing that the support staff member should not be required to submit to the appropriate examination(s); and
      - e. The determination of such a hearing shall be appealable to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4 - Appeals.
    3. The support staff member may, without reprisal, refuse to waive their right to protect the confidentiality of medical information, in accordance with P.L. 104-191, Health Insurance Portability and Accountability Act of 1996.
  - B. Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of examinations made by a physician or institution designated by the Board. However, the support staff member shall bear the cost if the examination is performed by a physician or institution designated by the support staff member with approval of the Board.
    1. If the support staff member submits names of physicians or institutions to the Board for consideration to complete the appropriate examination(s), the Board is not required to designate the physician or institution submitted for consideration by the support staff member, but shall not act unreasonably in withholding its approval of the physician or institution.
    2. The support staff member shall authorize the physician or institution performing the examination to immediately release the examination results to the Superintendent.
    3. All records and reports relating to any such examination shall be the property of the Board, in accordance with N.J.S.A. 18A:16-5.
      - a. Health records of support staff members, including computerized records, shall be secured, stored, and maintained separately from other personnel files; and



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## SUPPORT STAFF MEMBERS

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Examination for Cause

- b. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5.
  4. If the results of any such examination indicate mental abnormality or communicable disease, the support staff member shall be ineligible for further service until proof of recovery, satisfactory to the Board, is furnished, but if the support staff member is under contract or has tenure, they may be granted sick leave with compensation as provided by law and shall, upon satisfactory recovery, be permitted to complete the term of their contract, if they are under contract, or be reemployed with the same tenure as they possessed at the time their services were discontinued, if they have tenure, unless their absence shall exceed a period of two years in accordance with N.J.S.A. 18A:16-4.
- C. In order to return to work, the support staff member must submit to an appropriate examination and submit the results of the examination to the Superintendent.
  1. The examination must be conducted by a physician or institution upon which the Board and support staff member confer and agree;
  2. If the physician or institution conducting the examination is conducted by the Board's choice, the cost shall be borne by the Board; if the physician or institution conducting the examination is conducted by the support staff member's choice, the cost shall be borne by the support staff member; and
  3. The support staff member shall authorize the physician or institution performing the examination to immediately release the examination results to the Superintendent.



# POLICY GUIDE

## SUPPORT STAFF MEMBERS

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Examination for Cause

- D. A support staff member who refuses to submit to the examination required by the Board in accordance with this Policy and has exhausted the hearing procedures established by law and this Policy shall be subject to discipline, which may include, but is not limited to, termination or certification of tenure charges to the Commissioner of Education, as applicable.

42 U.S.C.A. 12101

N.J.S.A. 18A:6-10; 18A:16-2; 18A:16-3; 18A:16-4; 18A:16-5

18A:25-7; 18A:28-5; 18A:30-1 et seq.

N.J.A.C. 6A:32-6.2; 6A:32-6.3

Adopted: 14 June 2011

Revised: 19 July 2022

Revised: 19 December 2023



# POLICY GUIDE

## SUPPORT STAFF MEMBERS

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Attendance

M

### 4212 ATTENDANCE

The regular and prompt attendance of support staff members is an essential element in the efficient operation of the school district and the effective conduct of the educational program. **Support s**Staff member absenteeism disrupts the educational program and the Board of Education considers attendance an important component of a **support** staff member's job performance.

**Support staff members shall provide notice for the use of sick time as required in N.J.S.A. 18A:30-4 and Policy and Regulation 1642.01 in accordance with the district's procedure for support staff members to report the use of sick leave and other absences.** A support staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with **statute, administrative code, or Board policy**; falsifies the reason for an absence; is absent without authorization; is repeatedly tardy; or accumulates an excessive number of absences may be subject to appropriate consequences, which may include, **but not be limited to**, the withholding of a salary increment, **termination dismissal, nonrenewal**, and/or certification of tenure charges.

**Sick leave is defined in accordance with N.J.S.A. 18A:30-1 and Policy and Regulation 1642.01.** ~~In accordance with N.J.S.A. 18A:30-1, sick leave is defined to mean the absence from work because of a personal disability due to injury or illness or because the support staff member has been excluded from school by the school medical authorities on account of contagious disease or of being quarantined for such a disease in the staff member's immediate household. No support staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for by statute; administrative code; in the collective bargaining agreement; negotiated with the member's majority representative, in an individual employment contract; or the policies of the Board. In accordance with N.J.S.A. 18A:30-4, The Superintendent or Board of Education may require verification a physician's certificate to be filed with the Secretary of the Board in order to obtain sick leave in accordance with the provisions of N.J.S.A. 18A:30-4 and Policy and Regulation 1642.01.~~



# POLICY GUIDE

## SUPPORT STAFF MEMBERS

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### Attendance

The Superintendent, in consultation with administrative staff members, will review the rate of absence among **support** ~~the~~ staff members. The review will include the collection and analysis of attendance **patterns** ~~data~~, the training of support staff members in their attendance responsibilities, and the counseling of support staff members for whom regular and prompt attendance is a problem.

N.J.S.A. 18A:30-1 ~~et seq.~~; **18A:30-2; 18A:30-4**

Adopted: 14 June 2011  
Revised: 01 March 2016  
**Revised: 19 December 2023**



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## SUPPORT STAFF MEMBERS

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Right of Privacy

### 4324 RIGHT OF PRIVACY

The Board of Education will provide facilities and school district-owned property to assist **support** staff members in their job responsibilities or for the **support** staff members' convenience. These facilities or district-owned property may include, but are not limited to, an office, a storage closet, a filing cabinet, a locker, and/or a desk. The Principal or designee may provide a **support** staff member with exclusive use and access to such facilities or school district-owned property or may require the facility or school district-owned property be shared with other staff members. The **support** staff member may be provided a lock or key by the school district or may secure the facility or school district-owned property using their own locking device with permission from the Principal or designee, or immediate supervisor.

**Support School** staff members should be aware their expectation of privacy in these facilities and/or the school district-owned property provided by the Board of Education is reduced by virtue of actual office practices and procedures, for searches conducted pursuant to an investigation of work-related employee misconduct, or by ~~legitimate~~ school district policies or regulations. In addition, **support** staff members shall have a reduced expectation of privacy in these facilities and school district-owned property if there is reasonable suspicion the support staff member is violating a law or school policy. **Support School** staff members shall be on notice this reduced expectation of privacy may result in such facilities and/or school district-owned property being searched without a search warrant. In order to avoid exposing personal belongings to such a search, **support school** staff members are discouraged from storing personal papers and effects in these facilities or school district-owned property.

**The Board prohibits any audio or video recording of a support staff member or student by any student; other school staff member; visitor; or any other person while a support staff member is performing their Board-assigned job responsibilities without the prior approval of the support staff member's supervisor. In addition to protecting the privacy rights of all support staff members, such recordings may violate the privacy rights of students and support staff members and can be disruptive to the educational program. The support staff members' supervisor's prior approval for a person to make a video or audio recording of a support staff member or a school-sponsored activity is not required for a school-sponsored activity that is open to parents, family members, or other members of the public to attend. Such activities include, but are not limited to: curricular activities; co-curricular**





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activities; athletic events; student programs; or any other school-sponsored activity.

A person requesting prior approval to an audio or video record a support staff member or student that is not permitted in accordance with the provisions of this Policy, must submit a written request to the support staff member's supervisor. The supervisor will review the written request and provide the requester with a written decision. If a written approval is not provided by the supervisor to the person submitting the request prior to the requested recording date or event, the request shall be deemed denied and audio or video recording shall not be permitted.

Any person making an audio or video recording in violation of the provisions of this Policy shall be required to immediately cease making the recording to avoid violating the privacy rights of others. Any support staff member found to have violated the provisions of this Policy may be subject to discipline.

Adopted: 26 June 2012

Revised: 19 December 2023



# POLICY GUIDE

STUDENTS

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Education of Homeless Children **and Youths**

## 5116 EDUCATION OF HOMELESS CHILDREN AND YOUTHS

The Board of Education will admit and enroll homeless children **and youths** in accordance with Federal and State laws and New Jersey Administrative Code. The Board of Education adopts this Policy to be in compliance with law and administrative code to ensure the enrollment of homeless children **and youths** in school and to respond to appeals made by parents or other parties related to the enrollment of homeless children **and youths**.

The Board ~~of Education~~ shall determine that a child **or youth** is homeless when **the child or youth** ~~he or she~~ resides in a publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers. A child **or youth** is also determined homeless when **the child or youth** ~~he or she~~ resides in a public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles including mobile homes; tents or other temporary shelters; parks; abandoned buildings; bus or train stations; **or** temporary shelters provided to migrant workers and their children on farm sites. **A child or youth is determined homeless when the child or youth resides in** ~~and~~ the residence of relatives or friends where the homeless child **or youth** resides out of necessity because **the child's or youth's** ~~his or her~~ family lacks a regular or permanent residence of its own. A child **or youth** is also determined homeless when **the child or youth** ~~he or she~~ resides in substandard housing.

The school district of residence for a homeless child **or youth** is responsible for the education of the child and shall assume all responsibilities as required in N.J.A.C. 6A:17-2.3. The school district of residence for a homeless child **or youth** means the school district in which the parent of a homeless child **or youth** resided prior to becoming homeless.

The school district liaison designated by the Superintendent of Schools for the education of homeless children **and youths** is the **Director of School Counseling Services** ~~Supervisor of Special Education~~. The **school district** liaison will facilitate communication and cooperation between the school district of residence and the school district where the homeless child **or youth** resides and shall assume all responsibilities as outlined in N.J.A.C. 6A:17-2.4(a).



# POLICY GUIDE

## STUDENTS

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### Education of Homeless Children **and Youths**

When a homeless child **or youth** resides in a school district, the school district liaison shall notify the liaison of the school district of residence within twenty-four hours of receiving notification from the parent, ~~the Department of Human Services or the Department of Children and Families~~, a shelter director, **or** an involved agency, ~~or a case manager~~. Upon notification of the need for enrollment of a homeless child **or youth**, the liaison in the school district of residence shall coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.5(b).

The Superintendent of the school district of residence or designee shall decide in which school district the homeless child **or youth** shall be enrolled in accordance with the provisions of N.J.A.C. 6A:17-2.5.

Unless parental rights have been terminated by a court of competent jurisdiction, the parent retains all rights under N.J.A.C. 6A:17-2.1 ~~et seq.~~

When a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or the designee(s) of the involved district(s) or the child's **or youth's** parent(s) shall immediately notify the Executive County Superintendent of Schools, who, in consultation with the **New Jersey** Department of Education's (NJDOE) McKinney-Vento Homeless Education Coordinator or **the Coordinator's** designee, shall immediately decide the child's **or youth's** status. If a dispute remains between the parent and the involved school district(s) following the Executive County Superintendent's determination, the parent or the involved district Board(s) of Education may appeal to the Commissioner of Education for determination pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

When a school district designated as the school district of residence disputes its designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts shall immediately notify the Executive County Superintendent of Schools, **The Executive County Superintendent** ~~who~~ shall ~~immediately~~ make a determination **immediately**, if possible, but no later than within forty-eight hours **and, when necessary, in consultation with the NJDOE's Homeless Education Coordinator or the Coordinator's designee.**



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Education of Homeless Children **and Youths**

If the dispute regarding determination of **the school** district of residence does not involve the determination of homelessness and/or **school** district **of** enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the ~~NJDOE Department of Education~~ pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f) and request a determination from the **NJDOE** Division of Administration and Finance. If an appeal of a determination of **school** district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

Any dispute or appeal shall not delay the homeless child's **or youth's** immediate enrollment or continued enrollment in the school district. The homeless child **or youth** shall be enrolled in the school district in which enrollment or continued enrollment is sought by the parent, pending resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child **or youth** with a disability shall be made pursuant to N.J.A.C. 6A:14.

**Notwithstanding the provisions of N.J.S.A. 18A:38-1, 18A:7B-12, or 18A:7B-12.1, or any other section of law to the contrary, any student who moves from one school district to another as a result of being homeless due to an act of terrorism or due to a natural disaster which results in the declaration of a state of emergency or disaster by the State or by the Federal government, may continue to enroll in the school district in which the parent or guardian last resided prior to becoming homeless for up to two full school years after the act of terrorism or natural disaster; and during the two-year period, if the student is enrolled in the district in which the parent last resided prior to becoming homeless and the student's parent remains homeless for that period, the student shall attend that district tuition-free and that district shall provide the student transportation to and from school in accordance with N.J.S.A. 18A:7B-12.3.**

Financial responsibility, including the payment of tuition for the homeless child **or youth**, will be in accordance with N.J.A.C. 6A:17-2.8. The school district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence **or the school district in**



# POLICY GUIDE

STUDENTS

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Education of Homeless Children **and Youths**

**which the parent has been deemed domiciled** shall no longer list the student on its ASSA. The State shall assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12.1 and shall pay the tuition to the school district in which the child **or youth** is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. under the circumstances outlined in N.J.A.C. 6A:17-2.8(c).

On or before December 31 of each year, the district shall report to the Office of Homelessness Prevention in the Department of Community Affairs an accounting of each instance in which the district is made aware that a student enrolled in the district because the student's parent moved to the district as a result of being homeless **in accordance with N.J.S.A. 18A:38-1.f.**

N.J.S.A. 18A:7B-12; 18A:7B-12.1; **18A:7B-12.3**; 18A:38-1  
N.J.A.C. 6A:17-2.1 et seq.

Adopted: 14 June 2017  
Revised: 31 January 2017  
Revised: 02 May 2017  
Revised: 12 October 2021  
**Revised: 19 December 2023**



# REGULATION GUIDE

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Education of Homeless Children and Youths

## R 5116 EDUCATION OF HOMELESS CHILDREN AND YOUTHS

### A. Definitions – (N.J.A.C. 6A:17-1.2)

1. **“Best interest determination” means the school placement decision made by Division of Child Protection and Permanency (DCP&P) based on the factors considered, as set forth at N.J.S.A. 30:4C-26b.**
2. **“Career or technical education” or “CTE” means as defined in N.J.A.C. 6A:19-1.2.**
3. **“DCP&P” means the Division of Child Protection and Permanency, which is a division in the New Jersey Department of Children and Families (DCF) that is responsible for the placement of children in resource family care, pursuant to N.J.S.A. 30:4C-26b.**
4. **“Educational stability school district notification” means the notification provided by DCP&P to the school district, pursuant to N.J.S.A. 30:4C-26b.h.**
5. **“Enroll” or “enrollment” means attending classes and participating fully in school activities.**
6. **“Homeless child” means a child or youth who lacks a fixed, regular, and adequate residence, pursuant to N.J.S.A. 18A:7B-12, N.J.A.C. 6A:17-2.2, and B. below.**
7. **“Immediate” or “immediately” means at the instant the need for placement is made known.**
8. **“Parent” means the natural or adoptive parent, legal guardian, resource family care parent, surrogate parent, or person acting in the place of a parent, such as the person with whom the child legally resides or a person legally responsible for the child’s welfare.**



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9. **“Point of contact” means the employee identified in each school district who facilitates all activities needed to ensure enrollment and attendance of children in resource family care.**
10. **“Resource family care” means twenty-four-hour substitute care for children placed away from their parent(s) and for whom DCP&P has placement and care responsibility. The term is synonymous with “foster care” as defined in the Federal Elementary and Secondary Education Act (ESEA), as reauthorized by the Every Student Succeeds Act (ESSA), and includes “resource family home” found elsewhere in the New Jersey Administrative Code and in the New Jersey Statutes Annotated.**
11. **“School district liaison for the education of homeless children and youths” means the person identified in each school district who facilitates all activities needed to ensure the enrollment and attendance of homeless children and youths.**
12. **“School district of residence” for a homeless child or youth means the school district in which the parent of a homeless child or youth resided prior to becoming homeless. It may not be the school district in which the student currently resides. This term is synonymous with “school district of origin” referenced in the McKinney-Vento Homeless Education Assistance Act. “School district of residence” for a student in a State facility means the school district in which the parent with whom the student lived prior to placement in a State facility currently resides, pursuant to N.J.S.A. 18A:7B-12.b. In the case of a child placed in resource family care prior to September 9, 2010, in accordance with N.J.S.A. 18A:7B-12, the “school district of residence” means the school district in which the resource family care parent(s) resides. In the case of a child placed in resource family care on or after September 9, 2010, in accordance with N.J.S.A. 18A:7B-12, the “school district of resident” means the present school district of residence of the parent(s) with whom the child lived prior to the most recent placement in resource family care.**



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13. **“School of origin” for a child in resource family care means the school district in which a child was enrolled prior to a change in the child’s care, custody, or guardianship. If a child’s resource family care placement changes, the school of origin would then be considered the school district in which the child is enrolled at the time of the placement change.**
14. **“State agency” means the New Jersey Department of Human Services, the New Jersey Department of Correction, the New Jersey Department of Children and Families, or the New Jersey Juvenile Justice Commission.**
15. **“State facility” means residential and day programs operated by, contracted with, or specified by the New Jersey Department of Human Services, the New Jersey Department of Correction, the New Jersey Department of Children and Families, or the New Jersey Juvenile Justice Commission.**
16. **“Transitional living facility” means a temporary facility that provides housing to a child due to domestic violence, pursuant to N.J.S.A. 18A:7B-12.1.**
17. **“Unaccompanied youth” means a youth not in the physical custody of a parent at the time of enrollment.**
- ~~1. “School district liaison for the education of homeless children” means the person identified in the school district that facilitates all activities needed to ensure the enrollment and attendance of homeless children.~~
- ~~2. “School district of residence” for a homeless child means the school district in which the parent of a homeless child resided prior to becoming homeless. It may not be the school district in which the student currently resides. This is synonymous with the term “school district of origin” referenced in the McKinney-Vento Homeless Education Assistance Act. “School district of residence” for a student in a State facility means the school district in which the parent with whom the student lived prior to placement in a State facility currently resides pursuant to N.J.S.A. 18A:7B-12.b.~~





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3. ~~“Homeless child” means a child or youth who lacks a fixed, regular, and adequate residence, pursuant to N.J.S.A. 18A:7B-12 and N.J.A.C. 6A:17-2.2.~~
4. ~~“Immediate” or “immediately” means at the instant the need for placement is made known.~~
5. ~~“Parent” means the natural or adoptive parent, legal guardian, foster parent, surrogate parent, or person acting in the place of a parent such as the person with whom the child legally resides or a person legally responsible for the child’s welfare.~~
6. ~~“Superintendent” means Superintendent and/or Chief School Administrator.~~

B. Determination of Homelessness – (N.J.A.C. 6A:17-2.2)

1. The Board of Education **for the school district of residence** shall determine that a child **or youth** is homeless for the purposes of N.J.A.C. 6A:17-2, **Policy 5116, and this Regulation** when **the child or youth** ~~he or she~~ resides in any of the following:
  - a. A publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers;
  - b. A public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles including mobile homes; tents or other temporary shelters; parks; abandoned buildings; bus or train stations; or temporary shelters provided to migrant workers and their children on farm sites;
  - c. The residence of relatives or friends where the homeless child **or youth** resides out of necessity because **their** ~~his or her~~ family lacks a regular or permanent residence of its own; or
  - d. Substandard housing.



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C. Responsibilities of the School District of Residence – ~~(N.J.A.C. 6A:17-2.3)~~

1. The school district of residence for a homeless child **or youth** **shall be** ~~is~~ responsible for the education of the child and shall:

- a. Determine the school district in which the child shall be enrolled after consulting with the parent pursuant to N.J.A.C. 6A:17-2.5 **and E. below**;
- b. Pay the cost of tuition pursuant to N.J.S.A. 18A:38-19, when the child attends school in another school district; and
- c. Provide for transportation for the child pursuant to N.J.A.C. 6A:27-6.2.

2. The determination of the homeless child's **or youth's** school district of residence shall be made by the Superintendent of the school district of residence or designee, pursuant to N.J.A.C. 6A:17-2.4 **and D. below** based upon information received from the parent, ~~the Department of Human Services or the Department of Children and Families~~, a shelter provider, another school district, **or** an involved agency, ~~or a case manager~~.

3. The **school** district ~~Board of Education~~ identified in accordance with N.J.S.A. 18A:7B-12 as the school district of residence for a homeless child **or youth** shall be the school district of residence until the parent establishes a permanent residence. Financial responsibility will remain with the homeless child's school district of residence until the family is deemed domiciled in another jurisdiction, pursuant to N.J.S.A. 18A:38-1.d.

D. Designation of School District Liaisons and Their Responsibilities – ~~(N.J.A.C. 6A:17-2.4)~~

1. The Superintendent identifies **the Director of School Counseling Services** ~~Supervisor of Special Education~~ as the **school** district liaison for the education of homeless children **or youths**. The school district liaison shall:



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- a. Facilitate communication and cooperation between the school district of residence and the school district where the homeless child **or youth** resides;
- b. Develop procedures to ensure a homeless child **or youth** residing in the school district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.5 **and E. below**;
- c. Ensure homeless families, children, and youths receive educational services for which they are eligible, including Head Start ~~and Even Start~~ programs, preschool programs administered by the **Board** ~~local education agency~~, and referrals to health care, dental, mental health, and other appropriate services;
- d. Inform parents of homeless children and youths of the educational and related opportunities available to their children and ensure that **parents** ~~they~~ are provided with meaningful opportunities to participate in the education of their children;
- e. Ensure that public notice of the educational rights of homeless children and youths is disseminated where such children receive services, such as schools, family shelters, and soup kitchens;
- f. Ensure enrollment disputes are resolved pursuant to N.J.A.C. 6A:17-2.7 **and G. below**;
- g. Ensure the parent of a homeless child or youth, or any unaccompanied youth, is fully informed of all transportation services, including transportation to the school district of residence, and is assisted in accessing transportation to the school selected under N.J.A.C. 6A:17-2.5 **and E. below**;
- h. Assist the parent to obtain the homeless child's or youth's medical records or required immunizations; and



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- i. Assist an unaccompanied youth to ensure **the youth** ~~he or she~~ is enrolled **in**, and is receiving, all services pursuant to N.J.A.C. 6A:17, **Policy 5116, and this Regulation.**
  2. When a homeless child **or youth** resides in a school district, the **school** district liaison shall notify the liaison of the school district of residence within twenty-four hours of receiving notification from the parent, ~~the Department of Human Services or the Department of Children and Families~~, a shelter director, **or** an involved agency, ~~or a case manager.~~
  3. Upon notification of the need for enrollment of a homeless child **or youth**, the liaison in the school district of residence shall coordinate enrollment procedures immediately based upon the best interest of the child, pursuant to N.J.A.C. 6A:17-2.5(b) **and E.2. below.**
- E. School District Enrollment – ~~(N.J.A.C. 6A:17-2.5)~~
1. The Superintendent of the school district of residence or designee shall decide in which **school** district the homeless child **or youth** shall be enrolled as follows:
    - a. Enroll the homeless child **or youth** in the school district of residence to the extent feasible, except when doing so is contrary to the wishes of the homeless child's **or youth's** parent;
    - b. Continue the homeless child's **or youth's** education in the school district of last attendance if it is not the school district of residence; or
    - c. Enroll the homeless child in the school district where the child resides.
  2. The Superintendent of the school district of residence or designee shall decide the school district of enrollment of a homeless child **or youth** based on what is determined to be in the best interest of the child **or youth** after considering:



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- a. The enrollment of the homeless child **or youth** in the school district of residence to the extent feasible, except when doing so is contrary to the wishes of the child's **or youth's** parent.
  - b. The continuity of the child's educational program;
  - c. The eligibility of the child for special instructional programs, including, but not limited to, bilingual, gifted and talented, special education, early childhood, and career and technical education programs; and
  - d. The distance, travel time, and safety factors in coordinating transportation services from the residence to the school.
3. The Superintendent of the school district of residence or designee shall determine the child's **or youth's** school district of enrollment immediately after consultation with the parent. The school district of residence shall adhere to the following procedures:
- a. Enrollment decisions shall be made immediately upon notification of the need for enrollment. When the decision is made, the child **or youth shall** ~~will~~ be enrolled immediately. If a dispute arises regarding enrollment of a homeless child **or youth**, the homeless child **or youth** shall be immediately enrolled in the school district in which enrollment is sought by the parent, pending resolution of the dispute pursuant to N.J.A.C. 6A:17-2.7 **and G. below**.
  - b. Consultation with the parent regarding the enrollment decision and the right to appeal the decision shall be documented in writing.
  - c. A decision to enroll a homeless child **or youth** in a school district other than the school district of residence or the school district requested by the parent shall be explained in writing and provided to the parent.



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4. When a decision is made to enroll the child **or youth** in a school district other than the school district of residence, the Superintendent or designee of the school district of residence shall forward to the new school district all relevant school and health records consistent with the provisions of N.J.A.C. 6A:32-7, ~~School District Operations~~.
  5. When a homeless child **or youth** with a disability is enrolled in a school district other than the school district of residence, the school district of enrollment shall treat the student as a transfer student pursuant to N.J.A.C. 6A:14, Special Education.
  6. When the school district of residence for a homeless child **or youth** cannot be determined, the Superintendent or designee of the school district in which the child **or youth** currently resides shall enroll the child **or youth** immediately in the school district of the current residence or the school district of last attendance.
  7. The school district selected pursuant to N.J.A.C. 6A:17-2, **Policy 5116, and this Regulation** shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment such as previous academic records, medical records, proof of residency, or other documentation.
  8. Enrollment in the school district of residence; ~~or enrollment in the school district of last attendance, if not the school district of residence;~~ **or enrollment in the school district where the child or youth resides** shall continue for the duration of homelessness, including when a family becomes homeless between academic years, and also for the remainder of the academic year if the homeless child **or youth** becomes permanently housed during the academic year.
- F. Parental Rights – ~~(N.J.A.C. 6A:17-2.6)~~
1. Unless parental rights have been terminated by a court of competent jurisdiction, the parent retains all rights under N.J.A.C. 6A:17-2.4 ~~et seq~~, **Policy 5116, and this Regulation**.



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G. Disputes and Appeals – (N.J.A.C. 6A:17-2.7)

1. When a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or designee(s) of the involved school district(s) or the child's **or youth's** parent(s) shall immediately notify the Executive County Superintendent. ~~of Schools, who, In~~ consultation with the **New Jersey Department's of Education's (NJDOE)** McKinney-Vento Homeless Education Coordinator or **the Coordinator's** designee, **the Executive County Superintendent** shall immediately decide the child's **or youth's** status. If a dispute remains between the parent and the involved school district(s) following the Executive County Superintendent's determination, the parent or the involved district Board(s) of Education may appeal to the Commissioner of Education for a determination pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
2. When a school district designated as the school district of residence disputes its designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts shall immediately notify the Executive County Superintendent ~~of Schools,;~~ **The Executive County Superintendent** ~~who~~ shall make a determination immediately, if possible, but no later than within forty-eight hours **and, when necessary, in consultation with the NJDOE's Homeless Education Coordinator, or the Coordinator's designee.**
  - a. If the dispute regarding determination of **the school** district of residence does not involve the determination of homelessness and/or **school** district **of** enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the **NJDOE** ~~Department of Education~~ pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f), and request a determination from the Division of ~~Administration and Finance.~~



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- b. If an appeal of a determination of **the school** district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
  3. Any dispute or appeal shall not delay the homeless child's **or youth's** immediate enrollment or continued enrollment in the school district. The homeless child **or youth** shall be enrolled in the school district in which enrollment or continued enrollment is sought by the parent, pending resolution of the dispute or appeal.
  4. Disputes and appeals involving the services provided to a homeless child **or youth** with a disability shall be made pursuant to N.J.A.C. 6A:14.
- H. Tuition – (N.J.A.C. 6A:17-2.8)
  1. When the homeless child **or youth** is enrolled in a school district other than the school district of residence, the school district of residence shall pay to the school district of enrollment the tuition costs pursuant to N.J.S.A. 18A:38-19 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence **or the school district in which the parent has been deemed domiciled** shall ~~no longer~~ pay tuition to the school district of enrollment.
  2. The school district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence **or the school district in which the parent has been deemed domiciled** shall ~~no longer~~ list the student on its ASSA.





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3. The State shall assume fiscal responsibility for the tuition of the child **or youth** pursuant to N.J.S.A. 18A:7B-12.1 and shall pay the tuition to the school district in which the child **or youth** is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d., under the following circumstances:
  - a. If the school district of residence cannot be determined for the homeless child **or youth**;
  - b. If the school district of residence is outside of the State; or
  - c. If a child **or youth** resides in a **domestic violence shelter, homeless shelter, Department of Community Affairs-licensed emergency shelter** or transitional living facility **located in a school district other than the school district of residence due to domestic violence** for more than a year **during combined for the duration of the placement** pursuant to N.J.S.A. 18A:7B-12.d. **and 12.1.**
- 4.(1) When the State assumes fiscal responsibility for the tuition of a homeless child **or youth under the circumstances at N.J.A.C. 6A:17-2.8(c) and H.3. above**, the State shall pay to the school district in which the child **or youth** is enrolled the weighted base per pupil amount calculated pursuant to N.J.S.A. 18A:7F-49; and the appropriate security and special education categorical aids per pupil pursuant to N.J.S.A. 18A:7F-55 and 56.

Issued: 14 June 2017  
Revised: 31 January 2017  
Revised: 02 May 2017  
**Revised: 19 December 2023**



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Tardiness

## R 5240 TARDINESS

### A. Definitions

1. A **student pupil** is tardy to school when the pupil reports to his/her assigned homeroom after the beginning of the school day without approval for the delay.
2. A **student pupil** is tardy to class when the pupil reports to his/her assigned classroom or other place of instruction after the beginning of the school day without approval for the delay.
3. A **student pupil** who is late to school or class for an excused purpose pursuant to Policy No. 5230 is not tardy for the purpose of this regulation.

### B. Procedures for Tardy Arrivals

1. A **student pupil** who is tardy to school must report to the school office to present a written note explaining the reason for the tardiness. The pupil must sign in and receive a late pass for admission to class.
2. A **student pupil** who is tardy to class may be sent by the teacher to the school office to explain the reason for the tardiness and obtain a late pass for admission to class.
3. No **student pupil** who arrives at school after attendance has been taken will be admitted to class without a late pass.

### C. Discipline

Excessive tardiness will be addressed on an individual basis according to the guidelines listed below:

1. **Students in Grades PK-5**
  - a. **Upon a student's 10th tardy to school a letter regarding excessive tardiness will be sent to the student's parent.**



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- b. Upon a student's 18th tardy to school a letter regarding excessive tardiness will be sent to the student's parent and a parent conference with an administrator and the Intervention & Referral Services Committee will be held to discuss the infraction, student's well-being, and needed corrective behaviors.

## 2. Students in Grade 6-8

- a. Upon a student's 3<sup>rd</sup> tardy to school, they will be assigned a lunch detention, and their parent shall be notified.
- b. Upon a student's 6<sup>th</sup> tardy to school, they will be assigned an after-school detention, and their parent shall be notified.
- c. Upon a student's 9<sup>th</sup> tardy to school, they will be assigned 2 after-school detentions, and their parent shall be notified.
- d. Upon a student's 12<sup>th</sup> tardy to school, they will be assigned a before-school detention.
- e. Upon a student's 18<sup>th</sup> tardy to school a letter regarding excessive tardiness will be sent to the student's parent and a parent conference with an administrator will be held to discuss the infraction and corrective behaviors.
- f. Progressive discipline will be utilized for additional tardies to include additional days of after-school detention and/or before-school detention as appropriate.

## 3. Students in Grades 9-12

- a. Upon a student's 5<sup>th</sup> tardy to school, they will be assigned a 1-hour after-school detention.
  - i. Notwithstanding a. above, if the date of a student's 5<sup>th</sup> tardy to school is more than 45 days from the date of their 4<sup>th</sup> tardy to school, the penalty in a. above will not be issued until the occurrence of their 6<sup>th</sup> tardy to school.



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- b. Upon a student's 10<sup>th</sup> tardy to school, they will be assigned a 2-hour after-school detention and will be removed from participation in extracurricular activities for 5 days.
- c. Upon a student's 15<sup>th</sup> tardy to school, they will be assigned a 4-hour Saturday detention.
- d. Upon a student's 20<sup>th</sup> tardy to school, they will be assigned a 4-hour Saturday detention and will be removed from participation in extracurricular activities for the remainder of the school year.

## D. Recognition

- 1. At the conclusion of each semester, students in grades 9-12 who have no tardies to school will receive written acknowledgement from the principal.

### Elementary

#### Ten tardies

~~A letter to parent(s) or legal guardian(s) regarding tardiness and assignment of Central Detention.~~

#### Twenty or more

~~A letter regarding excessive tardiness and parent conference with an administrator and the Discipline Committee to discuss the infraction and needed corrective behaviors.~~

### High School

~~For unexcused tardies to school (after two) the following consequences will accrue for repeated tardiness.~~

~~Three tardies — Teacher detention~~

~~Six tardies — Five demerits~~

~~Nine tardies — Office detention and demerits~~

~~Twelve tardies — Saturday detention~~

~~— Fifteen tardies — Saturday detention and demerits~~

~~— Eighteen tardies — Out of School Suspension~~



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Issued: 14 June 2011  
**Revised: 19 December 2023**



# POLICY GUIDE

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**M**

## 8500 FOOD SERVICES

The Board of Education shall make school lunch available to all students enrolled in a school in the district unless less than five percent of enrolled students in the school are Federally eligible for a free or reduced price lunch in accordance with N.J.S.A. 18A:33-4. School lunches made available pursuant to N.J.S.A. 18A:33-4 and this Policy shall meet minimum nutritional standards, established by the Department of Education.

Free or reduced price breakfast and lunch, as required, shall be offered, under a school lunch program, school breakfast program, or a breakfast after the bell program, to all enrolled students who are determined to be Federally eligible for free or reduced price meals. As provided by N.J.S.A. 18A:33-4.a.(3) and N.J.S.A. 18A:33-14a.a.(2), any student who is eligible for a reduced price lunch and breakfast, pursuant to Federal income eligibility standards and criteria, shall not be required to pay for such lunch or breakfast. Free lunch or breakfast shall also be offered to each enrolled student who is Federally ineligible for free or reduced price meals, but who has an annual household income that is not less than one hundred and eighty-six percent, and not more than one hundred ninety-nine percent, of the Federal poverty level, as determined pursuant to N.J.S.A. 18A:33-21b1.

- A. Breakfast Program – N.J.S.A. 18A:33-10; 18A:33-10.1; 18A:33-11; 18A:33-11.1; 18A:33-11.3; 18A:33-14a.

If twenty percent or more of the students enrolled in a school in the district on October 1 of the preceding school year were Federally eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program, the district shall establish a school breakfast program in the school in accordance with the provisions of N.J.S.A. 18A:33-10.

Notwithstanding the provisions of N.J.S.A. 18A:33-10 to the contrary, if ten percent or more of the students enrolled in a school in the district on October 1 of the preceding school year were Federally eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program the district shall establish a breakfast program in accordance with the provisions of N.J.S.A. 18A:33-10.1.



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If seventy percent or more of the students enrolled in a school in the district on or before the last school day before October 16 of the preceding school year were Federally eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program, the district shall establish a breakfast after the bell program pursuant to N.J.S.A. 18A:33-11.3.

In accordance with N.J.S.A. 18A:33-11, in implementing a school lunch program, pursuant to 18A:33-4 et seq., a school breakfast program, pursuant N.J.S.A. 18A:33-9 et seq., or N.J.S.A. 18A:33-10.1, or a breakfast after the bell program, pursuant to N.J.S.A. 18A:33-11.1 or N.J.S.A. 18A:33-11.3, the district shall:

1. Publicize, to parents and students, the availability of the respective school meals program, as well as the various ways in which a student may qualify to receive free or reduced price meals under the program, as provided by N.J.S.A. 18A:33-4 and N.J.S.A. 18A:33-14a;
2. Make every effort to ensure that subsidized students are not recognized as program participants, by the student body, faculty, or staff, in a manner that is different from the manner in which unsubsidized students are recognized as program participants. Such efforts shall include, but need not be limited to, the establishment of a neutral meal plan or voucher system that does not make a distinction between subsidized and unsubsidized students; and
3. Make every effort to:
  - a. Facilitate the prompt and accurate identification of categorically eligible students who may be certified to participate in the program, on a subsidized basis, without first submitting an application therefore, and, whenever an application is required to establish eligibility for subsidized meals, encourage students and their families to submit a subsidized school meals application for that purpose;



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- b. Facilitate and expedite, to the greatest extent practicable, the subsidized school meals application and income-eligibility determination processes that are used, by the district, to certify a student for free or reduced price school meals on the basis of income, and assist parents in completing the school meals application; and
- c. Encourage students who are neither categorically eligible nor income-eligible for free or reduced price school meals to nonetheless participate, on a paid and unsubsidized basis, in the program.

If the district participates in the Federal School Breakfast Program, the district is encouraged to increase the number of students participating in the program by establishing a breakfast after the bell program that incorporates school breakfast into the first-period classroom or the first few minutes of the school day pursuant to N.J.S.A. 18A:33-11.1.

Pursuant to N.J.S.A. 18A:33-14a., school breakfasts made available to students under a school breakfast program or a breakfast after the bell program shall meet minimum nutritional standards, established by the New Jersey Department of Education.

The State of New Jersey shall provide funding to each school in the district if the school operates a School Breakfast Program or a breakfast after the bell program, as may be necessary to reimburse the costs associated with the school's provision of free breakfasts, pursuant to N.J.S.A. 18A:33-14a.b., to students who are Federally ineligible for free or reduced price meals.

- B. Summer Food Service Program – N.J.S.A. 18A:33-23; 18A:33-24; 18A:33-25; 18A:33-26

In accordance with N.J.S.A. 18A:33-24, if fifty percent or more of the students enrolled in the school district on or before the last school day before October 16 of the preceding school year were Federally eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program, the district shall become a sponsor or site under the Federal Summer Food Service Program or apply for a waiver pursuant to N.J.S.A. 18A:33-26.





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In accordance with N.J.S.A. 18A:33-23, the district shall notify each student enrolled and the student's parent of the availability of, and criteria of eligibility for, the summer meals program and the locations in the district where the summer meals are available. The district shall provide this notification by distributing flyers provided by the New Jersey Department of Agriculture pursuant to subsection N.J.S.A. 18A:33-23.c. The district may also provide electronic notice of the information through the usual means by which the district communicates with parents and students electronically.

Pursuant to N.J.S.A. 18A:33-26.a., the New Jersey Department of Agriculture may grant a waiver of the requirements of N.J.S.A. 18A:33-24 et seq. To be granted a waiver, the district must show that it lacks the staff, facilities, or equipment to sponsor the Federal Summer Food Service Program, or the means to finance the hiring or acquisition of such staff, facilities, or equipment. The New Jersey Department of Agriculture also may grant a waiver for one year to the district if a different sponsor currently runs the Federal Summer Food Service Program within the district's community.

Pursuant to N.J.S.A. 18A:33-26.b., the district shall report to the New Jersey Department of Agriculture, in the manner prescribed by the New Jersey Department of Agriculture, its reasons for requesting a waiver of the requirements of N.J.S.A. 18A:33-24 et seq. The report shall include, but need not be limited to, a description of the specific impediments to implementing the program and actions that could be taken to remove those impediments or, where applicable, the identification of the sponsor that currently runs the program within the same community.

C. Information Provided to Parents Regarding the National School Lunch Program and the Federal School Breakfast Program – N.J.S.A. 18A:33-21b1

1. At the beginning of each school year, or upon initial enrollment, in the case of a student who enrolls during the school year, the school shall provide each student's parent with:
  - a. Information on the National School Lunch Program and the Federal School Breakfast Program, including, but not limited to, information on the availability of free or reduced price meals for eligible students, information on the



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application and determination processes that are used to certify eligible students for subsidized school meals, and information on the rights that are available to students and their families under N.J.S.A. 18A:33-21b1 and N.J.S.A.18A:33-21; and

- b. A school meals application form, as well as instructions for completing the application, and, as necessary, assistance in completing the application.
2. The school meals information and application provided to parents, pursuant to N.J.S.A. 18A:33-21b1.a. shall:
  - a. Be communicated in a language that the parent understands;
  - b. Specify the limited purposes for which collected personal data may be used, as provided by N.J.S.A. 18A:33-21b1.c.; and
  - c. Be submitted to the parent either in writing or electronically. In the latter case, the school district shall use the usual means by which it communicates with parents electronically.
3. A school meals application that is completed by a parent shall be confidential, and shall not be used or shared by the student's school or school district, except as may be necessary to:
  - a. Determine whether a student identified in the application is eligible for free or reduced price school meals;
  - b. Determine whether the school or school district is required, by N.J.S.A. 18A:33-11.3 or by N.J.S.A. 18A:33-24, to establish a breakfast after the bell program, or to participate as a sponsor or site in the Federal Summer Meals Service Program;



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- c. Ensure that the school receives appropriate reimbursement, from the State and Federal governments, for meals provided to eligible students, free of charge, through a school lunch program, a school breakfast program, a breakfast after the bell program, a summer meals program, or an emergency meals distribution program; and
- d. Facilitate school aid determinations under the “School Funding Reform Act of 2008,” N.J.S.A. 18A:7F-43 et seq.

## D. Free or Reduced Price Meals’ Application Process – 7 CFR 245

School meals applications shall be reviewed in a timely manner. An eligibility determination will be made, the family will be notified of its status, and the status will be implemented as soon as possible within ten operating days of receipt of the completed application pursuant to 7 CFR 245.6(c)(6). Any student found eligible shall be offered free or reduced price meals or free milk immediately upon the establishment of their eligibility and shall continue to receive such meals during the pendency of any inquiry regarding their eligibility in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture. Carry-over of previous year’s eligibility for students shall be in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

In accordance with 7 CFR 245.6(c)(1) and (2), eligibility for free or reduced price meals, as determined through an approved application or by direct certification, must remain in effect for the entire school year and for up to thirty operating days in the subsequent school year. Prior to the processing of an application or the completion of direct certification procedures for the current school year, children from households with approved applications or documentation of direct certification on file from the preceding year, shall be offered reimbursable free and reduced price meals, as appropriate.

In accordance with 7 CFR 245.6(c)(6)(iii), children from households that notify the local educational agency that they do not want free or reduced price benefits must have their benefits discontinued as soon as possible.



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Pursuant to 7 CFR 245.6(c)(7), if the district receives an incomplete school meals application or a school meals application that does not meet the eligibility criteria for free or reduced priced benefits, the school meals application must be denied. The district shall document and retain the denied school meals application and reasons for ineligibility for three years in accordance with 7 CFR 245.6(e).

In accordance with 7 CFR 245.6(c)(7), parents of students who are denied benefits must receive prompt, written notification of their denial. The notification may be provided by mail or e-mail to the individual who signed the school meals application. Posting the denial on the “notification” page of an online system does not meet this requirement. Likewise, informing the parent of denial via telephone does not meet this requirement. If the district uses an automated telephone information system to notify parents of denied benefits, the district must also provide the parents with written notification of the denial. The notification must provide the: reason for denial of benefits; right to appeal; instructions on how to appeal; and ability to reapply for free and reduced price benefits at any time during the school year.

In accordance with 7 CFR 245.6(e), the district shall record the eligibility determination and notification in an easily referenced format. The record shall include the: denial date; reason for denial; date the denial notice was sent; and signature or initials of the determining official (may be electronic, where applicable).

Any parents of students who have benefits that are to be reduced or terminated must be given ten calendar days’ written notice of the change prior to the date the change will go into effect pursuant to 7 CFR 245.6a(j). The first day of the advance notice period shall be the day the notice is sent. The notice of adverse action may be sent via mail or to the e-mail address of the parent. The district cannot notify the household of adverse action by phone only.

Pursuant to 7 CFR 245.6a(j), the notice of adverse action must advise the parents of: change in benefits; reasons for the change; an appeal must be filed within the ten calendar days advance notice period to ensure continued benefits while awaiting a hearing and decision; instructions on how to appeal; and the parents may reapply for benefits at any time during the school year.



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If the district participates in any National School Lunch Program, School Breakfast Program, or provides free milk under the Special Milk Program, the district shall submit to the New Jersey Department of Agriculture a free and reduced price policy statement pursuant to 7 CFR 245.10.

In accordance with 7 CFR 245.1(b), the district shall avoid any policy or practice leading to the overt identification of students receiving free or reduced price meal benefits. Overt identification is any action that may result in a child being recognized as potentially eligible for or certified for free or reduced price school meals. Unauthorized disclosure or overt identification of students receiving free and reduced price meal benefits is prohibited. The district shall ensure that a child's eligibility status is not disclosed at any point in the process of providing free and reduced price meals, including: notification of the availability of free and reduced price benefits; certification and notification of eligibility; provision of meals in the cafeteria; and the point of service. In addition, the district shall ensure students who receive free and reduced price benefits are not overtly identified when they are provided additional services under programs or activities available to low-income students based on their eligibility for free and reduced price meals.

Pursuant to 7 CFR 245.2, disclosure means revealing or using individual student's program eligibility information obtained through the free and reduced price meal or free milk eligibility process for a purpose other than the purpose for which the information was obtained. Disclosure includes, but is not limited to, access, release, or transfer of personal data about students by means of print, tape, microfilm, microfiche, electronic communication, or any other means. It includes eligibility information obtained through the school meals application or through direct certification.

If the district accepts both cash and electronic payments, the district shall ensure students are not overtly identified through the method of payment pursuant to 7 CFR 245.8(b). To the maximum extent practicable, the district must ensure the sale of non-program foods and the method of payment for non-program foods do not inadvertently result in students being identified by their peers as receiving free and reduced price benefits.

The School Business Administrator/Board Secretary or designee will verify applications of those eligible for free or reduced price meals in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.



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E. Meal Charge Program – N.J.S.A. 18A:33-21

**Option – Select One Option Below**

**[Option 1**

- The Board of Education does not permit a student in the school district to charge for breakfast or lunch.]

**[Option 2**

- The Board of Education provides a meal charge program to permit unsubsidized students in the district to charge for breakfast or lunch. Collection of any payment for a meal charge program account that is in arrears shall be addressed in accordance with provisions of this Policy.

“Unsubsidized student” means a student who is neither categorically eligible nor income-eligible for free or reduced price school meals, and who is, consequently, required to pay for any such meals that are served to the student under the National School Lunch Program or the Federal School Breakfast Program.

The Board of Education recognizes a student may not have breakfast or lunch (meal), as applicable, or money to purchase a meal at school on a school day causing the student’s meal charge account to fall into arrears. The district shall contact the student’s parent to provide notice of the arrearage and shall provide the parent with a period of ten school days to pay the amount due. If the student’s parent has not made full payment by the end of the designated ten school day period, then the district shall again contact the student’s parent to provide notice of any action to be taken by the school district in response to the arrearage.

A parent who has received a second notice their child’s meal bill is in arrears and who has not made payment in full within one week from the date of the second notice may be requested to meet with the Principal or designee to discuss and resolve the matter.

A parent’s refusal to meet with the Principal or designee or take other steps to resolve the matter may be indicative of more serious issues in the family or household. However, when a parent’s routine failure to provide breakfast or lunch is reasonably suspected to be indicative of child neglect,



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the Principal or designee shall immediately report such suspicion to the Department of Children and Families, Division of Child Protection and Permanency as required in N.J.S.A. 9:6-8.10. Such reporting shall not be delayed to accommodate a parent's meeting with the Principal or designee.

A school district shall report at least biannually to the New Jersey Department of Agriculture the number of students who are denied school breakfast or school lunch in accordance with N.J.S.A. 18A:33-21.a.(2) and this Policy.

Nothing in N.J.S.A. 18A:33-21 or this Policy shall be construed to require the district to deny or restrict the ability of an unsubsidized student to access school breakfast or school lunch when the student's school breakfast or school lunch bill is in arrears.

The school or school district shall not:

1. Publicly identify or stigmatize an unsubsidized student who cannot pay for a school breakfast or a school lunch or whose school breakfast or school lunch bill is in arrears. (For example, by requiring the student to sit at a separate table or by requiring that the student wear a wristband, hand stamp, or identifying mark, or by serving the student an alternative meal);
2. Require an unsubsidized student, who cannot pay for a school breakfast or a school lunch or whose school breakfast or school lunch bill is in arrears to do chores or other work to pay for the school breakfast or school lunch;
3. Require an unsubsidized student to discard a school breakfast or school lunch after it has been served because of the student's inability to pay for a school breakfast or school lunch or because money is owed for previously provided meals;



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4. Prohibit an unsubsidized student, or sibling of such a student, from attending or participating in non-fee-based extracurricular activities, field trips, or school events, from receiving grades, official transcripts, or report cards, or from graduating or attending graduation events, solely because of the student's unresolved meal debt; or
5. Require the parent of an unsubsidized student to pay fees or costs in excess of the actual amounts owed for meals previously served to the student.

If an unsubsidized student owes money for the equivalent of five or more school meals, the Principal or designee shall:

1. Determine whether the student is categorically eligible or income-eligible for free or reduced price meals, by conducting a review of all available records related to the student, and by making at least two attempts, not including the initial attempt made pursuant to N.J.S.A. 18A:33-21.c.(2), to contact the student's parent and have the parent fill out a school meals application; and
2. Contact the parent of the unsubsidized student to offer assistance with respect to the completion of the school meals application; and to determine if there are other issues in the household that have caused the student to have insufficient funds to purchase a school breakfast or school lunch; and to offer any other appropriate assistance.

The school district shall direct communications about a student's school breakfast or school lunch bill being in arrears to the parent and not to the student. Nothing in N.J.S.A. 18A:33-21 shall prohibit the school district from sending a student home with a letter addressed to a parent.

Notwithstanding the provisions of N.J.S.A. 18A:33-21 and the provisions of any other law, rule, or regulation to the contrary, an unsubsidized student shall not be denied access to a school meal, regardless of the student's ability to pay or the status of the student's meal arrearages, during any period of time in which the school is making a determination, pursuant to N.J.S.A. 18A:33-21.c., as to whether the student is eligible for, and can be certified to receive, free or reduced price meals.





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If the student's meal bill is in arrears, but the student has the money to purchase a meal on a subsequent school day, the student will be provided a meal with payment and the food service program will not use the student's payment to repay previously unpaid charges if the student intended to use the money to purchase that school day's meal.

Students receiving free meals will not be denied a meal even if they accrued a negative balance from other purchases in the cafeteria.

The school district may post this Policy on the school district's website provided there is a method in place to ensure this Policy reaches all households without access to a computer or the Internet.]

F. Provision of Meals to Homeless Children – N.J.S.A. 18A:33-21c.

The district's liaison for the education of homeless children shall coordinate with district personnel to ensure that a homeless student receives free school meals and is monitored according to district policies pursuant to N.J.S.A. 18A:33-21c.

G. Provision of School Meals During Period of School Closure – N.J.S.A. 18A:33-27.2

In the event the Board is provided a written directive, by either the New Jersey Department of Health or the health officer of the jurisdiction, to institute a public health-related closure due to the COVID-19 epidemic, the district shall implement a program, during the period of the school closure, to provide school meals, at meal distribution sites designated pursuant to N.J.S.A. 18A:33-27.2.b., to all students enrolled in the district who are either categorically eligible or income-eligible for free or reduced price school meals.

In the event of an emergency closure, as described in N.J.S.A. 18A:33-27.2.a., the district shall identify one or more school meal distribution sites that are walkable and easily accessible to students in the district. The district shall collaborate with county and municipal government officials in identifying appropriate sites. A school meals distribution site may include, but need not be limited to: faith-based locations; community centers, such as YMCAs; and locations in the



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district where meals are made available through a summer meals program. In a district that includes high density housing, the district shall make every effort to identify a school meal distribution site in that housing area.

The district shall identify students enrolled in the district who are categorically eligible or income-eligible for free or reduced price meals, and for whom a school meal distribution site, identified pursuant to N.J.S.A. 18A:33-27.2.b., is not within walking distance. In the case of these students, the district shall distribute the school meals to the student's residence or to the student's bus stop along an established bus route, provided that the student or the student's parent is present at the bus stop for the distribution. Food distributed pursuant to N.J.S.A. 18A:33-27.2.c. may include up to a total of three school days' worth of food per delivery.

The district may use school buses owned and operated by the district to distribute school meals pursuant to N.J.S.A. 18A:33-27.2. If the district does not own and operate its own buses, the district may contract for the distribution of school meals, and these contracts shall not be subject to the public bidding requirements established pursuant to the "Public School Contracts Law," N.J.S.A. 18A:18A-1 et seq.

The district shall collaborate, as feasible, with other districts and with local government units to implement the emergency meals distribution program, as required by N.J.S.A. 18A:33-27.2, in order to promote administrative and operational efficiencies and cost savings.

School lunches and breakfasts that are made available, through an emergency meals distribution program operating pursuant to N.J.S.A. 18A:33-27.2, shall be provided to eligible students, free of charge, in accordance with the provisions of N.J.S.A. 18A:33-4.a. and N.J.S.A. 18A:33-14a.



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## H. Statement of Compliance

All food service programs shall be operated pursuant to 7 CFR 245, as appropriate, and this Policy.

N.J.S.A. 18A:18A-42.1; 18A:33-4; 18A:33-5; 18A:33-10;  
18A:33-10.1; 18A:33-11; 18A:33-11.1; 18A:33-11.2;  
18A:33-11.3; 18A:33-14a.; 18A:33-21; 18A:33-21a.;  
18A:33-21b1; 18A:33-21c.; 18A:33-23; 18A:33-24;  
18A:33-25; 18A:33-26; 18A:33-27.2; 18A:58-7.1;  
18A:58-7.2

N.J.A.C. 2:36

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

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

7 C.F.R. 210.1 et seq.

Adopted: 14 June 2011

Revised : 19 December 2023

