

DOCUMENT A

District Enrollment as of 03/31/2017

DISTRICT	Full Time Students	Shared Time Students	Full Time Students PTC 20 LLD	Shared Time Students PTC 20 LLD	Total Student Count
Avon	36				36
Belmar	97	14	1	1	113
Brielle	229	7	8		244
Lake Como	41	4	1		46
Manasquan	286	4	3	1	294
Sea Girt	37		1		38
Spring Lake	50		1		51
Spr Lk Hts	116	1	4	1	122
Employee Child	1				1
Parent Paid	2				2
Totals	895	30	19	3	947
				TOTAL MHS	947
				TOTAL MES	628
				TOTAL ENROLLMENT	1575

DOCUMENT B

MANASQUAN SCHOOL DISTRICT ATTENDANCE COMPARISON REPORT
2016-2017 school year

HIGH SCHOOL				
	<u>ATTENDANCE</u> <u>PERCENTAGE</u>	<u>AVERAGE DAILY</u> <u>ENROLLMENT</u>	<u>AVERAGE DAILY</u> <u>ATTENDANCE</u>	
Mar-16	94.41	938.94	886.47	
Mar-17	94.59	932.22	875.34	
ELEMENTARY SCHOOL				
Mar-16	94.203	643	609.722	
Mar-17	96.672	628.364	601.318	

MANASQUAN SCHOOL DISTRICT FIRE DRILL REPORT
2016 - 2017 School Year

HIGH SCHOOL

<u>DATE OF DRILL</u>	<u>TIME OF DRILL</u>	<u>LENGTH OF DRILL</u>	<u>COMMENTS</u>	<u>SECURITY DRILLS</u>
March 10	9:20 a.m.	10 minutes		Lockdown Drill
March 21	2:11 p.m.	7 minutes		Fire Drill

ELEMENTARY SCHOOL

<u>DATE OF DRILL</u>	<u>TIME OF DRILL</u>	<u>LENGTH OF DRILL</u>	<u>COMMENTS</u>	<u>SECURITY DRILL</u>
March 1	12:40 p.m.	5 minutes		Evacuation Drill
March 10	9:20 a.m.	15 minutes		Shelter in Place Drill

**Manasquan High School
2016-2017**

	SUSPENSIONS BY MONTH										
	SEPT.	OCT.	NOV.	DEC.	JAN.	FEB.	MAR.	APR.	MAY	JUNE	TOTAL
OUT OF SCHOOL SUSPENSIONS:											
Under the Influence	1	1	1					1			4
Fighting	1		2					3			6
Theft				1							1
HIB					2						2
Damage to Property				1							1
Defiance/Profanity					1			1			2
Pulled Fire Alarm							1				1
											0
											0
IN SCHOOL SUSPENSIONS:											
Disrespectful to Another Student	2										2
Fighting	1										1
Leaving School Grounds w/o Permission/Assembly	2	1	1			1	7				12
Profanity to Staff Member/Disrespectful		1	1		1	1	1				5
No Show Saturday Detention			2		4	2					8
Late to School				1							1
HIB				2							2
In appropriate use of a cell phone						1					1
Inappropriate gesture						1					1
Cutting class						1	2				3
											0
											0
NUMBER OF INDIVIDUAL SUSPENSIONS	7	3	7	4	9	6	17	0	0	0	53
SATURDAY DETENTION	0	0	1	4	1	0	2				8
SMOKING - INSIGHT PROGRAM											
STUDENTS SUSPENDED 1 TIME	28										
STUDENTS SUSPENDED 2 TIMES	8										
STUDENTS SUSPENDED 3 TIMES	3										
STUDENTS SUSPENDED 4 TIMES											
TOTAL NUMBER OF SUSPENSIONS TO DATE	53										
TOTAL NUMBER OF INDIVIDUAL STUDENTS SUSPENDED TO DATE					39						

4-6-17

**Manasquan High School
2016-2017**

	SUSPENSIONS BY DISTRICT										
	MANASQUAN	AVON	BELMAR	BRADLEY	BRIELLE	LAKE COMO	SEA GIRT	SP. LAKE	SP. LAKE HTS.	OUT OF DISTRICT	TOTAL
OUT OF SCHOOL SUSPENSIONS:											
Under the Influence	1	1	1					1			4
Fighting	1		2			2		1			6
Theft					1						1
HIB	1				1						2
Damage to Property						1					1
Defiance/Profanity					2						2
Pulled Fire Alarm									1		1
											0
IN SCHOOL SUSPENSIONS:											
Disrespectful to Another Student	1				1						2
Fighting			1								1
Leaving School Grounds w/o Permission/Assembly	4		1		2	1		1	3		12
Profanity to Staff Member/Disrespectful	1		2		2						6
No Show Saturday Detention			3		4	1					8
Late to School					1						1
HIB			2								2
Inappropriate use of a cell phone					1						1
Inappropriate gesture	1										1
Cutting class	1	1	1								3
											0
											0
NUMBER OF SUSPENSIONS(CUMULATIVE)	11	2	13	0	15	5	0	3	4	0	53
SATURDAY DETENTION	3		1		2	1			1		8
SMOKING - INSIGHT PROGRAM											0

**Manasquan High School
2016-2017**

	SUSPENSIONS BY GRADE										
	9	10	11	12	TOTAL						
OUT OF SCHOOL SUSPENSIONS:											
Under the Influence		1		3	4						
Fighting	2		3	1	6						
Theft			1		1						
HIB		1	1		2						
Damage to Property			1		1						
Defiance/Profanity			1	1	2						
Pulled Fire Alarm				1	1						
					0						
IN-SCHOOL SUSPENSIONS:											
Disrespectful to Another Student			2		2						
Fighting	1				1						
Leaving School Grounds w/o Permission/Assembly			4	8	12						
Profanity to Staff Member/Disrespectful	1		2	2	5						
No Show Saturday Detention		1	1	6	8						
Late to School				1	1						
HIB		1	1		2						
Inappropriate use of a cell phone			1		1						
Inappropriate gesture		1			1						
Cutting class		1	1	1	3						
					0						
					0						
TOTAL	4	5	19	24	53						
SATURDAY DETENTION		3		5	8						
SMOKING - INSIGHT PROGRAM					0						

**MONTHLY TARDIES REPORT
2016-2017**

TIMES TARDY	SEPT	OCT	NOV	DEC	JAN	FEB	MARCH	APRIL	MAY	JUNE
1	144	189	197	195	196	184	212			
2	24	53	83	90	80	74	93			
3	19	34	35	37	23	35	39			
4	10	24	17	20	18	12	33			
5	2	10	12	8	9	6	30			
6	3	4	4	2	3	6	9			
7	3	3	2	2	3	1	5			
8	0	3	1		3	0	3			
9	1	0	1		4	1	1			
10	1	0	1		1	0	1			
11	0	1			0	1	1			
12	1	0			0		2			
13		1			0		1			
14					1		0			
15							1			
16							0			
17							0			
18							0			
19							0			
20							1			
21										
22										
23										
24										
25										
TOTAL STUDENTS	208	322	353	354	339	320	432	0	0	0
TOTAL TARDIES	369	636	661	632	657	578	1012	0	0	0

2016-2017

	SEPT.	OCT.	NOV.	DEC.	JAN.	FEB.	March	MARCH	April	MAY	JUNE
Profanity											
Cut Detention/Cut Class											
Leaving School Grounds											
Smoking											
Willful Disobedience											
Truant											
Forged Note											
Fighting											
Conduct of Such Character											
Destruction of School and Personal Property											
Threatening Staff Member											
Threatening Student											
Disturbance in Class											
Harrassment of Student											
Possession of Drug/Alcohol											
Insubordination											
Possession of Stolen Property											
Possession of a Weapon											
Simple Assault											
TOTAL	0	0	0	0	0	0	0	0	0	0	0

ELEMENTARY SCHOOL SUSPENSIONS BY GRADE

GRADE	1	2	3	4	5	6	7	8
Tardy								
Profanity								
Cut Detention/Cut Class								
Leaving School Grounds								
Smoking								
Willful Disobedience								
Truant								
Forged Note								
Fighting								
Conduct of Such Character								
Destruction of School and Personal Property								
Threatening Staff Member								
Threatening Student								
Disturbance in Class								
Harrassment of Student								
Possession of Drug/Alcohol								
Insubordination								
Possession of Stolen Property								
Possession of a Weapon								
Simple Assault								
TOTAL	0	0	0	0	0	0	0	0

DOCUMENT C

MANASQUAN SCHOOL DISTRICT HARRASSMENT, INTIMIDATION & BULLYING REPORT
May 2, 2017

Case #	Date of report	ID Victim	ID Accused	Determination	Discipline/remediation
MES					
#6	3/16/2017	22410	222153	Not HIB	Detention Counseling with School Counselor
#7	3/24/2017	23951	231762	Not HIB	Counseling with School Counselor
MHS					
#14	3/6/2017	20072	22595	Confirmed HIB	Detention Counseling with School Counselor
#15	3/10/2017	2349	182399 182400	Not HIB	Out of School Suspension Counseling with School Counselor

All victims received counseling.

Document I - 2nd Reading Policies

Friday, April 7, 2017 1:52 PM

REGULATION GUIDE

PROGRAM

R 2460.15/page 1 of 1

Special Education – In-service Training Needs for
Professional and Paraprofessional Staff

Feb 17

M

[See POLICY ALERT No. 211]

R 2460.15 SPECIAL EDUCATION – IN-SERVICE TRAINING NEEDS FOR PROFESSIONAL AND PARAPROFESSIONAL STAFF

The in-service training needs for professional and paraprofessional staff who provide special education, general education, or related services will be identified and appropriate in-service special education training will be provided by the district.

The district will maintain information to demonstrate its efforts to:

1. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;
2. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;
3. Acquire and disseminate to teachers, administrators, Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials, and technology;
4. Insure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
5. Provide for joint training activities of parents and special education, related services, and general education personnel.

Adopted:



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Document J (1 of 3) - Revised Policies of

Friday, April 7, 2017 2:06 PM

BYLAW GUIDE

INTRODUCTION
0000.02/page 1 of 5
Feb 17
M

[See POLICY ALERT Nos. 199 and 211]

[For Districts with a Bylaw, Policy and Regulation Manual]

0000.02 INTRODUCTION

Definitions

The following terms used in these bylaws, policies, and regulations shall have the meanings set forth below unless the context requires a different meaning or a different definition is supplied:

"Board" means the Board of Education of Manderson

"Bylaw" means a rule of the Board for its own operation.

"Chief School Administrator" means the Chief Executive Officer of this school district, whose title in this district is Superintendent (Superintendent or Chief School Administrator).

"Collective Bargaining", "Negotiated Agreement", or "Collective Bargaining Agreement" means a contract collectively negotiated by the Board of Education and a recognized bargaining unit.

"Commissioner" means the New Jersey State Commissioner of Education.

"Core Curriculum Content Standards" means the New Jersey **Student Learning Standards** ~~Core Curriculum Content Standards and the Common Core State Standards initiatives coordinated by the Council of Chief State School Officers (CCSSO) and the National Governor's Association (NGA) in partnership with other national organizations.~~

"County Superintendent" means the Executive County Superintendent of Schools designated by the Department of Education for this school district. ~~"Executive County Superintendent" means the "County Superintendent."~~

"Day" means a calendar day.

"Division of Youth and Family Services" or "DYFS" means the New Jersey Department of Children and Families – Division of Child Protection and Permanency or DCP&P.



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BYLAW GUIDE

INTRODUCTION
0000.02/page 2 of 5

"Executive County Superintendent" means the "County Superintendent designated by the Department of Education for this school district."

"Full Board" means the authorized number of voting members of the Board of Education.

"Meeting" means a gathering that is attended by or open to all of the members of the Board of Education, held with the intent on the part of the Board members present to discuss or act as a unit on the specific public business of the Board of Education.

"New Jersey Student Learning Standards" or "NJSLs" means standards adopted by the State Board of Education on May 1, 1996, and as thereafter revised by the State Board, and the Common Core State Standards adopted by the State Board on June 16, 2010, and as thereafter revised by the State Board, that describe the knowledge and skills all New Jersey students are expected to acquire by benchmark grades in the following areas: English language arts; mathematics; science; social studies; visual and performing arts; comprehensive health and physical education; world languages; technology; and 21st century life and careers. The standards are established for the provision of a thorough and efficient education pursuant to N.J.S.A. 18A:7F-46 and as a basis for the evaluation of school districts in accordance with N.J.A.C. 6A:30.

"Parent" means the natural parent(s), adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a student. Where parents are separated or divorced, "parent" means the person or agency who has legal custody of the student, as well as the natural or adoptive parent(s) of the student provided such parental rights have not been terminated by a court of appropriate jurisdiction.

"Policy" means a Statement, formally adopted by the Board of Education, in which the Board recognizes the mandates and constraints of law, establishes practices and standards binding on staff members and students, and gives direction to the Superintendent.

"President" means the President of the Board of Education.

"Principal" means the administrator in charge of a school building or facility; except where prohibited by law, "Principal or designee" means the qualified person duly delegated by the Principal to discharge a particular duty in place of the Principal.



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BYLAW GUIDE

INTRODUCTION

0000.02/page 3 of 5

“Professional employee” means an employee who holds a position for which a certificate issued by the New Jersey State Board of Examiners is required.

“Pupil” means a student enrolled in a school in this district.

“Regulation” means a Statement developed and promulgated by the Superintendent that details the specific operations by which Board policy or a legal mandate is implemented.

“Secretary” means the Secretary of the Board of Education.

“Student” means a pupil enrolled in a school in this district.

“Superintendent” means the Chief School Administrator of this school district; except where prohibited by law, “Superintendent or designee” means the qualified person duly delegated by the Superintendent to discharge a particular duty in place of the Superintendent.

“Support staff member” means an employee who holds a position for which no certificate issued by the New Jersey State Board of Examiners is required.

“Teaching staff member” means an employee who holds a position for which a certificate issued by the New Jersey State Board of Examiners is required.

“Treasurer” means the Treasurer of School Moneys for this school district.

Construction

The following rules of construction apply to these bylaws, policies and regulations:

1. Wherever possible, language shall be given its clear and ordinary interpretation;
2. Language shall be construed to have a meaning that complies with law;
3. In the event bylaws, policies and regulations conflict with one another, the later adopted bylaw, policy or regulation shall take precedence over the earlier, and the more specific bylaw, policy or regulation shall take precedence over the more general;



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BYLAW GUIDE

INTRODUCTION
0000.02/page 4 of 5

4. Except as otherwise provided by the context, the auxiliary verbs "shall," "will," and "must" indicate a mandated action, and the auxiliary verb "may" indicates an action that is permitted but is not mandated.

Effectuation

Except as may otherwise be expressly provided, a bylaw, policy or regulation will become effective on the date it is adopted and a revised bylaw, policy or regulation will become effective on the date it is revised.

Citations

Bylaws, policies and regulations may contain citations to the following codifications of State and Federal laws and regulations:

1. United States **Code Statutes** – U.S.C.
~~20 U.S.C.A. Education~~
2. United States Regulations – **Code of Federal Regulations (C.F.R.)** ~~34 C.F.R. Education~~
3. New Jersey Statutes

N.J.S.A. 2C Code of Criminal Justice
N.J.S.A. 9 Children-Juvenile and Domestic Relations
N.J.S.A. 10 Civil Rights
N.J.S.A. 11 Civil Service
N.J.S.A. 17 Corporations and Institutions for Finance and Insurance
N.J.S.A. 18A Education
N.J.S.A. 19 Elections
N.J.S.A. 24 Food and Drug
N.J.S.A. 26 Health and Vital Statistics
N.J.S.A. 27 Highways
N.J.S.A. 30 Institutions and Agencies
N.J.S.A. 34 Labor and Worker's Compensation
N.J.S.A. 36 Legal Holidays
N.J.S.A. 39 Motor Vehicles and Traffic Regulation
N.J.S.A. 41 Oaths and Affidavits
N.J.S.A. 45 Professions and Affidavits
N.J.S.A. 47 Public Records



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BYLAW GUIDE

INTRODUCTION
0000.02/page 5 of 5

N.J.S.A. 52 State Government, Departments, and Officers
N.J.S.A. 53 State Police
N.J.S.A. 54 Taxation
N.J.S.A. 59 Tort Claims

4. New Jersey Administrative Code

N.J.A.C. 1 Administrative Law
N.J.A.C. 6 & 6A Education
N.J.A.C. 8 Health
N.J.A.C. 10 Human Services
N.J.A.C. 13 Law and Public Safety
N.J.A.C. 17 Treasury-General

Severability

If any part of this manual is made invalid by judicial decision or legislative or administrative enactment, all other parts shall remain in full effect unless and until they are amended or repealed by the Board of Education or until regulations issued by the Superintendent are amended.

Enactment

The official record of the adoption, issuance, amendment, or repeal of the bylaws, policies and regulations of this district shall be the minutes of meetings of the Board of Education. Such alterations shall be duly entered in this manual; a master copy of the bylaw, policy and regulation manual shall be maintained by the ~~Superintendent's~~ Office and shall be the manual to which all others may be compared for accuracy.



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POLICY GUIDE

PROGRAM
2464/page 1 of 2
Gifted and Talented Students
Feb 17
M

[See POLICY ALERT Nos. 95, 153, 161, 164, and 211]

2464 GIFTED AND TALENTED STUDENTS

The Board of Education recognizes its responsibility to identify gifted and talented students within the school district and to provide these students with appropriate instructional adaptations and services. To that end, the Board directs each such student in the school district be identified and offered an appropriate educational program and services.

For purposes of this Policy, "gifted and talented students" means ~~will be defined as these exceptionally able~~ students who possess or demonstrate high levels of ~~ability abilities~~, in one or more content areas; when compared to their chronological peers in the district and who require modification of their educational program if they are to achieve in accordance with their capabilities.

The ~~Board~~ Superintendent will develop appropriate curricular and instructional modifications ~~to be~~ used for gifted and talented students indicating content, process, products, and learning environments.

The Superintendent will develop procedures, ~~using multiple measures~~, for an ongoing Kindergarten through grade twelve identification process and ~~appropriate educational challenges for gifted and talented students initiated in Kindergarten and reviewed annually through grade twelve that includes multiple measures.~~ Multiple measures may include, but are not limited to: achievement test scores; grades; student performance or products; intelligence testing; parent, student, and/or teacher recommendation; and other appropriate measures. The identification methodology will be developmentally appropriate, non-discriminatory, and related to the programs and services offered by the district. ~~The These~~ identification procedures will be reviewed annually.

The Superintendent will take into consideration the Pre-Kindergarten through Grade Twelve Gifted Programming Standards of the National Association for Gifted Children in developing programs for gifted and talented students. The educational program offered to gifted and talented students will encourage and challenge them in the specific areas of their abilities, but will not replace the basic instructional program of the various grades of this district. The program offered to a gifted and talented students may be include,



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POLICY GUIDE

PROGRAM
2464/page 2 of 2
Gifted and Talented Students

but are not limited to: pull-out programs; classroom differentiated instruction; acceleration; flexible pacing; compacted curricula; distance learning; advanced classes; or individual programs infused into the student's regular instructional program, provided that a written description of the infusion has been prepared and filed in the student's record.

Programs for the gifted and talented students will be periodically evaluated for their continuing efficacy and adjusted accordingly.

The parent(s) or legal guardian(s) of any student identified as gifted or talented shall be consulted regarding any program designed to address the student's particular needs.

N.J.S.A. 18A:61A-2; 18A:35-4.16
N.J.A.C. 6:37-1.1; 6A:8-1.3; 6A:8-3.1(a)5-
P.L. 108-382, Sec. 10201 et seq.

Adopted: 14 June 2011



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POLICY GUIDE

PROGRAM
2622/page 1 of 6
Student Assessment
Feb 17
M

[See POLICY ALERT Nos. 120, 135, 147, 153, 168, 170, 197, 205, 209,
and 211]

2622 STUDENT ASSESSMENT

The Commissioner of Education, in accordance with N.J.S.A. 18A:7C-1 et seq. and 18A:7E-2 and 3, may shall implement a system and related schedule of Statewide assessments to evaluate of student achievement in any grade(s) and by such assessments as he or she deems appropriate. of the Core Curriculum Content Standards in accordance with the provisions of N.J.A.C. 6A:8-4.1 et seq. The Board of Education is required to administer the applicable Statewide assessments according to the schedule prescribed by the Commissioner. The Commissioner shall report to the State Board of Education the results of such assessments.

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

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



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POLICY GUIDE

PROGRAM
2622/page 2 of 6
Student Assessment

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

Statewide Assessment System

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

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

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

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



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POLICY GUIDE

PROGRAM
2622/page 3 of 6
Student Assessment

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

The Board shall provide appropriate accommodations or modifications to the Statewide assessment system as specified by the Department of Education for English Language Learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act as determined by the IEP or 504 Team in accordance with N.J.A.C. 6A:8-4.1(d)1. The Board may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or English. The Board of Education shall have the option for a first-year ELL of substituting a Department of Education-approved language proficiency test only for the English language arts section of the elementary or middle school component of the Statewide assessment, when the student has entered the United States after July 1 of the calendar year prior to the test administration.

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

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

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



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POLICY GUIDE

PROGRAM
2622/page 4 of 6
Student Assessment

Test Administration Procedures and Security Measures

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

Documentation of Student Achievement

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

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

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

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

1. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth in N.J.A.C. 6A:8-5.1(a)6;
2. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);
3. Evidence of instructional experience and performance in the NJSLs;
4. Evidence of technological literacy;
5. Evidence of career education instructional experiences and career development activities;



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POLICY GUIDE

PROGRAM
2622/page 5 of 6
Student Assessment

6. **Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in Department of Education-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and**
7. **Any other information deemed appropriate by the Board of Education.**

Accountability

The Superintendent shall report preliminary and final results of annual assessments to the Board of Education as required by the New Jersey Department of Education. The Board of Education will provide parents, students, and citizens with results of annual assessments according to N.J.A.C. 6A:8-4.23. The Board shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area either on Statewide or local assessments. All students shall be expected to demonstrate the knowledge and skills of the ~~Core Curriculum Content~~ NJSL Standards as measured by the Statewide assessment system.

Annual Review and Evaluation of School Districts

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

Public Reporting

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



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POLICY GUIDE

PROGRAM
2622/page 6 of 6
Student Assessment

Parental Notification

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

Student Accommodations/Modifications

~~The Board shall provide appropriate accommodations or modifications to the Statewide assessment system as specified by the Department of Education for English language learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act as determined by the Individualized Educational Plan (IEP) or 504 Team in accordance with N.J.A.C. 6A:8-4.1(d)1.~~

N.J.S.A. 18A:7C-1

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

Adopted: 14 June 2011
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Adopted:



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Document J (2 of 3) - Revised Policies

Friday, April 7, 2017 2:18 PM

POLICY GUIDE

PROGRAM
2415.06/page 1 of 16
Unsafe School Choice Option
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[See POLICY ALERT Nos. 167 and 211]

2415.06 UNSAFE SCHOOL CHOICE OPTION

The New Jersey Department of Education (NJDOE) is required to establish an Unsafe School Choice Option (USCO) Policy per the Elementary and Secondary Act (ESEA) of 1965, as reauthorized under the Federal Every Student Succeeds Act of 2015 (ESSA). The USCO Policy requires that students who attend a persistently dangerous public elementary or secondary school as determined by the NJDOE, or become victims of a violent criminal offense while in or on school grounds of a public school that they attend, be allowed to attend a safe public school within the district. The Unsafe School Choice Option (USCO) USCO provision under the ESSA of The No Child Left Behind Act of 2001 (NCLB) §9532 contains two provisions that apply to school districts that receive funds under ESSA NCLB: Provision I - Persistently Dangerous Schools and Provision II - Victims of Violent Criminal Offenses.

Effective the beginning of each school year, school districts receiving NCLB ESSA funds must be prepared to complete the transfer of students who choose to exercise Provision I and Provision II of NCLB and this Unsafe School Choice Option USCO Policy. Compliance with the Policy is a condition of receiving funds under any and all titles under ESSA NCLB. The Superintendent is required to certify compliance with this USCO Policy to the New Jersey Department of Education (NJDOE) in the application for ESSA NCLB funds.

USCO Policy Provision I - Persistently Dangerous Schools (PDS)

1. Criteria for Determining PDS Persistently Dangerous Schools.

A persistently dangerous school is a public elementary or secondary school building (except for Regional Day Schools, Educational Services Commissions and Special Services School Districts) that meets the objective criteria determined by the New Jersey Department of Education (NJDOE) for three consecutive years and is part of a school district that receives funds under ESSA NCLB. The NJDOE will use the most current available data from the Electronic Violence and Vandalism Reporting System (EVVRS) to identify persistently dangerous schools PDS on or before July 31 of each year, in compliance with Federal regulations (68 FR 16789).



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POLICY GUIDE

PROGRAM
2415.06/page 2 of 16
Unsafe School Choice Option

2. Procedures and Guidelines for Schools Determined to be Persistently Dangerous.

A school district will be notified by the NJDOE on or before July 31 of each year if a school(s) in the school district has been identified as a PDS. Once the district receives notification a school is identified as persistently dangerous, the district must inform all parents of enrolled students in the school of the designation within fifteen calendar days of the date of the notice and offer them the option for their children to transfer to a safe public school within the district by the beginning of the respective school year. The district must complete all transfers by the beginning of the school year following the July notification.

Students are not required to accept the transfer option, but they must be afforded the opportunity to do so. Parental notice regarding the status of the school and the offer to transfer students should be made simultaneously. Parents of enrolled students must be notified of the persistently dangerous designation whether or not there is another school within the district for the transferring students.

To the extent possible, the district will allow transferring students to transfer to schools that **have not been identified as low performing, under the State's ESSA accountability system are making adequate yearly progress in accordance with NCLB and have not been identified as being in need of school improvement, corrective action or restructuring.** When a transfer school is not available within the school district, the district may seek arrangements for students to transfer to the nearest charter school or neighboring district; however, this is not required. The district may will take into account the needs and preferences of the affected students and parents.

3. Corrective Action Plan for a School Identified as Persistently Dangerous.

If a school in the district is identified by the NJDOE as persistently dangerous, the district will submit to the NJDOE, ~~on or before August 25,~~ documentation of compliance with the parent



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POLICY GUIDE

PROGRAM
2415.06/page 3 of 16
Unsafe School Choice Option

notification requirement and actions taken to complete the transfer arrangements for all students exercising the option by the first day of the school year. **Additionally, the district is required to will** also develop and submit for approval a corrective action plan to the NJDOE on or before September 30 of the same year, which will apply to the respective school year. The corrective action plan, which must be completed in the format provided by the NJDOE, will describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide the schools with guidance for ~~its~~ ~~their~~ corrective action plans, as well as monitor the school district's timely completion of the approved plans.

In the spring of each following year, the NJDOE will re-evaluate the status of a school identified as persistently dangerous. The NJDOE will review the school's progress towards completing ~~its~~ ~~their~~ corrective action plan and compare the current year's incidents of violence, as reported on the EVVRS, to the criteria for determining ~~persistently dangerous schools (PDS)~~. A school identified as maintaining the persistently dangerous designation will be notified by the NJDOE on or before July 31 of the respective year and will be required to submit for approval a revised corrective action plan by ~~September 30~~ ~~August 25~~ of that year, which will apply to the respective school year. The school district must inform all parents of enrolled students in the school of the designation within fifteen calendar days of the ~~date of~~ notice and offer them the option for their children to transfer to a safe public school by the beginning of the respective school year in accordance with 2. above.

A school no longer designated persistently dangerous will be notified on or before July 31 of the respective year. The persistently dangerous designation will be removed after one or more years contingent upon successful fulfillment of the criteria for removal, as determined by ~~evidence of the school's progress toward successfully completing the approved corrective action plan, and evidence of incidents that no longer meet the criteria for determining PDS, described above, for one school year, the year in which the corrective action plan was in effect and in accordance with guidance provided by the NJDOE.~~



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POLICY GUIDE

PROGRAM
2415.06/page 4 of 16
Unsafe School Choice Option

4. Procedures and Guidelines for Early Warning of Schools.

When a school meets the criteria set forth in this Policy for one year, the district will be informed of the types of offenses reported that have led to an early notification. This notification, on or before August 15 of each year, will be informational only. A school that no longer meets the criteria for PDS for one year will no longer be considered in early notification status. A school that meets the criteria for two consecutive years will move into early warning status outlined below.

~~Effective in 2004,~~ If a school meets the criteria set forth in this Policy for two consecutive years, the district will be notified of their pattern of offenses on or before August 15 of each year. If notified, the district will develop and submit to the NJDOE for approval a school safety plan to the NJDOE a corrective action plan on or before September 30 of the same year, which will apply to the respective school year. The school safety corrective action plan, which must be completed in the format provided by the NJDOE, will describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide the an early warning school with guidance for its school safety corrective action plan, as well as monitor the school's timely completion of the approved plan. This school shall become a top priority for intensified district support for research-based programs and technical assistance. A school receiving an "early warning" notice is not required to provide the transfer option to students.

In the spring of each following year, the NJDOE will reevaluate the school's progress towards completing its corrective action school safety plan and compare the current year's incidents of violence, as reported on the EVVRS, to the criteria for determining PDS persistently dangerous schools. The schools will be notified of its status on or before July 31 of the respective year.



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POLICY GUIDE

PROGRAM
2415.06/page 5 of 16
Unsafe School Choice Option

A school that has successfully completed their Corrective Action Plan and reported violent incidents that no longer meets the criteria for Determining PDS Persistently Dangerous Schools for one school year, (the year in which the school safety corrective action plan was in effect), will no longer be required to submit a school safety Corrective Action pPlan.

A school that meets the criteria for PDS does not successfully complete their Corrective Action Plan and that meets the criteria set forth in this Policy for a third consecutive year will be designated as persistently dangerous and will be required to submit for approval a revised cCorrective aAction pPlan on or before September 30 of that year, which will apply to the respective school year. The district will also and provide the transfer option to students in the school designated as persistently dangerous.

5. Schools Not Receiving ESSA NCLB Funds, but Meeting the Criteria for PDS.

School buildings and districts that do receive Federal funds under ESSA NCLB, but meet any one of the criteria for PDS persistently dangerous schools, will be contacted by the NJDOE and be required to develop and submit for approval a school safety Corrective Action pPlan on or before September 30 of the respective year. The school safety Corrective Action pPlan must be completed in the format provided by the NJDOE and describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide the school with guidance for its their school safety Corrective Action pPlan, as well as monitor the school's timely completion of the approved plan.

Optional

~~[Only required for Regional Day Schools, Special Services School Districts, and Educational Services Commissions:~~

6. ~~Special Schools Meeting the Criteria for PDS.~~



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POLICY GUIDE

PROGRAM
2415.06/page 6 of 16
Unsafe School Choice Option

~~Regional Day Schools, Special Services Districts, and Educational Services Commissions that meet any one of the criteria for PDS persistently dangerous schools will not be identified as such, but will be contacted by the NJDOE and required to develop and submit for approval a school safety Corrective Action pPlan on or before September 30 of the respective year. The school safety Corrective Action pPlan must be completed in the format provided by the NJDOE and describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide the school with guidance for their school safety corrective action plan, as well as monitor the school's timely completion of the approved plans.]~~

USCO Policy Provision II – Victims of Violent Criminal Offenses

The ~~Unsafe School Choice Option Victim of Violent Criminal Offenses~~ provision ~~under the of~~ NCLB ESSA requires a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary or secondary school that the student attends, be allowed to attend a safe public elementary or secondary school within the district, including a public charter school.

The individual victim provision of this Policy attempts to fulfill the requirement for the school district to provide relief to students who have been victimized, while providing a school with a practical means for making determinations on incidents of victimization that are within the purview of the school district. The individual victim section of this Policy has been crafted to enable school staff to make reasonable determinations and actions regarding this Policy. The Superintendent will consult with the Board attorney and communicate with designated local and/or county law enforcement authorities, per the provisions of the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials and N.J.A.C. 6A:16-6.2(b)123*, on questions and issues that arise in the implementation of the individual victims of violent criminal offenses section of this Policy.

1. Criteria for Determining Victims of Violent Criminal Offenses

The following criteria must be used to determine when an enrolled student has become a victim of a violent criminal offense while in or on the grounds of a public elementary or secondary school that the student attends. These criteria only apply to a student who has become a victim of one or more of the violent criminal offenses enumerated below:



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POLICY GUIDE

PROGRAM
2415.06/page 7 of 16
Unsafe School Choice Option

A student is considered a victim of a violent criminal offense when:

- a. A referral has been made to law enforcement officials for suspicion that one of the violent criminal offenses enumerated below has occurred; and
- b. One or more of the following applies:
 - (1) Law enforcement officials have filed formal charges against the **offender(s) perpetrator(s)** for commission of the violent crime; or
 - (2) The **offender(s) perpetrator(s) of the violent crime** has received sanctions in accordance with the **Board of Education's Code of Student Conduct** ~~been disciplined in accordance with school policy;~~ or
 - (3) The **offender(s) perpetrator(s) of the violent crime** either has not been identified or is not an enrolled student(s), but it is clear that the student (victim) has become a victim of a violent criminal offense based on objective indicators such as physical evidence, eyewitness testimony, and/or circumstantial evidence; or
 - (4) The pre-existence of a restraining order against the **offender(s) perpetrator(s) of the violent crime.**

2. Procedures and Guidelines

Effective the first day of each school year ~~beginning in 2003~~, the district must be prepared to begin the transfer of any student who chooses to exercise the **individual unsafe school** choice option provision. The district must offer, within ~~fourteen~~ **ten** calendar days **of the incident**, an opportunity to transfer to a safe public school within the district to any student who has become a victim of a violent criminal offense while in or on the grounds of a public school that the student attends. While the student must be offered the opportunity to transfer, the student may elect to remain at the school.



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POLICY GUIDE

PROGRAM
2415.06/page 8 of 16
Unsafe School Choice Option

To the extent possible, the district will allow any transferring student to transfer to a school that **has not been identified as low performing, is making adequate yearly progress in accordance with NCLB under the State's ESSA accountability system and has not been identified as being in need of school improvement, corrective action or restructuring.** In addition, when a transfer school is not available within the district, the district may seek arrangements for a student to transfer to the nearest charter school or neighboring district; however, this is not required. The district may will take into account the needs and preferences of the affected student and his or her parent(s). Transfers must occur within thirty days of the determination that the student was a victim of a violent criminal offense.

3. Violent Criminal Offenses

The violent criminal offenses under New Jersey statutes that apply to the individual victim provision of **this Policy** are identified and explained below. The offenses apply to completed offenses, as well as ~~threats and~~ attempts to commit the offenses. The offenses and attempts to commit the offenses apply only when they occur in or on the school grounds, as defined in N.J.A.C. 6A:16-1.3, of the a school that the student attends. The offenses apply whether they occur wholly or in part in or on the grounds of a the school that the student attends. The offenses apply only to acts or attempts that are directed at a person (victim) or a group of specified individuals (victims), rather than acts that indiscriminately affect the entire school population or non-specified individuals or groups. For the purposes of this Unsafe School Choice Option Policy, the term "victim" shall not include a student who purposely, knowingly or recklessly provokes the conduct constituting the criminal incident against him or her.

4. Applicable Violent Criminal Offenses

Below is a description of each applicable violent criminal offense that is based upon New Jersey statutes and references to statutory citations that provide complete explanations of each designated offense. The descriptions provided below are not intended to be a complete explanation of each offense or a substitute for the actual



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POLICY GUIDE

PROGRAM
2415.06/page 9 of 16
Unsafe School Choice Option

provisions of the authorizing statutes. Instead, the descriptions are provided as an aid in facilitating understanding of the general intent and practical applications of the violent criminal offenses that pertain to this ~~Unsafe School Choice Option~~ Policy.

- a. Homicide [N.J.S.A. 2C:11-2] - A ~~student person~~ is a victim of a homicide when he or she is the child, sibling or other relative of a decedent, resulting from someone purposely, knowingly or recklessly causing the death of the student's parent, sibling, or relative in or on school grounds.
- b. Assault [N.J.S.A. 2C:12-1(A)(a)(1)(1-3) and 2C:12-1(Bb)(1-4)] - A person is a victim of an assault when the actor: purposely, knowingly, or recklessly causes bodily injury to the victim ~~[N.J.S.A. 2C:12-1(a)(1)]~~; negligently, recklessly, knowingly, or purposely causes bodily injury to the victim with a deadly weapon ~~[N.J.S.A. 2C:12-1(a)(2), N.J.S.A. 2C:12-1(b)(2) and N.J.S.A. 2C:12-1(b)(3)]~~; attempts by physical menace to put the victim in fear of imminent serious bodily injury ~~[N.J.S.A. 2C:12-1(a)(3)]~~; or knowingly points a firearm at or in the direction of the victim, whether or not the actor believes it to be loaded. ~~[N.J.S.A. 2C:12-1(d)(4)]~~.
- c. Aggravated Sexual Assault [N.J.S.A. 2C:14-2] - A ~~student person~~ is a victim of a sexual assault when the student is a victim of an act of sexual contact when the victim is less than thirteen years old and the actor is at least four years older than the victim, or the student is a victim of aggravated sexual assault when the actor commits an act of sexual penetration with the victim under any of the following circumstances:
 - (1) The victim is less than thirteen years old.
 - (2) The victim is at least thirteen, but less than sixteen years old; and the actor is at least four years older than the victim.



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POLICY GUIDE

PROGRAM
2415.06/page 10 of 16
Unsafe School Choice Option

- (3) The victim is at least sixteen years old, but less than eighteen years old; and the actor has supervisory or disciplinary power over the victim.
- (4) The actor uses physical force or coercion.
- (5) The victim is one whom the actor knew or should have known was physically helpless, mentally defective, or mentally incapacitated.
 - (a) ~~At least thirteen, but less than sixteen years old; and~~
 - (i) ~~The actor is related to the victim by blood or affinity to the third degree;~~
~~or~~
 - (ii) ~~The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status;~~
~~or~~
 - (iii) ~~The actor is a foster parent, a legal guardian or stands in loco parentis within the household.~~
- ~~(3) The act is committed on the victim during the commission, or attempted commission, whether alone or with one or more persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson or criminal escape.~~
- ~~(4) The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object on the victim.~~
- ~~(5) The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion on the victim.~~



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POLICY GUIDE

PROGRAM
2415.06/page 11 of 16
Unsafe School Choice Option

~~(6) The actor uses physical force or coercion and severe personal injury is sustained by the victim.~~

~~(7) The victim is one whom the actor knew or should have known was physically helpless, mentally defective or mentally incapacitated.~~

5. ~~Sexual Assault~~ A person is a victim of a sexual assault when:

a. ~~The actor commits an act of sexual contact with a victim who is less than thirteen years old and the actor is at least four years older than the victim; or~~

b. ~~The actor commits an act of sexual penetration with a victim under any of the following circumstances:~~

~~(1) The actor uses physical force or coercion, but the victim does not sustain severe personal injury.~~

~~(2) The victim is at least sixteen but less than eighteen years old.~~

~~(3) The actor has supervisory or disciplinary power of any nature or in any capacity over the victim.~~

~~(4) The victim is at least thirteen but less than sixteen years old and the actor is at least four years older than the victim.~~

d6. Bias Intimidation [N.J.S.A. 2C:16-1(Aa)] - A person is a victim of the crime of bias intimidation when an actor commits, attempts to commit, conspires with another to commit or threatens the immediate commission of an offense specified in Chapters 11 through 18 of Title 2C of the New Jersey Statutes; N.J.S.A. 2C:33-4; N.J.S.A. 2C:39-3; N.J.S.A. 2C:39-4 or N.J.S.A. 2C:39-5 in the following circumstances:

(1)a. With a purpose to intimidate a victim or a group of specified victims because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or



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POLICY GUIDE

PROGRAM
2415.06/page 12 of 16
Unsafe School Choice Option

- (2)b- Knowing that the conduct constituting the offense would cause a victim or a group of specified victims to be intimidated because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or
- (3)e- Under circumstances that caused any victim of the underlying offense to be intimidated and the victim, considering the manner in which the offense was committed, reasonably believed either that:
 - (a1) The offense was committed with a purpose to intimidate the victim or any person or entity in whose welfare the victim is interested because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or
 - (b2) The victim or the victim's property was selected to be the target of the offense because of race, color, religion, gender, handicap, sexual orientation, or ethnicity.
- e7. Terroristic Threat [N.J.S.A. 2C:12-3(Aa) and 2C:12-3(Bb)]
- A person is a victim of a terroristic threat when the actor threatens to commit one of the violent criminal offenses enumerated under ~~this the USCO Policy Provision II~~ against the victim with the purpose to put the student in imminent fear of one of the violent crimes enumerated in ~~this the USCO Policy Provision II~~ under circumstances reasonably causing the victim to believe the immediacy of the threat and the likelihood that it will be carried out. The definition of terroristic threat applies to N.J.S.A. 2C:12-3(a) insofar as the threat was directed at a person (victim) or a group of specified individuals (victims).
- f8. Robbery [N.J.S.A. 2C:15-1] - A person is a victim of a robbery when the actor, in the course of committing a theft, inflicts bodily injury; or uses force upon the victim; or threatens the victim with or purposely puts the victim in fear of immediate bodily injury.



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POLICY GUIDE

PROGRAM

2415.06/page 13 of 16

Unsafe School Choice Option

- g9. Kidnapping [N.J.S.A. 2C:13-1] - A person is a victim of a kidnapping when the actor unlawfully removes the victim from the school or school grounds; or the actor unlawfully confines the victim with the purpose of holding the victim for ransom or reward as a shield or hostage; or the actor unlawfully removes the victim from the school or school grounds or a substantial distance from where he or she is found in school or on school grounds; or if the actor unlawfully confines a student for a substantial period of time **with any of the following purposes:** to facilitate commission of a crime or flight thereafter, or to inflict bodily injury on or terrorize the victim.
- h10. Arson [N.J.S.A. 2C:17-1] - A person is a victim of arson when the actor **purposely or knowingly** starts a fire or causes an explosion in or on the grounds of a school whereby ~~purposely or knowingly~~ the victim or group of specified victims are in danger of death or bodily injury; or with the purpose of destroying or damaging the victim's or group of specified victim's property that is in the school or on school grounds.

Miscellaneous Provisions of USCO

1. Transfer Time Period -- ~~PDS Persistently Dangerous Schools~~

The transfer will be temporary and will be in effect as long as the student's original school is identified as persistently dangerous.

~~[Optional]~~

~~The transfer may be in effect longer and the district will consider the educational needs of the student, as well as other factors affecting the student's ability to succeed if returned to the transferring school. (i.e. The school district may allow a student to complete his or her education through the highest grade level at the receiving school if the student would otherwise be required to return to their original school.)]~~



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POLICY GUIDE

PROGRAM
2415.06/page 14 of 16
Unsafe School Choice Option

2. Charter School Transfer Option

While ESSA NCLB permits affected students to be afforded the opportunity to attend a public charter school, in addition to a safe public elementary school or secondary school within the school district, the application of this provision in New Jersey is limited. Transfers to a charter school can only occur as a part of the charter school's "equal opportunity" selection process and among charter schools administered under the same managing authority (i.e., charter schools within the charter school district).

Since charter schools in New Jersey are considered public local education agencies (LEA's), pursuant to N.J.S.A. 18A:36A-3, operated independently of a local board of education, transfers may only take place among charter schools within the LEA. Therefore, students may be permitted to transfer to another charter school that is administered under the same managing authority of the charter school, but are not permitted to transfer to a school in the local public school district administered by a local board of education.

However, pursuant to N.J.S.A. 18A:36A-7, a charter school must be open to all students on a space available basis and may not discriminate in its admission policies or practices (although it may establish reasonable criteria to evaluate prospective students), and in accordance with N.J.S.A. 18A:36A-8, if there are more applications to enroll in the charter school than there are spaces available, the charter school must select students to attend using a random selection process for enrollment.

3. Funding Sources for USCO

The ~~USCO Unsafe School Choice Option~~ statute law does not authorize resources specifically to help cover USCO costs associated with transferring a student from a PDS. However, under certain circumstances Federal funds may be used. For example, ESEA Title IV, Part A [Section 4115(b)(2)(E)(v)] may be used to establish safe zones of passage to and from school to ensure that students travel safely on their way to school and on their way home. [Section 4115(b)(2)(E)(v)]. In addition, SDFSCA ESEA Title IV, Part A [Sections 5121(8) and 5131(12) and (25)]



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POLICY GUIDE

PROGRAM
2415.06/page 15 of 16
Unsafe School Choice Option

funds may be used to help cover costs such as tuition or transportation related to the ~~USCO Unsafe School Choice Option~~ or expansion of public school choice [Section 5121(8) and 5131(12 and (25))].

4. Special Education Students

The district will provide transferred special education students with the program required by the student's Individualized Education Program (IEP).

5. Transfer Schools

In the event there is not another school within the school district for a transferring student, the district

[Optional

~~X~~ is not required to transfer the student to a school outside the school district.

or

~~will explore other appropriate options such as an agreement with a neighboring school district to accept transfer students.]~~

~~{Optional~~

- ~~6. The district will offer students the transfer option if they do not meet the criteria for determining victims of violent criminal offenses under the USCO Policy Provision II as one response for providing relief to students whose victimization has affected their safety and ability to learn.]~~

Under the Federal regulations (68 FR 16789), this Policy only applies to offenses that occur in the 2003-2004 school year and thereafter. Beginning with the 2004-2005 school year, the district must provide the transfer option to victims of violent criminal offenses that occurred in the previous school year, if the determination that the student was a victim was made thirty days or fewer before the end of the school year.



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POLICY GUIDE

PROGRAM
2415.06/page 16 of 16
Unsafe School Choice Option

The district will use the school choice option as one response to incidents of victimization. Additionally, the district will develop and implement appropriate strategies for addressing the circumstances that contribute to or support victimization, as well as consistently and proactively manage individuals who have victimized students. The district will promote the importance of school safety and respond to the needs of students and staff. Pursuant to the law, the district will provide an opportunity for students, parents and school district and law enforcement personnel to discuss methods for keeping schools safe from violence; to create school safety plans; and to recognize students in need of help. The district will organize activities to prevent school violence, including, but not limited to, age-appropriate opportunities for student discussion on conflict resolution, issues of student diversity and tolerance. Law enforcement personnel will be invited to join members of the teaching staff in the discussions. Programs shall also be provided for school district employees that are designated to help school district employees recognize warning signs of school violence and to instruct school district employees on recommended conduct during an incident of school violence.

In accordance with the provisions of N.J.S.A. 18A:17-46, two times each school year, between September 1 and January 1 and between January 1 and June 30, at a public hearing, the Superintendent shall report to the Board of Education all acts of violence; vandalism; and harassment, intimidation, and bullying which occurred during the previous reporting period. requires a public hearing in the third week in October of each year for the Superintendent to report to the Board all acts of violence and vandalism that occurred in the district during the previous school year. The public hearing shall be transcribed and kept on file in the Board of Education Office. The transcript shall be made available to the public upon request. The Board must also file the transcript with the NJDOE for review.

Title VIII, Part F, Subpart 2, SEC. 8532
Every Student Succeeds Act (ESSA) of 2015

No Child Left Behind Act of 2001 §9532

Adopted:



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POLICY GUIDE

TEACHING STAFF MEMBERS

3160/page 1 of 4

Physical Examination

Feb 17

M

[See POLICY ALERT Nos. 97, 103, 110, 139, 165, 175 and 211]

3160 PHYSICAL EXAMINATION

The Board of Education requires each candidate for employment who receives a conditional offer of employment to newly employed teaching staff member undergo a physical examination(s) to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA).

If upon completing an examination(s) it is determined a candidate for employment who received a conditional offer of employment is unable to perform with reasonable accommodation job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent of Schools, if the Board has not yet approved the appointment, or by the Board, if the Board had approved the appointment at a Board meeting.

The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include, but not limited to: height and weight; blood pressure; pulse and respiratory rate; vision screening; and hearing screening; and Mantoux test for tuberculosis.

~~A teaching staff member may provide health status information, including medications, which may be of value to medical personnel in the event of an emergency requiring treatment. The staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency. School employee physicals, examinations and/or annual medical updates do not require screening or disclosure of HIV status.~~

~~Optional~~

~~[Candidates for employment who have received a conditional offer of employment will also be required to undergo a comprehensive fitness for duty a physical examination to include a health history, health screening and medical evaluation. This examination pre-employment physical examination shall not be~~



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POLICY GUIDE

TEACHING STAFF MEMBERS

3160/page 2 of 4

Physical Examination

used to determine a candidate's disabilities. ~~This examination and shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions pursuant to ADA P.L. 104-336, American with Disabilities Act of 1990. Comprehensive fitness for duty examinations, if required by the Board, will be required for all _____, _____, _____, and _____ candidates for employment who receive a conditional offer of employment.]~~

Optional

~~[Candidates for employment who have received a conditional offer of employment will be are also required to undergo psychological assessment in accordance with district procedures regulations. Psychological assessments, if required by the Board, will be required for all _____, _____, and _____ candidates for employment who have received a conditional offer of employment.]~~

Optional

~~[Candidates for employment who have received a conditional offer of employment will be required to be tested The Board of Education will require testing for the usage of controlled dangerous substances as they are defined in N.J.S.A. 2C:35-2 as part of any physical examination which is required of any candidate for employment. This testing will be completed in accordance with New Jersey Department of Health and Department of Education guidelines. Testing for the usage of controlled or dangerous substances, if required by the Board, will be required for all _____, _____, and _____ candidates for employment who have received a conditional offer of employment.]~~

~~The physical examinations required by this policy shall be limited to those assessments or information necessary to determine the individual's physical and mental fitness to perform with reasonable accommodation in the position he/she seeks or currently holds and to detect any health risks to students or other employees.~~



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POLICY GUIDE

TEACHING STAFF MEMBERS

3160/page 3 of 4

Physical Examination

Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of physical examinations required by this policy may be performed conducted by a physician or institution designated by the Board. ~~or, However, the candidate shall bear the cost if the examination is performed at the employee's election, by a physician or institution designated by the candidate employee and approved with approval of by the Board. The cost of any such examination conducted by the physician or institution designated by the Board shall be borne by the Board. The cost of any such examination conducted by the physician or institution chosen by the employee and approved by the Board shall be borne by the employee.~~ In the event the Board approves the physician or institution designated by the candidate to complete an examination required by this Policy, the candidate will be provided with the detailed requirements of the examination.

School employee physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.

A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the district, and contractors or volunteers who have contact with students.

All staff members' medical and health records, including computerized records, will be secured, ~~and will be stored,~~ and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Only the staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual employee. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5. The staff member may provide health-status information, including medications that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the staff member may also choose to share ~~section of the medical record that contains the health history may be shared~~ with the staff member's Building Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency ~~with the consent of the staff member.~~



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POLICY GUIDE

TEACHING STAFF MEMBERS

3160/page 4 of 4

Physical Examination

Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy No. 3161 or disability in accordance with Policies Nos. 3425 and 3435.

42 U.S.C.A. 12101

N.J.S.A. 18A:16-2 ~~et seq.~~

N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

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REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3160/page 1 of 11

Physical Examination

Feb 17

M

[See POLICY ALERT Nos. 110, 139, 141, 165 and 211]

R 3160 PHYSICAL EXAMINATION

A. Definitions

1. ~~“Employee assurance statement” means a statement signed by the employee certifying that information supplied by the employee is true to the best of the employee’s knowledge.~~
12. “Employee” or “staff member” means the holder of any full-time or part-time position of employment.
23. “Health history” means the record of a person’s past health events obtained in writing, completed by the individual or their physician.
34. “Health screening” means the use of testing of people, using one or more diagnostic tools; to test a person for determine the presence or precursors of a particular disease.
5. ~~“Medical evaluation” means the examination of the body by the school medical inspector or by any physician licensed to practice medicine.~~
46. “Physical examination” means the assessment of an individual’s health by a professional licensed to practice medicine or osteopathy, or by an advanced practice nurse or physician assistant.
5. “Physician assistant” means a health care professional licensed to practice medicine with physician supervision.
7. ~~“Psychiatric examination” means an examination for the purpose of diagnosis and treatment of mental disorders.~~

B. **Employees’ Initial Physical Examinations – Candidates for Employment Who Have Received a Conditional Offer of Employment**



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REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3160/page 2 of 11

Physical Examination

1. ~~Each Candidates for employment who have received a conditional offer of employment newly employed teaching staff member~~ shall be required to undergo a physical examination. The physical examination shall include, but is not limited to, a health history; and health screenings, ~~and medical evaluation to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA). The candidate for employment will be provided the Board's requirements for the physical examination.~~

a1. ~~A health history shall be completed by the employee or by his/her physician which shall include, but is not limited to, the candidate's employee's:~~

- (1) **Past serious illnesses and injuries;**
- (2) **Current health problems;**
- (3) **Allergies; and**
- (4) **A record of immunizations.**

a. ~~Past serious illnesses and injuries;~~

b. ~~Current health problems;~~

c. ~~Allergies; and~~

d. ~~Record of immunizations.~~

b2. ~~The employee shall submit to A health screenings which shall include, but is not limited to his/her:~~

- (1) **Height;**
- (2) **Weight;**
- (3) **Pulse and respiratory rate;**
- (4) **Hearing screening;**
- (5) **Blood pressure;**
- (6) **Vision screening;**
- (7) _____;
- (8) _____.



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REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3160/page 3 of 11

Physical Examination

- a. ~~Height and weight;~~
- b. ~~Blood pressure;~~
- c. ~~Pulse and respiration rate;~~
- d. ~~Vision screening;~~
- e. ~~Hearing screening.~~

C. Medical Requirements Upon Employment

31. ~~Health screening~~ A Mantoux tuberculosis test shall be given upon employment of all newly hired staff members (full-time and part-time), and to all student teachers, school bus drivers on contract with the district, and to contractors or volunteers who have contact with students ~~also include a Mantoux test for the presence of tuberculosis.~~ Tuberculosis testing is not required for volunteers working with students less than twenty hours per month.

a. ~~A newly employed member will be exempt from the Mantoux test if he/she presents satisfactory documentation of a test~~

(1) ~~Administered in a New Jersey school district from which the member has transferred, or~~

(2) ~~Administered in any place within the six months previous to the member's initial employment in this district.~~

a. Tuberculosis testing is not required:

- (1) For new staff members, student teachers, and contractors of the school district with a documented negative tuberculosis test result in the last six months or a documented positive tuberculosis test, regardless of when this test was done; or



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REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3160/page 4 of 11
Physical Examination

- (2) For a school district staff member transferring between school districts or from a non-public school within New Jersey with a documented tuberculosis test result upon his/her initial employment by a New Jersey school.
- b. Staff members, student teachers, contractors or volunteers who have contact with students and claim a religious exemption cannot be compelled to submit to tuberculosis testing. In these instances, a symptom assessment must be done (TB-8 Form). If TB-like symptoms are reported, a physician must document that the staff member, student teacher, contractor, or volunteer does not have an active disease.
- (1) The school district shall determine the criteria essential to document a valid religious exemption.
- cb. Procedures for the administration of the Mantoux tuberculosis test, interpretation of reactions, follow-up procedures, and reporting shall be conducted in accordance with the guidelines and requirements issued by of the New Jersey State Department of Health and titled School Tuberculin Testing in New Jersey.
- ~~c. If the results of the Mantoux test so indicate, the employee shall be referred for a chest X ray and medical evaluation to determine the presence of tuberculosis at the employee's expense. The employee shall submit the report of the X ray and evaluation to the school medical inspector. If the school medical inspector does not receive the report within four weeks of the referral or is unwilling to accept the findings of the report, he/she may direct the employee to submit to a chest X ray examination at Board expense, the results of which will be reported directly to the school medical inspector.~~



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REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3160/page 5 of 11

Physical Examination

- d. ~~An employee who presents a physician's or nurse practitioner's documentation, acceptable to the school medical inspector, showing significant tuberculin reaction and a subsequent negative chest X-ray will be exempt from the Mantoux test.~~
4. ~~A medical evaluation that shall be limited to those assessments or information necessary to determine the employee's physical and mental fitness to perform with reasonable accommodation in the position which the employee seeks or currently holds and to detect any health risks to students and other employees. The employee's medical evaluation shall include, but not be limited to, a record of immunizations. Guidance regarding immunizations for adults may be found in "Adult Immunization: Recommendations of the Immunization Practices Advisory Committee (ACIP)", available from the Immunization Program, Centers for Disease Control, Public Health, U.S. Department of Health and Human Services, Atlanta, GA 30333.~~
25. **An individual teaching staff member may provide health-status information, including medications, that which may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the teaching staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.**

DC. Health Records

1. **All health records of candidates for employment who have received a conditional offer of employment and of current employees medical records, including computerized records, shall be secured, and shall be stored, and maintained separately from other personnel files.**
2. **Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5 Only the employee, the Superintendent, and the school medical inspector shall have access to the medical information in that individual's file.**



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REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3160/page 6 of 11

Physical Examination

3. ~~The portion of the employee's medical record containing a health history may be shared with the Principal and the school nurse with the consent of the employee, as provided in B.5.above.~~

ED. Employees' Physical Examination and Medical Updates

1. School employee physicals, examinations, and/or annual medical updates shall not require disclosure of HIV status.

Optional

~~FE. Comprehensive Fitness for Duty Examination of Candidates for Employment Who Have Received a Conditional Offer of Employment~~

1. ~~Candidates for employment who have received a conditional offer of employment will also be required to undergo a comprehensive fitness for duty physical examination to include a health history, health screening and medical evaluation by a school district approved physician or institution at the Board's expense.~~
 - a. ~~This pre-employment physical examination shall not be used to determine a candidate's disabilities; and~~
 - b. ~~This examination shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions pursuant to ADA P.L. 101-336, American with Disabilities Act of 1990.~~
2. ~~The physician or institution completing the examination will be provided the fitness requirements for each position.~~
3. ~~Comprehensive fitness for duty examinations will be required for all candidates for employment who receive a conditional offer of employment in the following job classifications in the school district:~~
 - a. _____;
 - b. _____;
 - c. _____;
 - d. _____.



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REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3160/page 7 of 11

Physical Examination

Optional

[G. Psychological Assessments for Candidates Who Have Received a Conditional Offer of Employment]

1. **Candidates for employment who have received a conditional offer of employment will be required to undergo psychological assessment in accordance with district procedures.**
2. **Psychological assessments will be required for all candidates for employment who receive a conditional offer of employment in the following job classifications in the school district:**
 - a. _____;
 - b. _____;
 - c. _____;
 - d. _____.

Optional

[HF. Controlled Dangerous Substance Testing for Usage of Controlled or Dangerous Substances for Candidates Who Have Received a Conditional Offer of Employment]

1. **Candidates for employment teaching staff member positions, who have received a conditional offer of employment will be required to must complete testing, conducted at the Board's expense, for the usage of controlled dangerous substances as they are defined in N.J.S.A. 2C:35-2.**
 - a1. **Candidates will be allowed privacy during specimen collection. Control and accountability of specimens will be maintained with a chain of custody in accordance with accepted practices and as recommended by the approved laboratory. A The laboratory approved by the New Jersey Department of Health will be selected by the Board for such testing and approved by the New Jersey Department of Health.**



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REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3160/page 8 of 11

Physical Examination

- b2. The laboratory will conduct the test in accordance with industry standard practices for testing for controlled dangerous substances ~~an initial or screening test and a confirmatory test. Refusal of employment will not be based on the results of a screening test alone. An initial test is an immunoassay test to eliminate negative test results from further consideration and to identify the potentially positive specimens for the purpose of further testing and confirmation. A confirmatory test is a second analytical procedure to identify the presence of a specific drug which uses more sophisticated technique to ensure reliability and accuracy.~~
- c3. A Medical Review Officer, who is a licensed physician ~~certified and qualified to complete drug testing~~ will review the final results of all positive drug tests to determine if ~~there is, scrutinizing them for possible alternative~~ a medical explanations for the results. The Medical Review Officer will review the candidate's medical history and ~~may~~ will conduct a medical interview with the candidate to determine ~~any the other~~ relevant factors contributing to the results of the test. The Medical Review Officer will communicate the results of a ~~an~~ investigation regarding positive drug tests to the ~~candidate~~ applicant and to the Superintendent.
- d4. ~~The American with Disabilities Act (ADA)~~ prohibits employment discrimination against qualified individuals with disabilities. Persons who use drugs illegally (the use of controlled dangerous substances (CDS) and the illegal use of prescription drugs) are not protected by the ADA.
- e5. After a conditional offer of employment, the school district ~~administration and/or the Medical Review Officer~~ may ask the candidate questions concerning present drug or alcohol use; however, information obtained may not be used to exclude an individual with a disability, based on the disability, unless it can be shown that the reason for exclusion meets the following three tests:



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REGULATION GUIDE

TEACHING STAFF MEMBERS
R 3160/page 9 of 11
Physical Examination

- (1)a. It must be job-related and cannot be met with reasonable accommodation;
 - (2)b. It must be consistent with the demonstrated necessity of conducting business; and
 - (3)e. It must be related to legitimate job criteria.
- f6. The school district **(shall/may)** refuse to hire a **candidate** ~~an applicant~~ based upon a test result that indicates the illegal use of drugs **as confirmed by the Medical Review Officer**. This action **(shall/may)** be taken even if the **candidate applicant** claims he/she recently stopped illegally using drugs.
27. ~~The school district would incur liability under ADA if a person is excluded from a job if the school district erroneously regarded the candidate to be an addict currently using drugs illegally when the drug test showed the presence of a lawfully prescribed drug. The Superintendent will confer with the Medical Review Officer regarding all positive tests to prevent any ADA violation liability.]~~
3. **Testing for controlled or dangerous substances will be required for all candidates for employment who receive a conditional offer of employment in the following job classifications in the school district:**
- a. _____;
 - b. _____;
 - c. _____;
 - d. _____.]

Optional

IG. ~~Candidates Records~~ Review of Examinations and Assessments



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REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3160/page 10 of 11

Physical Examination

1. ~~All records regarding pre-employment physicals and drug tests will be maintained in separate medical files and treated as confidential medical records. These records will be:~~
 - a. ~~Kept separate from a candidate's personnel file;~~
 - b. ~~Kept in a locked cabinet in a central school district location; and~~
 - c. ~~Accessible only to the Superintendent and/or designee.~~
 12. **The results records of the physical examination of a candidate's for employment who has received a conditional offer of employment physical examination will be reviewed by submitted to the school physician medical-inspector, who, in consultation with the Superintendent, will determine the candidate's physical and mental fitness to function with reasonable accommodation in the position for which he/she has made application. That determination will be made a part of the candidate's application.**
 3. ~~A candidate's medical records will be maintained separately from his/her application and will be kept confidential in accordance with §1D.~~
 - a. ~~If and when the candidate is employed by this district, the records will be kept in the person's medical file.~~
 - b. ~~If the candidate is not employed by this district within one year _____ (period of time), the records will be destroyed.~~
- J. Rescinding a Conditional Offer of Employment – Notice to Candidates for Employment Who Receive a Conditional Offer of Employment**
1. **All candidates for employment who receive a conditional offer of employment shall be informed by the district that:**
 - a. **An offer of employment by the Superintendent of Schools or designee is conditional upon completion of the Board's required physical examinations and assessments;**



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REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3160/page 11 of 11

Physical Examination

- b. The required examinations and assessments will be used to determine the candidate's ability to perform with reasonable accommodations job-related functions pursuant to ADA; and
- c. If it is determined upon completing the examination(s) or assessment(s) the candidate is unable to perform with reasonable accommodations job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent if the Board has not yet approved the appointment or by the Board, if the Board had approved the appointment at a Board meeting.

Adopted: 14 June 2011



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POLICY GUIDE

SUPPORT STAFF MEMBERS

4160/page 1 of 4

Physical Examination

Feb 17

M

[See POLICY ALERT Nos. 97, 103, 110, 139, 165, 175 and 211]

4160 PHYSICAL EXAMINATION

The Board of Education requires each candidate for employment who receives a conditional offer of employment to newly employed support staff member undergo a physical examination(s) to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA).

If upon completing an examination(s) it is determined a candidate for employment who received a conditional offer of employment is unable to perform with reasonable accommodation job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent of Schools, if the Board has not yet approved the appointment, or by the Board, if the Board had approved the appointment at a Board meeting.

The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include, **but not limited to:** height and weight; blood pressure; pulse and respiratory rate; vision screening; and hearing screening; and Mantoux test for tuberculosis.

~~A support staff member may provide health status information, including medications, which may be of value to medical personnel in the event of an emergency requiring treatment. The staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency. School employee physicals, examinations and/or annual medical updates do not require screening or disclosure of HIV status.~~

~~Optional~~

~~[Candidates for employment who have received a conditional offer of employment will also be required to undergo a comprehensive fitness for duty a physical examination to include a health history, health screening and medical evaluation. This examination pre-employment physical examination shall not be~~



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POLICY GUIDE

SUPPORT STAFF MEMBERS

4160/page 2 of 4

Physical Examination

used to determine a candidate's disabilities. ~~This examination and shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions pursuant to ADA P.L. 101-336, American with Disabilities Act of 1990. Comprehensive fitness for duty examinations, if required by the Board, will be required for all~~ _____,

~~and _____ candidates for employment who receive a conditional offer of employment.]~~

Optional

~~[Candidates for employment who have received a conditional offer of employment will are also required to undergo psychological assessment in accordance with district procedures regulations. Psychological assessments, if required by the Board, will be required for all~~ _____,

~~_____ and _____ candidates for employment who have received a conditional offer of employment.]~~

Optional

~~[Candidates for employment who have received a conditional offer of employment will be required to be tested The Board of Education will require testing for the usage of controlled dangerous substances as they are defined in N.J.S.A. 2C:35-2 as part of any physical examination which is required of any candidate for employment. This testing will be completed in accordance with New Jersey Department of Health and Department of Education guidelines. Testing for the usage of controlled or dangerous substances, if required by the Board, will be required for all~~ _____,

~~_____ and _____ candidates for employment who have received a conditional offer of employment.]~~

~~The physical examinations required by this policy shall be limited to those assessments or information necessary to determine the individual's physical and mental fitness to perform with reasonable accommodation in the position he/she seeks or currently holds and to detect any health risks to students or other employees.~~



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POLICY GUIDE

SUPPORT STAFF MEMBERS

4160/page 3 of 4

Physical Examination

Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of pPhysical examinations required by this Ppolicy may be performed conducted by a physician or institution designated by the Board. or, However, the candidate shall bear the cost if the examination is performed at the employee's election, by a physician or institution designated by the candidate employee and approved with approval of by the Board. The cost of any such examination conducted by the physician or institution designated by the Board shall be borne by the Board. The cost of any such examination conducted by the physician or institution chosen by the employee and approved by the Board shall be borne by the employee. In the event the Board approves the physician or institution designated by the candidate to complete an examination required by this Policy, the candidate will be provided with the detailed requirements of the examination.

School employee physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.

A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the district, and contractors or volunteers who have contact with students.

All staff members' medical and health records, including computerized records, will be secured, and will be stored, and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Only the staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual employee. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5. The staff member may provide health-status information, including medications that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the staff member may also choose to share section of the medical record that contains the health history may be shared with the staff member's Building Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency with the consent of the staff member.



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Document J (3 of 3) - Revised Policies

Friday, April 7, 2017 2:19 PM

REGULATION GUIDE

SUPPORT STAFF MEMBERS

R 4160/page 1 of 11

Physical Examination

Feb 17

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[See POLICY ALERT Nos. 110, 139, 141, 165 and 211]

R 4160 PHYSICAL EXAMINATION

A. Definitions

1. ~~“Employee assurance statement” means a statement signed by the employee certifying that information supplied by the employee is true to the best of the employee’s knowledge.~~
12. “Employee” or “staff member” means the holder of any full-time or part-time position of employment.
23. “Health history” means the record of a person’s past health events obtained in writing, completed by the individual or their physician.
34. “Health screening” means the use of testing of people, using one or more diagnostic tools, to test a person for determine the presence or precursors of a particular disease.
5. ~~“Medical evaluation” means the examination of the body by the school medical inspector or by any physician licensed to practice medicine.~~
46. “Physical examination” means the assessment of an individual’s health by a professional licensed to practice medicine or osteopathy, or by an advanced practice nurse or physician assistant.
5. “Physician assistant” means a health care professional licensed to practice medicine with physician supervision.
7. ~~“Psychiatric examination” means an examination for the purpose of diagnosis and treatment of mental disorders.~~

B. ~~Employees’ Initial Physical Examinations – Candidates for Employment Who Have Received a Conditional Offer of Employment~~



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REGULATION GUIDE

SUPPORT STAFF MEMBERS

R 4160/page 2 of 11

Physical Examination

1. ~~Each~~ Candidates for employment who have received a conditional offer of employment ~~newly employed support staff member~~ shall be required to undergo a physical examination. The physical examination shall include, but is not limited to, a health history; ~~and health screenings, and medical evaluation to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA). The candidate for employment will be provided the Board's requirements for the physical examination.~~
 - a1. A health history shall ~~be completed by the employee or by his/her physician which~~ shall include, but is not limited to, the candidate's employee's:
 - (1) Past serious illnesses and injuries;
 - (2) Current health problems;
 - (3) Allergies; and
 - (4) A record of immunizations.
 - a. ~~Past serious illnesses and injuries;~~
 - b. ~~Current health problems;~~
 - c. ~~Allergies; and~~
 - d. ~~Record of immunizations.~~
 - b2. ~~The employee shall submit to~~ A health screenings which shall include, but is not limited to his/her:
 - (1) Height;
 - (2) Weight;
 - (3) Pulse and respiratory rate;
 - (4) Hearing screening;
 - (5) Blood pressure;
 - (6) Vision screening;
 - (7) _____;
 - (8) _____.



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REGULATION GUIDE

SUPPORT STAFF MEMBERS
R 4160/page 3 of 11
Physical Examination

- a. ~~Height and weight;~~
- b. ~~Blood pressure;~~
- c. ~~Pulse and respiration rate;~~
- d. ~~Vision screening;~~
- e. ~~Hearing screening.~~

C. Medical Requirements Upon Employment

31. ~~Health screening~~ A Mantoux tuberculosis test shall be given upon employment of all newly hired staff members (full-time and part-time), and to all student teachers, school bus drivers on contract with the district, and to contractors or volunteers who have contact with students also ~~include the conduct of a Mantoux test for the presence of tuberculosis infection.~~ Tuberculosis testing is not required for volunteers working with students less than twenty hours per month.

a. ~~A newly employed member will be exempt from the Mantoux test if he/she presents satisfactory documentation of a test~~

- (1) ~~Administered in a New Jersey school district from which the member has transferred, or~~
- (2) ~~Administered in any place within the six months previous to the member's initial employment in this district.~~

a. Tuberculosis testing is not required:

- (1) For new staff members, student teachers, and contractors of the school district with a documented negative tuberculosis test result in the last six months or a documented positive tuberculosis test, regardless of when this test was done; or



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REGULATION GUIDE

SUPPORT STAFF MEMBERS

R 4160/page 4 of 11

Physical Examination

- (2) For a school district staff member transferring between school districts or from a non-public school within New Jersey with a documented tuberculosis test result upon his/her initial employment by a New Jersey school.
- b. Staff members, student teachers, contractors or volunteers who have contact with students and claim a religious exemption cannot be compelled to submit to tuberculosis testing. In these instances, a symptom assessment must be done (TB-8 Form). If TB-like symptoms are reported, a physician must document that the staff member, student teacher, contractor, or volunteer does not have an active disease.
- (1) The school district shall determine the criteria essential to document a valid religious exemption.
- cb. Procedures for the administration of the Mantoux tuberculosis test, interpretation of reactions, follow-up procedures, and reporting shall be conducted in accordance with the guidelines and requirements issued by of the New Jersey State Department of Health and titled School Tuberculin Testing in New Jersey.
- c. ~~If the results of the Mantoux test so indicate, the employee shall be referred for a chest X ray and medical evaluation to determine the presence of tuberculosis at the employee's expense. The employee shall submit the report of the X-ray and evaluation to the school medical inspector. If the school medical inspector does not receive the report within four weeks of the referral or is unwilling to accept the findings of the report, he/she may direct the employee to submit to a chest X ray examination at Board expense, the results of which will be reported directly to the school medical inspector.~~
- d. ~~An employee who presents a physician's or nurse practitioner's documentation, acceptable to the school medical inspector, showing significant tuberculin reaction and a subsequent negative chest X ray will be exempt from the Mantoux test.~~



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REGULATION GUIDE

SUPPORT STAFF MEMBERS

R 4160/page 5 of 11

Physical Examination

4. ~~A medical evaluation that shall be limited to those assessments or information necessary to determine the employee's physical and mental fitness to perform with reasonable accommodation in the position which the employee seeks or currently holds and to detect any health risks to students and other employees. The employee's medical evaluation shall include, but not be limited to, a record of immunizations. Guidance regarding immunizations for adults may be found in "Adult Immunization: Recommendations of the Immunization Practices Advisory Committee (ACIP)", available from the Immunization Program, Centers for Disease Control, Public Health, U.S. Department of Health and Human Services, Atlanta, GA 30333.~~

25. An individual support staff member may provide health-status information, including medications, that which may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the support staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

DC. Health Records

1. All health records of candidates for employment who have received a conditional offer of employment and of current employees medical records, including computerized records, shall be secured, and shall be stored, and maintained separately from other personnel files.
2. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5 ~~Only the employee, the Superintendent, and the school medical inspector shall have access to the medical information in that individual's file.~~
3. ~~The portion of the employee's medical record containing a health history may be shared with the Principal and the school nurse with the consent of the employee, as provided in paragraph B.5. above.~~



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REGULATION GUIDE

SUPPORT STAFF MEMBERS

R 4160/page 6 of 11

Physical Examination

~~D. Examination of School Bus Drivers~~

- ~~1. School bus drivers employed by this district are subject to Policy No. 4160 and this regulation generally.~~
- ~~2. School bus drivers employed by a contractor supplying transportation services to this district shall be tested for tuberculosis in accordance with paragraph B3 of this regulation.~~

E. Employees' Physical Examination and Medical Updates

1. School employee physicals, examinations, and/or annual medical updates shall not require disclosure of HIV status.

Optional

[F. Comprehensive Fitness for Duty Examination of Candidates for Employment Who Have Received a Conditional Offer of Employment]

- 1. Candidates for employment who have received a conditional offer of employment will also be required to undergo a comprehensive fitness for duty physical examination to include a health history, health screening and medical evaluation by a school district approved physician or institution at the Board's expense.**
 - a. This pre-employment physical examination shall not be used to determine a candidate's disabilities; and
 - b. This examination shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions pursuant to ADA P.L. 101-336, American with Disabilities Act of 1990.
- 2. The physician or institution completing the examination will be provided the fitness requirements for each position.**



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REGULATION GUIDE

SUPPORT STAFF MEMBERS

R 4160/page 7 of 11

Physical Examination

3. Comprehensive fitness for duty examinations will be required for all candidates for employment who receive a conditional offer of employment in the following job classifications in the school district:

- a. _____;
- b. _____;
- c. _____;
- d. _____.

Optional

[G. Psychological Assessments for Candidates Who Have Received a Conditional Offer of Employment]

- 1. Candidates for employment who have received a conditional offer of employment will be required to undergo psychological assessment in accordance with district procedures.
- 2. Psychological assessments will be required for all candidates for employment who receive a conditional offer of employment in the following job classifications in the school district:

- a. _____;
- b. _____;
- c. _____;
- d. _____.

Optional

[HG. Controlled Dangerous Substance Testing for Usage of Controlled or Dangerous Substances for Candidates Who Have Received a Conditional Offer of Employment]

- 1. Candidates for employment support staff member positions, who have received a conditional offer of employment will be required to must complete testing, conducted at the Board's expense, for the usage of controlled dangerous substances as they are defined in N.J.S.A. 2C:35-2.



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REGULATION GUIDE

SUPPORT STAFF MEMBERS

R 4160/page 8 of 11

Physical Examination

- a1. Candidates will be allowed privacy during specimen collection. Control and accountability of specimens will be maintained with a chain of custody in accordance with accepted practices and as recommended by the approved laboratory. **A The laboratory approved by the New Jersey Department of Health will be selected by the Board for such testing and approved by the New Jersey Department of Health.**
- b2. The laboratory will conduct **the test in accordance with industry standard practices for testing for controlled dangerous substances an initial or screening test and a confirmatory test.** ~~Refusal of employment will not be based on the results of a screening test alone. An initial test is an immunoassay test to eliminate negative test results from further consideration and to identify the potentially positive specimens for the purpose of further testing and confirmation. A confirmatory test is a second analytical procedure to identify the presence of a specific drug which uses more sophisticated technique to ensure reliability and accuracy.~~
- c3. A Medical Review Officer, who is a licensed physician ~~certified and qualified to complete drug testing~~ will review the final results of all positive drug tests **to determine if there is,** ~~scrutinizing them for possible alternative a~~ medical explanations **for the results.** The Medical Review Officer will review the candidate's medical history and **may will** conduct a medical interview **with the candidate** to determine **any the other** relevant factors contributing to the results of the test. The Medical Review Officer will communicate the results of a **an investigation regarding** positive drug tests to the **candidate** applicant and to the Superintendent.
- d4. ~~The American with Disabilities Act (ADA)~~ prohibits employment discrimination against qualified individuals with disabilities. Persons who use drugs illegally (the use of controlled dangerous substances (CDS) and the illegal use of prescription drugs) are not protected by the ADA.



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REGULATION GUIDE

SUPPORT STAFF MEMBERS

R 4160/page 9 of 11

Physical Examination

- e5. After a conditional offer of employment, the school district **administration and/or the Medical Review Officer** may ask the **candidate** questions concerning present drug or alcohol use; however, information obtained may not be used to exclude an individual with a disability, based on the disability, unless it can be shown that the reason for exclusion meets the following three tests:
- (1)a. It must be job-related and cannot be met with reasonable accommodation;
 - (2)b. It must be consistent with the demonstrated necessity of conducting business; and
 - (3)e. It must be related to legitimate job criteria.
- f6. The school district (**shall/may**) refuse to hire a **candidate** ~~an applicant~~ based upon a test result that indicates the illegal use of drugs **as confirmed by the Medical Review Officer**. This action (**shall/may**) be taken even if the **candidate** ~~applicant~~ claims he/she recently stopped illegally using drugs.
27. ~~The school district would incur liability under ADA if a person is excluded from a job if the school district erroneously regarded the candidate to be an addict currently using drugs illegally when the drug test showed the presence of a lawfully prescribed drug. The Superintendent will confer with the Medical Review Officer regarding all positive tests to prevent any ADA violation liability.~~
3. **Testing for controlled or dangerous substances will be required for all candidates for employment who receive a conditional offer of employment in the following job classifications in the school district:**
- a. _____;
 - b. _____;
 - c. _____;
 - d. _____.



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REGULATION GUIDE

SUPPORT STAFF MEMBERS
R 4160/page 10 of 11
Physical Examination

Optional

{IIH. Candidates Records- Review of Examinations and Assessments

1. ~~All records regarding pre-employment physicals and drug tests will be maintained in separate medical files and treated as confidential medical records. These records will be:~~
 - a. ~~Kept separate from a candidate's personnel file;~~
 - b. ~~Kept in a locked cabinet in a central school district location; and~~
 - c. ~~Accessible only to the Superintendent and/or designee.~~
 12. **The results records of the physical examination of a candidate's for employment who has received a conditional offer of employment physical examination will be reviewed by submitted to the school physician medical inspector, who, in consultation with the Superintendent, will determine the candidate's physical and mental fitness to function with reasonable accommodation in the position for which he/she has made application. That determination will be made a part of the candidate's application.**
 3. ~~A candidate's medical records will be maintained separately from his/her application and will be kept confidential in accordance with §D.~~
 - a. ~~If and when the candidate is employed by this district, the records will be kept in the person's medical file.~~
 - b. ~~If the candidate is not employed by this district within one year _____ (period of time), the records will be destroyed.}~~
- J. Rescinding a Conditional Offer of Employment – Notice to Candidates for Employment Who Receive a Conditional Offer of Employment**



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REGULATION GUIDE

SUPPORT STAFF MEMBERS

R 4160/page 11 of 11

Physical Examination

1. **All candidates for employment who receive a conditional offer of employment shall be informed by the district that:**
 - a. **An offer of employment by the Superintendent of Schools or designee is conditional upon completion of the Board's required physical examinations and assessments;**
 - b. **The required examinations and assessments will be used to determine the candidate's ability to perform with reasonable accommodations job-related functions pursuant to ADA; and**
 - c. **If it is determined upon completing the examination(s) or assessment(s) the candidate is unable to perform with reasonable accommodations job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent if the Board has not yet approved the appointment or by the Board, if the Board had approved the appointment at a Board meeting.**

Adopted:



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POLICY GUIDE

STUDENTS
5116/page 1 of 3
Education of Homeless Children
Feb 17

[See POLICY ALERT Nos. 160, 210 and 211]

5116 EDUCATION OF HOMELESS CHILDREN

The Board of Education will admit and enroll homeless children 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 in school and to respond to appeals made by parents or other parties related to the enrollment of homeless children.

The Board of Education shall determine that a child is homeless when he or she resides in a publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregated shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers. A child is also determined homeless when 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; temporary shelters provided to migrant workers and their children on farm sites; and the residence of relatives or friends where the homeless child resides out of necessity because his or her family lacks a regular or permanent residence of its own. A child is also determined homeless when he or she resides in substandard housing ~~or any temporary location wherein children and youth are awaiting foster care placement.~~

The school district of residence for a homeless child 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 means the school district in which the parent of a homeless child resided prior to becoming homeless.

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



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POLICY GUIDE

STUDENTS
5116/page 2 of 3
Education of Homeless Children

When a homeless child 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, an involved agency, or a case manager. Upon notification of the need for enrollment of a homeless child, 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 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 parent(s) shall immediately notify the Executive County Superintendent of Schools, who, in consultation with the Department of Education's McKinney-Vento Homeless Education Coordinator or designee, shall immediately decide the child'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, who shall immediately make a determination, if possible, but no later than within forty-eight hours.

If the dispute regarding determination of district of residence does not involve the determination of homelessness and/or district enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the Department of Education pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f) and



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POLICY GUIDE

STUDENTS

5116/page 3 of 3

Education of Homeless Children

request a determination from the Division of Administration and Finance. If an appeal of a determination of 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 immediate enrollment or continued enrollment in the school district. The homeless child 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 with a disability shall be made pursuant to N.J.A.C. 6A:14.

Financial responsibility, including the payment of tuition for the homeless child, 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 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 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).

N.J.S.A. 18A:7B-12; 18A:7B-12.1

N.J.A.C. 6A:17-2.1 et seq.

14 June 2011

Adopted:

Revised: 31 January 2017



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REGULATION GUIDE

STUDENTS
R 5116/page 1 of 9
Education of Homeless Children
Feb 17

[See POLICY ALERT Nos. 160, 210 and 211]

R 5116 EDUCATION OF HOMELESS CHILDREN

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

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.
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 shall determine that a child is homeless for the purposes of N.J.A.C. 6A:17-2 when he or she resides in any of the following:



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REGULATION GUIDE

STUDENTS
R 5116/page 2 of 9
Education of Homeless Children

- 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 resides out of necessity because his or her family lacks a regular or permanent residence of its own; **or**
 - d. Substandard housing; **or**
 - e. ~~Any temporary location wherein children and youth are awaiting foster care placement.~~
- 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 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;
 - 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.



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REGULATION GUIDE

STUDENTS

R 5116/page 3 of 9

Education of Homeless Children

2. The determination of the homeless child'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 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, an involved agency, or a case manager.
3. The 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 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 ^{Supervisor of} ~~Special Education~~ as the district liaison for the education of homeless children. The school district liaison shall:
 - a. Facilitate communication and cooperation between the school district of residence and the school district where the homeless child resides;
 - b. Develop procedures to ensure a homeless child residing in the school district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.5;
 - c. Ensure homeless families, children, and youth receive educational services for which they are eligible, including Head Start and Even Start programs, preschool programs administered by the local education agency, and referrals to health care, dental, mental health, and other appropriate services;



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REGULATION GUIDE

STUDENTS

R 5116/page 4 of 9

Education of Homeless Children

- d. Inform parents of homeless children and youth of the educational and related opportunities available to their children and ensure that 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 youth 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;
 - 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;
 - h. Assist the parent to obtain the homeless child or youth's medical records or required immunizations; and
 - i. Assist an unaccompanied youth to ensure he or she is enrolled and is receiving all services pursuant to N.J.A.C. 6A:17.
2. When a homeless child resides in a school district, the 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, an involved agency, or a case manager.
3. Upon notification of the need for enrollment of a homeless child, 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).



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REGULATION GUIDE

STUDENTS
R 5116/page 5 of 9
Education of Homeless Children

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 district the homeless child shall be enrolled as follows:
 - a. Enroll the homeless child in the school district of residence to the extent feasible, except when doing so is contrary to the wishes of the homeless child's parent;
 - b. Continue the homeless child'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 based on what is determined to be in the best interest of the child after considering:
 - a. The enrollment of the homeless child in the school district of residence to the extent feasible, except when doing so is contrary to the wishes of the child'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 school district enrollment immediately after consultation with the parent. The school district of residence shall adhere to the following procedures:



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REGULATION GUIDE

STUDENTS

R 5116/page 6 of 9

Education of Homeless Children

- a. Enrollment decisions shall be made immediately upon notification of the need for enrollment. When the decision is made, the child will be enrolled immediately. If a dispute arises regarding enrollment of a homeless child, the homeless child 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.
 - 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 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.
4. When a decision is made to enroll the child 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, School District Operations.
 5. When a homeless child 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 cannot be determined, the Superintendent or designee of the school district in which the child currently resides shall enroll the child 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 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.



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REGULATION GUIDE

STUDENTS

R 5116/page 7 of 9

Education of Homeless Children

8. Enrollment in the school district of residence, the school district of last attendance if not the school district of residence, or the school district where the child 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 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:17-2.1 et seq.

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 parent(s) shall immediately notify the Executive County Superintendent of Schools, who, in consultation with the Department's McKinney-Vento Homeless Education Coordinator or designee, shall immediately decide the child'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, who shall make a determination immediately, if possible, but no later than within forty-eight hours.



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REGULATION GUIDE

STUDENTS

R 5116/page 8 of 9

Education of Homeless Children

- a. If the dispute regarding determination of district of residence does not involve the determination of homelessness and/or district enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the 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.
 - b. If an appeal of a determination of 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 immediate enrollment or continued enrollment in the school district. The homeless child 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 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 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 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 shall no longer list the student on its ASSA.



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REGULATION GUIDE

STUDENTS

R 5116/page 9 of 9

Education of Homeless Children

3. 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 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;
 - b. If the school district of residence is outside of the State; or
 - c. If a child resides in a Department of Community Affairs-licensed emergency shelter or transitional living facility due to domestic violence for more than a year combined for the duration of the placement pursuant to N.J.S.A. 18A:7B-12.d.
 - (1) When the State assumes fiscal responsibility for the tuition of a homeless child, the State shall pay to the school district in which the child 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.

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POLICY GUIDE

STUDENTS
5460/page 1 of 14
High School Graduation
Feb 17
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[See POLICY ALERT Nos. 90, 95, 121 153, 157, 169, 186, 205, 208, 209,
and 211]

5460 HIGH SCHOOL GRADUATION

The Board of Education will recognize the successful completion of the secondary school instructional program by the award of a State-endorsed diploma certifying the student has met all State and local requirements for high school graduation. The Board will annually certify to the Executive County Superintendent each student who has been awarded a diploma has met the requirements for graduation.

A. High School Graduation Requirements

A graduating student must have earned a minimum of 150 (four-year high school: no fewer than one hundred twenty credits) credits in courses designed to meet all of the New Jersey Core Curriculum Content Student Learning Standards (NJCLS) including, but not limited to, the following credits:

1. 20 (At least twenty) credits in English language arts literacy aligned to grade nine through twelve standards;
2. 15 (At least fifteen) credits in mathematics, including Algebra I or the content equivalent; ("content equivalent" is defined as N.J.A.C. 6A:8-1.3) including geometry or the content equivalent; and a third year of mathematics that builds on the concepts and skills of algebra and geometry and that prepares students for college and 21st century careers;
3. 15 (At least fifteen) credits in social studies, including satisfaction of N.J.S.A. 18A:35-1 and 18A:35-2; five credits in world history; and the integration of civics, economics, geography, and global content in all course offerings;
4. 15 (At least fifteen) credits in science, including at least five credits in laboratory biology/life science or the content equivalent; one additional laboratory/inquiry-based science course, which shall include chemistry, environmental science, or physics; and one additional laboratory/inquiry-based science course;



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POLICY GUIDE

STUDENTS
5460/page 2 of 14
High School Graduation

5. 5 (At least three and three-quarters) credits in health, safety, and physical education during each year of enrollment, distributed as one hundred fifty minutes per week, as required by N.J.S.A. 18A:35-5, 7, and 8;
6. 5 (At least five) credits in visual and performing arts;
7. 5 (At least five) credits in world languages or student demonstration of proficiency as set forth in N.J.A.C. 6A:8-5.1(a)2ii(2);
8. 2.5 (At least two and one-half) credits in financial, economic, business, and entrepreneurial literacy;
9. Technological literacy, consistent with the **NJSLS Core Curriculum Content Standards**, integrated throughout the curriculum;
10. 5 (At least five) credits in 21st century life and careers, or career-technical education; and
11. Electives as determined by the high school program sufficient to total a minimum of 42.5 (must be at least one hundred twenty) credits.

As defined in N.J.A.C. 6A:8-1.3, "credit" means the award for the equivalent of a class period of instruction which meets for a minimum of forty minutes, one time per week during the school year or as approved through N.J.A.C. 6A:8-5.1(a)2.

The high school graduation credit requirement may be met in whole or in part through program completion of a range of experiences that enable students to pursue a variety of personalized learning opportunities, as follows:

1. The district shall establish a process to approve individualized student learning opportunities that meet or exceed the **NJSLS Core Curriculum Content Standards**.



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POLICY GUIDE

STUDENTS
5460/page 3 of 14
High School Graduation

- a. Individualized student learning opportunities in all **NJSLS Core Curriculum Content Standards** areas include, but are not limited, to the following:
- (1) Independent study;
 - (2) Online learning;
 - (3) ~~Work-based programs, internships, apprenticeships;~~
 - (43) Study abroad programs;
 - (54) Student exchange programs; and
 - (65) Structured learning experiences, including, but not limited to, work-based programs, internships, apprenticeships, and service learning experiences.
- b. Individualized student learning opportunities based upon specific instructional objectives aimed at meeting or exceeding the **NJSLS Core Curriculum Content Standards** shall:
- (1) Be based on student interest and career goals as reflected in the Personalized Student Learning Plans;
 - (2) Include demonstration of student competency;
 - (3) Be certified for completion based on the district process adopted according to 2. below; and
 - (4) Be on file in the school district and subject to review by the Commissioner or designee.
- c. Group programs based upon specific instructional objectives aimed at meeting or exceeding the **NJSLS Core Curriculum Content Standards** shall be permitted and shall be approved in the same manner as other approved courses.



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POLICY GUIDE

STUDENTS
5460/page 4 of 14
High School Graduation

2. The district shall establish a process for granting of credits through successful completion of assessments that verify student achievement in meeting or exceeding the ~~NJSLS Core Curriculum Content Standards~~ at the high school level, including standards achieved by means of the individualized student learning opportunities enumerated as outlined in N.J.A.C. 6A:8-5.1(a)2. Such programs or assessments may occur all or in part prior to a student's high school enrollment; no such locally administered assessments shall preclude or exempt student participation in applicable Statewide assessments at grades three through twelve.
 - a. The district shall choose assessments that are aligned with or exceed the ~~NJSLS Core Curriculum Content Standards~~ and may include locally designed assessments.
 - b. The district shall choose from among the following assessment options to determine if students have achieved the level of language proficiency designated as Novice-High as defined by the American Council on the Teaching of Foreign Languages (ACTFL) and recognized as fulfilling the world languages requirement of the ~~NJSLS Core Curriculum Content Standards~~:
 - (1) The Standards-based Measurement of Proficiency (STAMP) online assessment;
 - (2) The ACTFL Oral Proficiency Interview (OPI) or Modified Oral Proficiency Interview (MOPI); or
 - (3) Department of Education-approved locally designed competency-based assessments.
3. The district shall establish a process to approve post-secondary learning opportunities that may consist of: ~~(select one or more options)~~ Advanced Placement (AP) courses; the College-Level Examination Program (CLEP); or concurrent/dual enrollment at accredited higher education institutions.
 - a. The district shall award credit for successful completion of an approved, accredited college course that assures achievement of knowledge and skills that meets or exceeds the ~~NJSLS Core Curriculum Content Standards~~.



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POLICY GUIDE

STUDENTS
5460/page 5 of 14
High School Graduation

B. Additional Graduation Requirements

1. Attendance requirements as indicated in Policy and Regulation 5200;

- ~~2. Other requirements established by the Board of Education as indicated below:~~

3. Any statutorily mandated requirements for earning a high school diploma; and
4. Any Statewide assessment graduation requirements as determined by the New Jersey Department of Education (NJDOE), and as outlined in C. below.

C. Statewide Assessment Graduation Requirements

1. The requirement that all students demonstrate proficiency in the high school end-of-course Partnership for Assessments of Readiness for College and Careers (PARCC) assessment in ELA 10 and Algebra I, or through the alternate means set forth at N.J.A.C. 6A:8-5.1(f) through (i);
2. The Board of Education will provide students who have not demonstrated proficiency on the high school end-of-course PARCC assessments in ELA 10 and Algebra I with the opportunity to demonstrate such competence through one of the alternate means set forth below:
 - a. For the graduating classes of 2016, 2017, 2018, and 2019, students who do not take both the ELA 10 and the Algebra I end-of-course PARCC assessments or who take, but do not achieve a passing score on both assessments, as required by N.J.A.C. 6A:8-5.1(a)6, may satisfy the State requirement to demonstrate proficiency in English language arts and mathematics in one of the following ways:



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POLICY GUIDE

STUDENTS
5460/page 6 of 14
High School Graduation

- (1) Achieve a passing score, as determined by the Commissioner, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable, or substitute a passing score on another end-of-course PARCC assessment, including ELA 9, ELA 11, Geometry, or Algebra II; or
 - (2) Meet the criteria of the portfolio appeals process; and
- b. For the graduating class of 2020, students who take all applicable high school end-of-course PARCC assessments for all courses in which they are enrolled, including those students who received a waiver for ELA 11 pursuant to N.J.A.C. 6A:8-4.1(c)3i, as of September 6, 2016, and thereafter, but do not achieve a passing score on both the ELA 10 and Algebra I end-of-course PARCC assessments pursuant to N.J.A.C. 6A:8-5.1 (a)6, may satisfy the State requirement to demonstrate proficiency in English language arts and mathematics in one of the following ways:
 - (1) Achieve a passing score, as determined by the Commissioner, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable, or substitute a passing score on another end-of-course PARCC assessment, including ELA 9, ELA 11, Geometry, or Algebra II; or
 - (2) Meet the criteria of the portfolio appeals process.
2. Beginning with the graduating class of 2021, students who take all applicable high school end-of-course PARCC assessments for all courses in which they are enrolled, including those students who received a waiver for ELA 11 pursuant to N.J.A.C. 6A:8-4.1(c)3i, as of September 6, 2016, and thereafter, but do not achieve a passing score on both the ELA 10 and



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POLICY GUIDE

STUDENTS
5460/page 7 of 14
High School Graduation

Algebra I end-of-course PARCC assessments pursuant to N.J.A.C. 6A:8-5.1(a)6, by the conclusion of their senior year and after multiple opportunities to take the assessments, may satisfy the State requirement to demonstrate proficiency in English language arts and mathematics by meeting the criteria of the portfolio appeals process.

3. In accordance with a NJDOE Memorandum dated January 24, 2017, students in the graduating cohort of 2020 and 2021 who completed an Algebra I course prior to September 6, 2016 and:
 - a. Took the PARCC Algebra I assessment, but did not pass and are now in an advanced mathematics course (e.g. Geometry or Algebra II); or
 - b. Did not receive a valid test score, but are now in an advanced mathematics course (e.g. Geometry or Algebra II); or
 - c. Did not have an opportunity to take the PARCC Algebra I assessment because the NJDOE did not offer a summer test administration, but are now in advanced mathematics course (e.g. Geometry or Algebra II). Only students in the graduating cohorts of 2020 and 2021 described in the three specific groups above in a, b., and c. are eligible to utilize the following pathways to demonstrate proficiency in mathematics:
 - (1) Take or retake the PARCC Algebra I assessment and pass; or
 - (2) Utilize the NJDOE portfolio appeals process, provided they take the PARCC Geometry assessment and the PARCC Algebra II assessment (if enrolled in the Algebra II course) and receive valid scores; or
 - (3) Take and pass the Geometry or Algebra II assessment.



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POLICY GUIDE

STUDENTS
5460/page 8 of 14
High School Graduation

4. All English Language Learners (ELLs) shall satisfy the requirements for high school graduation, except ELLs may demonstrate they have attained State minimum levels of proficiency through passage of the portfolio appeals process in their native language, when available, and passage of a Department of Education-approved English fluency assessment.
 5. Students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act who participate in the alternative assessment for students with disabilities are not required to participate in repeated administration of high school end-of-course PARCC assessments.
1. ~~The New Jersey Department of Education (NJDOE) is transitioning from the High School Proficiency Assessment (HSPA) to the Partnership for the Assessment of Readiness for College and Careers (PARCC) End of Course assessments for students, including students with disabilities, in the classes of 2016, 2017, 2018, and 2019.~~
 2. ~~Students in the classes of 2016, 2017, 2018, and 2019 will be able to demonstrate proficiencies in English Language Arts (ELA) and Mathematics required by State statute by either meeting the "cut score" on the PARCC assessments or meeting the "cut score" on a substitute assessment or by meeting the criteria of the NJDOE portfolio appeal process.~~
 3. ~~A student with a disability, whose Individualized Educational Plan (IEP) team determines the student is exempt from these requirements, would be required to achieve the alternative proficiency in his/her IEP.~~
 4. ~~OPTION Select one option below~~

~~The NJDOE has developed "concordant" cut scores for additional substitute assessments. For the classes of 2016, 2017, 2018, and 2019, students will be able to demonstrate proficiency in both ELA and Mathematics by meeting one of the criteria under English Language Arts and Mathematics as indicated below:~~



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POLICY GUIDE

STUDENTS
5460/page 9 of 14
High School Graduation

a. ~~English Language Arts~~

- ~~PARCC ELA Grade 9 \geq 750 (Level 4); or~~
- ~~PARCC ELA Grade 10 \geq 750 (Level 4); or~~
- ~~PARCC ELA Grade 11 \geq 725 (Level 3); or~~
- ~~Prior to 3/1/16 SAT Critical Reading \geq 400; or~~
- ~~3/1/16 or later SAT Evidence Based Reading and Writing Section \geq 450 OR SAT Reading Test \geq 22; or~~
- ~~ACT Reading or ACT PLAN Reading \geq 16; or~~
- ~~Accuplacer Write Placer \geq 6; or~~
- ~~Accuplacer Write Placer ESL \geq 4; or~~
- ~~PSAT10 Reading or PSAT/NMSQT Reading* \geq 40; or~~
- ~~PSAT10 Reading or PSAT/NMSQT Reading** \geq 22; or~~
- ~~ACT Aspire Reading \geq 422; or~~
- ~~ASVAB AFQT Composite \geq 31; or~~
- ~~Meet the Criteria of the NJDOE Portfolio Appeal~~

b. ~~Mathematics~~

- ~~PARCC Algebra I \geq 750 (Level 4); or~~
- ~~PARCC Geometry \geq 725 (Level 3); or~~
- ~~PARCC Algebra II \geq 725 (Level 3); or~~
- ~~Prior to 3/1/16 SAT Math \geq 400; or~~
- ~~3/1/16 or later SAT Math Section \geq 440 OR SAT Math Test \geq 22~~
- ~~ACT or ACT PLAN Math \geq 16; or~~
- ~~Accuplacer Elementary Algebra \geq 76; or~~
- ~~PSAT10 Math or PSAT/NMSQT Math* \geq 40; or~~
- ~~PSAT10 Math or PSAT/NMSQT Math** \geq 22; or~~
- ~~ACT Aspire Math \geq 422; or~~
- ~~ASVAB AFQT Composite \geq 31; or~~
- ~~Meet the Criteria of the NJDOE Portfolio Appeal~~

Note: * PSAT taken prior to October 2015; ** PSAT taken after October 2015.



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POLICY GUIDE

STUDENTS
5460/page 12 of 14
High School Graduation

- a. The district shall provide students exiting grade twelve without a diploma the opportunity for continued high school enrollment to age twenty, or until the requirements for a State-endorsed diploma have been met, whichever comes first.
 - b. The district shall allow any out-of-school individual to age twenty who has otherwise met all State and local graduation requirements, but has failed to pass high school end-of-course PARCC assessments to demonstrate proficiency as set forth in N.J.A.C. 6A:8-5.1(f) pursuant to the standards applicable to the student's graduating class. Students in graduating classes prior to 2016 shall demonstrate proficiency as set forth in N.J.A.C. 6A:8-5.1(f) ~~meet the Statewide assessment graduation requirements, to return to school at scheduled times for the purpose of meeting the Statewide assessment graduation requirements.~~ Upon certification of passing the test applicable to the student's class in accordance with N.J.A.C. 6A:8 ~~meeting these requirements,~~ a State-endorsed diploma shall be granted by the high school of record.
3. The Commissioner of Education shall award a State-issued high school diploma in accordance with the provisions of N.J.A.C. 6A:8-5.2(c) and (d).
 4. The Board of Education shall award a State-endorsed high school diploma to any currently enrolled student, regardless of grade level, who: ~~formally requesting an early award of the diploma in accordance with the provisions of N.J.A.C. 6A:8-5.2(c) and Board Policy 5465.~~
 - a. Has demonstrated proficiency in the high school end-of-course PARCC assessments in ELA 10 and Algebra I, or as set forth in N.J.A.C. 6A:8-5.1(f);
 - b. Has presented official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education; and



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POLICY GUIDE

STUDENTS
5460/page 13 of 14
High School Graduation

- c. **Has formally requested such early award of a State-endorsed high school diploma.**

G. **Notification**

Each student who enters or transfers into the high school and the student's parent(s) will be provided a copy of the school district's requirements for a State-endorsed diploma, and the programs available to assist students in attaining the State-endorsed diploma, in accordance with N.J.S.A. 18A:7C-5.

H. **Reporting**

The Superintendent, in accordance with N.J.S.A. 18A:7C-7 and 18A:7E-3, shall report annually to the Board of Education **at a public meeting not later than September 30**, and to the Commissioner of Education: ~~the number of students who completed the twelfth grade course requirements and were denied a diploma and the number of students who received State endorsed diplomas.~~

1. **The total number of students graduated;**
2. **The number of students graduated under the substitute competency test process;**
3. **The number of students graduated under the portfolio appeals process;**
4. **The number of students receiving State-endorsed high school diplomas as a result of meeting any alternative requirements for graduation as specified in their IEP's;**
5. **The total number of students denied graduation from the twelfth grade class; and**
6. **The number of students denied graduation from the twelfth grade class solely because of failure to pass the high school end-of-course PARCC assessments, substitute competency tests, or portfolio appeals process based on the provisions of N.J.A.C. 6A:8.**



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POLICY GUIDE

STUDENTS
5460/page 14 of 14
High School Graduation

1. The Superintendent shall provide to the Executive County Superintendent the district's graduation requirements each year they are evaluated through the Quality Single Accountability Continuum (QSAC) and update the filed copy each time the graduation policy and requirements are revised.

N.J.S.A. 18A:7C-1 et seq.; 18A:35-1;
18A:35-4.9; 18A:35-7; 18A:36-17

N.J.A.C. 6A:8-1 et seq.; 6A:8-5.1; 6A:8-5.2; 6A:14-4.11 et seq.

Adopted:



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Friday, April 7, 2017 1:54 PM

POLICY GUIDE

OPERATIONS
8350/page 1 of 1
Records Retention
Feb 17

[See POLICY ALERT No. 211]

8350 RECORDS RETENTION

The New Jersey Department of the Treasury - Records Management Services places all public records on Records Retention Schedules that list the minimum legal and fiscal time periods public records must be retained by State and local governmental and educational agencies. Records Management Services determines these retention periods in conformance with State and Federal codes, regulations, and statutes of limitation. Final approval of the schedules comes from the State Records Committee, which is comprised of representatives of the Attorney General, State Treasurer, State Auditor, Director of Local Government Services, and the director of the division.

Part and parcel to a good records management program is the timely destruction of records once their retention period has expired. This pertains to the destruction of paper records as well as those that are microfilmed, have been imaged, or are electronic. Unique records disposal request (such as the disposal of fire damaged records which have not yet outlived their retention period) require specific authorization from the State Records Committee.

As per the Destruction of Public Records Act of 1953 (P.L. 1953, c. 410), the Board of Education must receive prior written authorization from Records Management Services to dispose of their public records regardless of the medium in which the information is maintained. Authorization to dispose public records shall be submitted electronically by the school district custodian of such records to Records Management Services. Records must be retained in accordance with the Records Retention Schedules and shall not be disposed until approval for such disposal is obtained from Records Management Services.

Adopted:



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Document L - Abolished Policies

Friday, April 7, 2017 1:52 PM

POLICY GUIDE

PROGRAM
2320/page 1 of 1
Independent Study Programs
Feb 17

[See POLICY ALERTS Nos. 181 and 211]

ABOLISHED

2320 INDEPENDENT STUDY PROGRAMS

~~The Board of Education authorizes an independent study program aimed at achieving the Core Curriculum Content Standards for promotion and graduation purposes in accordance with the requirements of N.J.A.C. 6A:8-5.1(a)ii.~~

~~An independent study program and appropriate assessments shall be planned for individuals and/or a group based on specific instructional objectives aimed at meeting or exceeding the Core Curriculum Content Standards. The Principal shall certify completion of the independent study program based on specific instructional objectives.~~

~~The Principal may utilize a performance or competency assessment to approve student completion of an independent study program, including those occurring all or in part prior to the student's high school enrollment.~~

~~A group independent study program shall be approved in the same manner as other approved courses. Independent study programs shall be on file in the school district and subject to review by the Commissioner of Education or designee.~~

~~N.J.A.C. 6A:8-5.1 et seq.~~

Adopted:



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POLICY GUIDE

STUDENTS
5465/page 1 of 1
Early Graduation
Feb 17
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[See POLICY ALERT Nos. 153, 160, 186, 205 and 211]

ABOLISHED

5465 EARLY GRADUATION

~~The Board of Education will award a State-endorsed diploma to a student that has met all State and local requirements for high school graduation. In addition, the Board shall award a State-endorsed high school diploma to any currently enrolled student in accordance with the provisions of N.J.A.C. 6A:8-5.2(e).~~

~~In accordance with the provisions of N.J.A.C. 6A:8-5.2(e), the Board of Education shall award a State-endorsed high school diploma early to any currently enrolled student who:~~

- ~~1. Has demonstrated proficiencies in the Statewide assessments as required by the New Jersey Department of Education for high school graduation;~~
- ~~2. Has presented official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education; and~~
- ~~3. Has formally requested an early award of a State-endorsed high school diploma.~~

~~The diploma will bear the date of its issuance. The student may be permitted to participate in graduation ceremonies with his/her classmates without formal readmission to the school district on application to and approval of the high school Principal.~~

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

~~N.J.A.C. 6A:8-5.1 et seq.; 6A:8-5.2 et seq.~~

~~Adopted:~~



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