

RUTHERFORD BOARD OF EDUCATION
WORKSESSION –OCTOBER 10, 2005

The Worksession Meeting was called to order at 7:32 P.M. in the High School Cafeteria by President Cevasco with the Pledge of Allegiance to the Flag. On roll call the following members were present: Mrs. Ahmed, Mr. Casadonte, Mr. Jasko, Mrs. Jones, Mrs. Monahan, Mrs. Williams and Mrs. Cevasco. Mr. McLean arrived at 7:46 P.M. Mr. Novosielski was absent for the entire meeting. Mrs. Conlon and Mr. Brown were also present for the meeting.

N.J. OPEN PUBLIC MEETINGS LAW

The New Jersey Open Public Meetings Law was enacted to ensure the right of the public to have advance notice of and to attend the meeting of public bodies at which any business affecting their interests is discussed or acted upon. In accordance with the provisions of this Act, the Rutherford Board of Education has caused notice of this meeting to be published by having the date, time and place thereof posted on the bulletin board outside the Borough Clerk's Office, mailed to the News Leader, Herald, South Bergenite, and the Record newspapers, and filed with the Borough Clerk.

TAPING AND BROADCASTING OF MEETINGS

As approved by the Rutherford Board of Education, we are taping and broadcasting our worksessions and regular meetings. These meetings will be broadcast without editing during a two-hour time segment on Tuesday evenings at 8:00 PM on the Comcast public access channel. At the conclusion of the two-hour segment, the broadcast will end regardless of what part of the meeting is currently being viewed due to the Comcast time constraint. Any member of the public who wishes to view the two-hour tape should make a written request to the Board Secretary who will have a copy of the tape made available within two weeks of the request. There will be a nominal fee charged for this tape reproduction. We welcome comments from residents viewing the broadcast.

MINUTES APPROVAL

1A. Resolution by Mrs. Williams, seconded by Mr. Casadonte.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION that the minutes of the Regular Meeting of September 12, 2005 and Special Meeting of September 26, 2005 be approved as recorded.

Roll Call Vote:

Mrs. Ahmed – aye	Mr. Jasko – aye	Mrs. Monahan – aye
Mr. Casadonte – aye	Mrs. Jones – aye	Mr. Novosielski – absent
Mrs. Cevasco – aye	Mr. McLean – absent	Mrs. Williams – aye

SPECIAL PRESENTATIONS:

➤ **Rutherford Education Foundation Grant Award Winners - Doreen Cevasco**

“Astronomy Day at Union School”	Joan Macri Susan Greco Moiria Loughlin Bernadette Farina
“Outdoor Living Lab”	Helene Wetzel
“Write and Illustrate Your Own Book”	Lorraine Lewis
“Historic Homes of Rutherford”	Brenda Fargo
“Guys Read”	Anne Hetzel
“Caring Habit of the Month Adventure”	Louise Hetzel
“Author Inquiries”	Bernadette Kennedy
“Journey Into Jokes”	Elizabeth Ersalesi
“Alphabet Manipulatives”	Judith Gioia
“Trade Books for Grade 1 Science”	Alison Heinzl
“Making the Most of Small Group Instruction with Guided Reading”	Nancy Crowley

Mr. McLean arrived at this time (7:46 P.M.)

The Board took a short recess at 7:46 P.M., returning at 7:55 P.M.

➤ **Report on School Violence Awareness Week - Leslie Conlon**

Mrs. Conlon reported on the myriad of activities scheduled during the school year, and in particular, for the week of October 17-21, 2005. The items are attached to this agenda as an addendum.

➤ **Violence & Vandalism Annual Report 2004-05 - Leslie Conlon**

Section A: Count of Incidents by Reporting Category

Violence	6
Vandalism	1
Weapons	0
Substance Abuse	5
Total	12

Section B: Cost of Vandalism

Incidents involving cost to district	1
Total cost to district	\$ 200

Section C: Actions Taken

Police notified (no complaint)	9
Police notified (complaint filed)	1
Expulsion	0
Removal to alternative program	0
In-school suspension	0
Out-of-school suspension	15
Other discipline	0

Section D: Offender Information

Regular education student	9
Student with a disability	6
Student from other district	0
Non-student	0
Unknown	0
Total	15

Section E: Victim Information

Regular education student	2
Student with a disability	2
Student from other district	1
Non-student	0
School personnel	0
Total	5
Victim of Violent Criminal Offense	0

➤ **Quality Assurance Annual Report - Leslie Conlon**

Mrs. Conlon reported on the highlights of this report.

REPORT OF THE PRESIDENT

REPORT OF THE STUDENT REPRESENTATIVE TO THE BOARD – Philip Zaorski

MEETING OPEN TO THE PUBLIC (Action Items Only) 8:21 P.M. No comments made.

NEW BUSINESS (Action to be Taken)

PERSONNEL:

EMERGENT HIRES

1A. Resolution by Mrs. Ahmed, seconded by Mrs. Jones.
BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ the following applicant(s) under the emergent hiring law as per the State Department of Education:

- Irene Jones - Lunch Monitor
- Ann Marie Esca - Lunch Monitor
- Tina-Marie Golda - Elementary Teacher
- Susan Murray - Substitute Teacher
- Eileen Joyce - Substitute Teacher
- Talin Sayegh - Substitute Teacher
- Elia Poore - Substitute Teacher
- Anna DiMeo - Home Instructor

Roll Call Vote:

Mrs. Ahmed – aye	Mr. Jasko – abstain	Mrs. Monahan – aye
Mr. Casadonte – aye	Mrs. Jones – aye	Mr. Novosielski – absent
Mrs. Cevasco – aye	Mr. McLean – aye	Mrs. Williams – aye

FINANCE:

APPROVAL OF BILLS:

1A. Resolution by Mr. Jasko, seconded by Mrs. Jones.
BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION that the bills listed below be approved.

Accounts Payable	\$501,633.87
Offline Checks	\$547,501.84
Payroll	\$1,988,264.11
General Activities	\$7,716.61
Total	<u>\$3,045,116.43</u>

Roll Call Vote:

Mrs. Ahmed – aye	Mr. Jasko – aye	Mrs. Monahan – aye
Mr. Casadonte – aye	Mrs. Jones – aye	Mr. Novosielski – absent
Mrs. Cevasco – aye	Mr. McLean – aye	Mrs. Williams – aye

NEW BUSINESS: (Action will not be taken)

PERSONNEL:

Chairperson Ahmed reported on items to be acted upon at the regular meeting of October 17, 2005.

PERSONNEL:

Motion to move the following resignations, retirements, salary adjustments, reassignments, appointments, etc., pending approval from the State Department of Education, subject to the New Jersey Criminal Background Check and other legal requirements.

SALARY LEVEL CHANGES

1. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to change the following salaries of faculty members effective 9/1/05 through 6/30/06 due to attainment of advanced degrees or credits beyond:

- Mark Doty
From: \$55,504 (step 11, level 3) To: \$57,804 (step 11, level 4)
- Amy Murphy
From: \$49,297 (step 9, level 2) To: \$51,097 (step 9, level 3)

CUSTODIAL SHIFT DIFFERENTIAL

2. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following custodial 8% shift differentials effective 9/1/05 through 6/30/06 whenever working the third shift:

Edgardo Arce - \$2,583
Christopher Meyer - \$3,456

SUBSTITUTE TEACHERS

3. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ the following as substitute teacher(s) at the per diem rate of \$80.00 and in accordance with law:

Jillian Reicherz - effective 9/13/05
Kelly Gardner - " "
Kristin Regina - " "
Susan Murray - " 10/18/05
Eileen Joyce - " "
Talin Sayegh - " "
Elia Poore - " "

TALIN SAYEGH

4. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ Ms. Talin Sayegh as a substitute teacher assistant effective 10/18/05 at the hourly rate of \$8.50.

SIUTHAY HURTADO

5. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ Ms. Siuthay Hurtado as a bus assistant for swimmers at Pierrepont School effective 9/13/05 for 8 hours per week, for 16 weeks at the special hourly rate of \$8.25.

ELEM. CO-CURRICULAR

6. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to make the following changes to the Union School co-curricular assignments for the 2005-2006 school year:

Rescind:

Michael Ryan - Intramurals
Dorothy Meissner - Yearbook

Approve:

Donna Currie - Intramurals - \$1,381.00
Roxane DiVuolo - Yearbook - \$ 166.75
Janis Rose " 166.75
Dara Sesser " 166.75
Ann Hetzel " 166.75

H.S. CO-CURRICULAR

7. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to make the following changes to high school co-curricular assignments for the 2005-2006 school year:

Rescind:

Judith DePasquale & Camille Mazur - Co-Advisors - Yearbook - Art & Literary
Judith DePasquale & Camille Mazur - Co-Advisors - Yearbook - Business
Jason Carroll - Percussion Instructor
Lorraine Lewis - Co-Stage Crew Director

Approve:

Camille Mazur - Yearbook - Art & Literary - \$3,394
Judith DePasquale - Yearbook - Business - \$1,936
Jason Narozny - Percussion Instructor - \$1,482
Brett Gearity - Co-State Crew Director - \$1,288

LUNCH MONITORS

8. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following as lunch monitors 2 hours per day at the hourly rate of \$8.25:

Ann Marie Esca - Washington School - effective 9/7/05
Irene Jones - Union School - effective 9/19/05

- TINA-MARIE GOLDA 9. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ Ms. Tina-Marie Golda as a grade 5 teacher at Union School effective 9/26/05 through 6/30/06 at the annual salary of \$39,700 (step 1, level 1 pro-rated). This is a new position.
- CYNTHIA PANDOLFI 10. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ Ms. Cynthia Pandolfi as an 11-month secretary in the attendance office of the high school effective 10/1/05 through 6/30/06 at the annual salary of \$25,263 (step 3-4 pro-rated). This is a replacement position.
- CATHY WENZELBERG 11. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ Ms. Cathy Wenzelberg as a part-time teacher assistant at Washington School effective 10/10/05 for up to 19.5 hours per week at the hourly rate of \$14.92.
- GLORIA PAK 12. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ Ms. Gloria Pak as a bus assistant effective 9/26/05 for 8 _ hours per week at the hourly rate of \$14.25 (step 1). This is a replacement position.
- HARRY WESTERN 13. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve a paid leave of absence for Mr. Harry Western for up to 30 days to assist FEMA with the relief efforts due to hurricane Katrina.
- CST SERVICE PROVIDER 14. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to increase the fee of the Child Study Team service provider Neurology Group of Bergen County from \$350 per evaluation with report to \$400 for the 2005-2006 school year.
- CST SERVICE PROVIDER 15. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION for the Child Study Team to utilize the services of Richard Blanchard to provide supplemental math services for up to 2 hours per week effective 10/11/05 at the hourly rate of \$25.00.
- JUDITH LEONARD 16. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve Ms. Judith Leonard as a computer monitor at the high school effective 10/3/05 a maximum of 5 hours per week at the hourly rate of \$11.75.
- HOME INSTRUCTOR 17. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve Mrs. Anna DiMeo as a home instructor effective 10/18/05 at the hourly rate of \$25.00.
- DANIELLE WIESEN 18. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve a disability leave with pay for Dr. Danielle Wiesen, School Psychologist, effective 1/2/06 through twenty (20) days following the birth of her baby or until her sick leave is exhausted, to be followed by a child rearing leave of absence under the Family Leave Act without pay, through 6/30/06.

CURRICULUM AND INSTRUCTION:

Chairperson Monahan reported on the meeting of the Curriculum Committee and items to be acted upon at the regular meeting of October 17, 2005.

- OUT-OF-DISTRICT PLACEMENT 1. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to rescind the following placements of students (names on file in the office of special services) for the 2005-2006 school year:

Student #2002596 - Holmstead School
Student #2000217 - Paramus Vo-Tech

- HOME INSTRUCTION 2. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve home instruction for the following students (names on file in the office of the superintendent):

Student "D" - effective 9/12/05
Student "E" - effective 10/3/05
Student "F" - effective 9/21/05
Student "H" - effective 10/3/05

TUITION STUDENT

3. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve Student "G" (name on file in the office of the superintendent) as a 12th grade tuition student at Rutherford High School effective 9/12/05 at the annual tuition of \$11,713.00.

SCHOOL OBJECTIVES

4. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following school objective for the 2005-2006 school year:

Rutherford Public Schools

I. IMPLEMENTATION OF SCHOOL LEVEL PLANS

[N.J.A.C. 6:8-2.2(a)3]

Rutherford High School

Two-year objectives were approved in September 2004 that required improvement in achievement by specific subgroups. These objectives continue through the current school year.

Objective #1: By June 2006 there will be an increase of at least 5% in the enrollment of selected NCLB sub-groups in honors and advanced placement courses.

Objective #2: By June of 2006 85% of students in the NCLB Hispanic subgroup will reach the proficient or advanced proficient level on the language arts literacy portion of the HSPA, and 75% of the same group will reach the proficient or advanced proficient level in mathematics.

Pierrepoint School

Objective #1: By June 2006, 85% of total students in grades four to eight will demonstrate proficiency in mathematics by achieving a level of proficient or advanced proficient on the Grade Eight Proficiency Assessment, the NJASK, or a score at or above the national average on the Terra Nova test.

Objective #2: By June 2006, ten percent of students in grades four and five will demonstrate advanced proficiency in language arts literacy by achieving a scale score between 250 and 300 on the NJASK.

Union School

Objective #1: By June 2006, on the mathematics section of the Grade Eight Proficiency Assessment, 25 % of the students will score at the Advanced Proficient level and fewer than 20% will score at the Partially Proficient level.

Objective #2: By June 2006, 20% of the students taking the GEPA will achieve at the Advanced Proficient level in language arts literacy.

Objective #3: By June 2006, at least fifty percent of the special education subgroup will achieve proficiency in mathematics on the spring Grade Eight Proficiency Assessment.

Lincoln School

Objective #1: By June 2006 5% of the students enrolled in BSI reading and or language arts classes will show enough improvement in standardized test scores so that BSI instruction will no longer be necessary.

Washington School

Objective #1: By June 2006, 5% of the students enrolled in the BSI language arts literacy and/or BSI reading classes will show enough improvement in standardized test scores so that BSI instruction will no longer be necessary.

Please note: There are no school objectives for Sylvan School for 2005-2006. Sylvan is no longer a functioning school building for the Rutherford school district.

QAAR 2004-2005

5. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the Quality Assurance Annual Report for 2004-2005.

CURRICULUM GUIDES

6. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following curriculum guides for the 2005-2006 school year:

Science - Grades 2,3,4,6,7,8
Writing Program - Grades 3-12
French 4 Honors
AP French Language
Spanish 4 Honors
AP Spanish Language

COMPUTER COURSE

7. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION TO REMOVE THE honors level designation of Computer Programming C⁺⁺ and Multimedia Design effective 9/1/06.

COMPUTER COURSE

8. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to add a course in Computer Independent Study (for grade 12 students only) for the 2006-2007 school year.

LIBRARY PROGRAM

9. Discussion - public library - school cooperative activity field trip for grades 1-3

FINANCE:

Chairperson Jasko reported on items to be acted upon at the regular meeting of October 17, 2005.

192/193 PROJECT
COMPLETION REPORT

1. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve Project Completion Report for Nonpublic Student Services, Chapters 192 and 193, for the school year 2004-2005.

NON-PUBLIC TECH. FINAL
REPORT SUBMISSION

2. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the submission of the 2004-2005 Non-Public Technology Final Report to the Bergen County Superintendent of Schools.

NON-PUBLIC TECH 2005-06

3. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following amounts of non-public technology funds for the 2005-2006 school year to the following non-public locations.

St. Mary's High School	\$13,520
St. Mary's Elementary School	8,760
Today's Learning Center	1,560
Rutherford Child Care Center	400

These funds will be controlled and administered by the Rutherford Board of Education.

POLICY:

Mrs. Williams reported on the meeting of the Policy Committee and items to be acted upon at the regular meeting of October 17, 2005.

DISTRIBUTION OF MATLS
BY STUDENTS AND STAFF

1. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following revisions to Policy #1140 Distribution of Materials by Students and Staff on first reading:

**BOARD OF EDUCATION
RUTHERFORD**

**COMMUNITY RELATIONS
1140**

DISTRIBUTION OF MATERIALS BY PUPILS AND STAFF

Material being sent home with pupils should relate to school matters or pupil-related community activities. Except when it pertains to the individual pupil, all such material must be approved in advance by the chief school administrator/designee.

There is no district obligation to distribute or post any community group materials. But if a forum opened up to any category of group (i.e., non-profit, non partisan, community groups), the chief school administrator will not discriminate against speech or materials on the basis of its viewpoint or religious content.

The determination of the chief school administrator will be viewpoint-neutral in order to provide equal access to "limited public forums" including bulletin boards for notices, tables at back-to-school nights, or hand-outs to students.

Pupils shall not be used to distribute partisan materials or partisan information pertaining to a school or general election, budget or bond issue, or negotiations. Pupils shall not be exploited for the benefit of any individual, group, or profit-making organization.

No staff member may distribute any materials on school property without prior approval of the chief school administrator. Materials will clearly indicate their source. Non-school-related materials will be plainly labeled, including an express disclaimer that the activity is "not a school-sponsored activity." Flyers and parental permission slips will be subject to the same review and standards.

All surveys, questionnaires or other similar items requiring pupil or parent/guardian response shall be reviewed and approved by the chief school administrator prior to distribution. The chief school administrator shall solicit written permission from parents/guardians before students participate in surveys or research that requests personal information as set out in federal law.

Adopted: June 10, 2002
Revised:

LegalReferences: N.J.S.A. 18:A:36-34 Written approval required prior to acquisition of certain survey information from students.

N.J.S.A. 18A:42-4 Distribution of literature as to candidacy, bond issues, or other public question to be submitted at election; prohibited

N.J.S.A. 19:34-6 Obstructing or interfering with polling place or voter

N.J.S.A. 19:34-15 Electioneering within or about polling place; misdemeanor

34 CFR 98.1 - Pupil Protection Rights Amendment

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

CERTIFICATION

2. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following revisions to Policy #4112.2 Certification on first reading:

**BOARD OF EDUCATION
RUTHERFORD**

**INSTRUCTIONAL AND SUPPORT PERSONNEL
4112.2/page 1 of 3**

CERTIFICATION

The certification of teachers and other personnel in the public schools of New Jersey is a protective measure for the children, the community, and the staff members themselves. All personnel hired shall have proper certification as required by the state board of education.

Validity of certification must be verified with the county office.

The chief school administrator must receive valid evidence of proper certification or qualifications to pursue the alternative route to certification before presenting a candidate to the board.

Provisionally Certified Teachers

The board of education encourages the employment of newly prepared teachers for service in their first year of employment under a one-year provisional certificate. The chief school administrator/designee shall prepare and submit a plan to the state department of education ensuring adequate training of provisional teachers.

The chief school administrator shall provide each employed provisionally certified teacher with:

- A. The guidance of a professional support team composed of a minimum of the principal, an experienced mentor teacher, a college faculty member and a curriculum supervisor (or other team members with comparable expertise);
- B. A minimum of three evaluations of the provisional teacher's classroom performance.

Mentoring Novice Teachers

In order to enhance student achievement of the Core Curriculum Content Standards by Enhancing the skills of inexperienced teachers, identifying exemplary teaching skills and practices necessary for excellent teaching and assist novice teachers in adjusting to the challenges of teaching, the board shall ensure the development of a mentoring plan for all novice teachers employed in the district, and an individual professional improvement plan (PIP) within 60 days of the board's approval of the teacher's employment contract.

The plan shall provide each novice teacher with in-person contact with a mentor teacher (who may be a retired teacher or administrator) who shall provide confidential support and guidance to the novice teacher. The plan shall be developed by the local Professional Development Committee, approved by the board, and aligned with the professional standards for teachers as set forth in administrative code. Included in the plan shall be criteria for selection and training of mentor teachers. Implementation of the district mentor plan shall be in compliance with the administrative code and included in the Quality Assurance Annual Report.

The board shall annually submit a report with required data to the State Department of Education on the effectiveness of the local mentoring plan. State funds appropriated for the novice teacher mentoring program shall be applied in accordance with law and code.

Special Education

All personnel serving students with disabilities shall be appropriately certified and licensed, where a license is required.

Adopted: October 7, 2002

Revised:

- Legal References: N.J.S.A. 18A6-38 Powers and duties of the board; issuance and revocation of certificate; rules and regulations
- N.J.S.A. 18A:6-39 Issuance of certificates to non-citizens
- N.J.S.A. 18A6-76.1 Deadlines for notification to students of requirements of provisional certificate and induction program; submission of induction program plan to school districts and Department of Education; coordination of mentor training program
- N.J.S.A. 18A:26-1, -2, -8.1, -9 Citizenship of teachers, etc. ...
- N.J.S.A. 18A:26-2.1 et al. Supervisory certificate required for appointment as director of athletics ...
- N.J.S.A. 18A:27-2 Employment without certificate prohibited
- N.J.S.A. 18A:29-1 Uncertified teacher denied salary
- N.J.S.A. 18A:40A-4 Pre-service training of future teachers; teaching certificate requirements
- N.J.A.C. 6:3-1.6 Reporting and staffing of school districts
- N.J.A.C. 6A:9-1.1 et seq. Professional Licensure and Standards
- See particularly:
- N.J.A.C. 6:11-3.2, -3.5, -4, -5, -6.1, -6.2, -8.2, -8.3, -8.4, -8.5, -11.9
- N.J.A.C. 6A:9-3.3, 6A:9-8.4
- N.J.A.C. 6A:14-1.1 et seq. Special Education
- N.J.A.C. 6:30-2.1(a)8 Purpose and program descriptions (Adult education programs)
- N.J.A.C. 6A:24-3.3 *Early childhood education programs*
- N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- Old Bridge Education Association v. Old Bridge Township Bd. of Ed., 1986 S.L.D. 1917 Manual for the Evaluation of Local School Districts (August 2000)

INAPPROPRIATE CONDUCT-
SUPPORT STAFF MEMBERS

3. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following new Policy #4281 Inappropriate Conduct - Support Staff Members on first reading:

**BOARD OF EDUCATION
RUTHERFORD**

**INSTRUCTIONAL AND SUPPORT PERSONNEL
4281/page 1 of 2**

INAPPROPRIATE CONDUCT – SUPPORT STAFF MEMBERS

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all pupils within this school district. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect a pupil's health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to

protect the well-being of all pupils attending the school district.

In support of this Board's strong commitment to the public's trust and confidence of school staff, the Board of Education holds all school staff to the highest level of professional responsibility in their conduct with all pupils. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The Board recognizes and appreciates the staff-pupil professional relationship that exists in a school district's educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward pupils.

School staff's conduct in completing their professional responsibilities shall be appropriate at all times. School staff shall not make inappropriate comments to pupils or about pupils and shall not engage in inappropriate language or expression in the presence of pupils. School staff shall not engage in inappropriate conduct toward or with pupils. School staff shall not engage or seek to be in the presence of a pupil beyond the staff member's professional responsibilities. School staff shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Building Principal/immediate supervisor and the parent/legal guardian.

A school staff member is always expected to maintain a professional relationship with pupils and school staff members shall protect the health, safety and welfare of school pupils. A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.

School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor or Building Principal any possible violations of this Policy. In the event the report alleges conduct by the Building Principal or the immediate supervisor, the school staff member may report directly to the central office administrator. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.1 et seq. and inform the Building Principal or immediate supervisor after making such report. However, notice to the Building Principal or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment.

Reports may be made in writing or with verbal notification. The immediate supervisor or Building Principal will notify the central office administrator of all reports, including anonymous reports. The central office administrator will investigate all reports with a final report to the Superintendent of Schools. The central office administrator upon reviewing an initial report or the Superintendent, upon reviewing the central office administrator investigation report, may take such appropriate action as necessary and as provided for in the law. This may include, but is not limited to, notifying law enforcement, notifying the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.2 et seq., and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members at anytime, upon request.

N.J.S.A. 18A:28-5 et seq.
N.J.A.C. 6A:16-10.1 et seq.

Adopted:

INAPPROPRIATE CONDUCT-
SUPPORT STAFF MEMBERS

4. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following new Policy #R4281 Inappropriate Conduct - Support Staff Members (regulations) on first reading:

**BOARD OF EDUCATION
RUTHERFORD**

**INSTRUCTIONAL AND SUPPORT PERSONNEL
R4281/page 1 of 8**

INAPPROPRIATE CONDUCT – SUPPORT STAFF MEMBERS

Inappropriate conduct by a school staff member will not be tolerated by the Board of Education. The Policy and this Regulation have been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate conduct and conduct unbecoming a school staff member to pupils.

A. Definitions

1. "Building Principal" is the Principal of the building where the staff member is assigned.
2. "Grievance Procedure" is the grievance procedure that provides for prompt and equitable resolution of inappropriate conduct or conduct unbecoming a school staff member.
3. "Hostile Environment Sexual Harassment" is sexual harassing conduct, which can include sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive to limit a pupil's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.
4. The "immediate supervisor" for support staff members may be a Building Principal, a member of the school district's non-instructional supervisory staff and/or the School Business Administrator/Board Secretary.
5. "Inappropriate comments" includes, but is not limited to, comments of a sexual nature, sexually oriented humor or language, inappropriate comments about a pupil's clothing or physical appearance, comments with sexual overtones, comments regarding a pupil's dating partner or comments about the staff member's personal life that are not relevant to the professional responsibility of the school staff member.
6. "Inappropriate conduct" includes, but is not limited to, sexual misconduct, a request by a school staff member to a pupil for a social relationship outside the school staff/pupil relationship, sexually harassing conduct, inappropriate touching by the staff member to a pupil or permitting a pupil to inappropriately touch a staff member, corporal punishment, requesting a pupil to expose private parts of their body, other than for school medical purposes, and a staff member exposing their own private parts of their body to a pupil. Inappropriate conduct also includes physical contact between a staff member and pupil that is beyond the staff member/pupil professional relationship. This contact includes, but is not limited to, kissing, touching or feeling private parts of the body, holding hands or arms, and other contact that typically shows a sign of affection beyond the staff member/pupil professional relationship. "Inappropriate conduct" does not include a hug initiated by a pupil as a sign of the pupil's appreciation to a school staff member at a school sponsored activity such as school banquets, school recognition programs, graduations, etc.
7. "Inappropriate language or expression" includes, but is not limited to, the use of any profanity, obscene language, public lewdness or the use of public lewdness, comments with sexual overtones, distribution and/or discussion of any pornography.
8. "Inappropriate staff conduct" is any conduct prohibited by this Policy and corresponding Regulation including any other conduct deemed by the Commissioner of Education, the State Board of Education, statute, administrative code, and/or the judicial case law to be inappropriate conduct and/or conduct unbecoming a school staff member.
9. "Quid Pro Quo Sexual Harassment" is when a school employee explicitly or implicitly conditions a pupil's participation in an educational program or activity or bases an educational decision on the pupil's submission to unwelcomed sexual advances, requests for sexual favors or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the pupil resists and suffers the threatened harm or submits and thus avoids the threatened harm.
10. "Professional responsibility or responsibilities" is the responsibilities of the staff member including, but not limited to, all school district sponsored extra-curricular activities, co-curricular activities, athletic coaching responsibilities; and other instructional or non-instructional positions and responsibilities appointed and/or assigned by the administration or Board.
11. "Promptly report" is reporting by the end of the next school day. If school is not in session the next day, then by the end of the first day after the weekend or holiday break. If this reporting time would exceed seventy-two hours, the staff member shall notify the central office administrator no later than seventy-two hours after the required reporting time.
12. "Sexual Harassment" is to include quid pro quo sexual harassment and/or hostile environment sexual harassment.
13. "Staff member" or "school staff member" is a compensated and/or uncompensated member of the school district's staff, including any agents and/or representatives of the school district.
14. "Unannounced or uninvited visit" is a pupil visiting, without prior notice to the staff member or without an invitation from the staff member, the staff member's residence and/or other place where the staff member may be when not performing school related professional responsibilities.

B. Reporting Procedure

1. Any staff member who believes, or has reason to believe, a pupil is seeking a relationship with the staff member beyond his/her professional responsibilities must promptly report this information to the Building Principal or immediate supervisor.
2. Any staff member who believes, or has reason to believe, a pupil is seeking a relationship with another staff member beyond the professional responsibilities of the other staff member or believes, or has reason to believe, another staff member is seeking a relationship with a pupil beyond the professional responsibilities of

the other staff member must

promptly report this information to the Building Principal or immediate supervisor.

3. Any staff member who believes he/she had, or may have, engaged in conduct prohibited by this Policy and Regulation must promptly report the conduct to the Building Principal or immediate supervisor.
4. Failure of a staff member to report conduct they know, or had reason to know, is prohibited by this Policy and Regulation and will result in appropriate disciplinary action.
5. Any pupil, parent, legal guardian and/or other person(s) who believes, or has reason to believe, a staff member has engaged in conduct prohibited by this Policy and Regulation shall promptly report the conduct to the central office administrator.
6. Any person, including school staff, may make an anonymous report to the central office administrator if the person in good faith believes, or has reason to believe, a staff member has engaged in conduct prohibited by this Policy and Regulation.
7. School staff having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.1 et seq. and inform the Building Principal or immediate supervisor after making such report.

C. Investigation of Reports

1. An immediate supervisor or Building Principal who receives a report a staff member engaged in, or may have engaged in, conduct prohibited by this Policy and Regulation will immediately notify the central office administrator.
2. The central office administrator will begin a prompt and thorough investigation of every report.
3. The central office administrator or the Superintendent will take such appropriate action as provided for in the law and as necessary at any time after receiving a report. This action may include, but is not limited to, notifying law enforcement, notifying the Division of Youth and Family Services if there is reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 and in accordance with N.J.A.C. 6A:16-10.2 et seq., and/or any other measure provided for in the law.

D. Preliminary Investigation of Reports by Others

1. The central office administrator will begin a prompt, thorough, and impartial investigation. The preliminary investigation will be completed no more than ten working days after the central office administrator received the report.
2. The central office administrator's preliminary investigation may include, but is not limited to, interviews with staff members who may have potential knowledge of the alleged conduct, interviews with any pupils who may have potential knowledge of such conduct, interviews with parent(s)/legal guardian(s) or any other persons who may have potential knowledge of the alleged conduct, and interview(s) with the school staff member(s) and pupil(s) reported to have engaged in conduct prohibited by this Policy and Regulation.
3. The central office administrator will request, if relevant to an investigation, the parent(s)/legal guardian(s) of any pupil involved in the investigation to assist in the investigation to determine if inappropriate staff conduct may have existed.
4. If, based on a preliminary investigation, the central office administrator determines conduct prohibited by this Policy and Regulation did not exist, the central office administrator will meet with the staff member(s) and the parent(s)/legal guardian(s) of the pupil(s) reported to review the results of the central office administrator's preliminary investigation. The preliminary investigation report indicating inappropriate conduct did not exist will be in writing and will be provided to the staff member(s) and to the parent(s)/legal guardian(s) if requested. The central office administrator will maintain a separate file for all such reports and the report will not be included in the staff member's personnel file.
5. If, based on a preliminary investigation, the central office administrator deems inappropriate staff conduct may have occurred, he/she will immediately notify and meet with the staff member(s) and the parent(s)/legal guardian(s) of the pupil(s) indicated in the report to review the procedures to be followed in a continued full investigation. A copy of this Regulation and corresponding Policy will be provided to the staff member(s) and to the parent(s)/legal guardian(s) of the pupil indicated-in the report upon request.

E. Full Investigation

1. The central office administrator, finding that inappropriate staff conduct may have occurred after the preliminary investigation, requires a full investigation. This full investigation may be conducted in cooperation with the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.2 and/or local law enforcement.

2. The central office administrator will conduct the full investigation if the Division of Youth and Family Services and/or local law enforcement does not intervene or if the allegations do not meet the reporting requirements of N.J.A.C. 6A:16-10.2 et seq. for reporting to the Division of Youth and Family Services and/or of N.J.A.C. 6A:16-6.3 for reporting to law enforcement.
3. The full investigation will include, but not be limited to, interviews with the staff member(s), pupils, parent(s)/legal guardian(s) and any other persons who know, or would have reason to know, a staff member may have engaged in inappropriate staff conduct.
4. The central office administrator will accept testimony and evidence from the staff member(s), pupil(s), parent(s)/legal guardian(s) and other persons who may have information relevant to the investigation.
5. All persons that provide information, testimony and evidence to the central office administrator relative to a report will be informed the information, testimony and evidence may be used in additional investigations and/or hearings as determined by the Superintendent of Schools.
6. Upon the conclusion of the interviews and review of the information, testimony and evidence, the central office administrator will prepare a written report to the Superintendent of Schools. The report will provide a summary of the interviews and information, testimony and evidence and, if possible, a finding from the central office administrator.
7. If the central office administrator's full investigation report finds inappropriate staff conduct and/or conduct unbecoming a school staff member did not occur and the Superintendent concurs with the report's findings, the central office administrator will notify and meet with the staff member(s) and the parent(s)/legal guardian(s) of the pupil(s) investigated to review the findings.
8. If the central office administrator's full investigation report finds inappropriate staff conduct and/or conduct unbecoming a school staff member may have occurred and the Superintendent concurs with the report's findings, the Superintendent may take such appropriate action necessary and as provided for in the law. This action may include, but is not be limited to:
 - a. Provide the staff member an opportunity to rebut the findings of the central office administrator full investigation report and findings;
 - b. Recommend to the Board of Education the withholding of the staff member's salary increment/increase for the subsequent school year;
 - c. Not recommend the staff member be re-appointed for the next school year;
 - d. Recommend to the Board of Education the staff member be terminated for inappropriate staff conduct and/or conduct unbecoming a school staff member;
 - e. Institute tenure charges (if applicable) in accordance with N.J.A.C. 6A:3-5 – Charges Under Tenure Employees' Hearing Act; and/or
 - f. Recommend to the Board of Education any other disciplinary measures as the Superintendent of Schools determines to be appropriate under the circumstances and in accordance with any collective bargaining agreements between the employee representative association and the Board of Education.
9. If the Superintendent does not concur with the findings of the central office administrator's full investigation, the Superintendent may continue the investigation, which may include testimony and/or evidence from additional witnesses, a discussion with those who have already provided information to the central office administrator a discussion with the pupil(s) and parent(s)/legal guardian(s) and any activity the Superintendent believes would be helpful to the continued investigation. The results of the continued investigation conducted by the Superintendent will proceed consistent with paragraph 7. and 8. above.
10. Any person who is not satisfied with the Superintendent's determination may appeal to the Board of Education.

Adopted:

INAPPROPRIATE CONDUCT-
TEACHING STAFF MEMBERS

5. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following new Policy #4181 Inappropriate Conduct - Teaching Staff Members on first reading:

**BOARD OF EDUCATION
RUTHERFORD**

**INSTRUCTIONAL AND SUPPORT PERSONNEL
4181/page 1 of 2**

INAPPROPRIATE CONDUCT – TEACHING STAFF MEMBERS

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all pupils within this school district. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect a pupil's health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to protect the well-being of all pupils attending the school district.

In support of this Board's strong commitment to the public's trust and confidence of school staff, the Board of Education holds all school staff to the highest level of professional responsibility in their conduct with all pupils. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The Board recognizes and appreciates the staff-pupil professional relationship that exists in a school district's educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward pupils.

School staff's conduct in completing their professional responsibilities shall be appropriate at all times. School staff shall not make inappropriate comments to pupils or about pupils and shall not engage in inappropriate language or expression in the presence of pupils. School staff shall not engage in inappropriate conduct toward or with pupils. School staff shall not engage or seek to be in the presence of a pupil beyond the staff member's professional responsibilities. School staff shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Building Principal/immediate supervisor and the parent/legal guardian.

A school staff member is always expected to maintain a professional relationship with pupils and protect the health, safety and welfare of school pupils. A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.

School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor or Building Principal any possible violations of this Policy. In the event the report alleges conduct by the Building Principal or the immediate supervisor, the school staff member may report directly to the central office administrator. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.1 et seq. and inform the Building Principal or immediate supervisor after making such report. However, notice to the Building Principal or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment.

Reports may be made in writing or with verbal notification. The immediate supervisor or Building Principal will notify the central office administrator of all reports, including anonymous reports. The central office administrator will investigate all reports with a final report to the Superintendent of Schools. The central office administrator upon reviewing an initial report or the Superintendent, upon reviewing the central office administrator investigation report, may take such appropriate action as necessary and as provided for in the law. This may include, but is not limited to, notifying law enforcement, notifying the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.2 et seq., and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members at anytime, upon request.

N.J.S.A. 18A:28-5 et seq.
N.J.A.C. 6A:16-10.1 et seq.

Adopted:

INAPPROPRIATE CONDUCT-
TEACHING STAFF MEMBERS

6. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following new Policy #R4181 Inappropriate Conduct - Teaching Staff Members (regulations) on first reading:

**BOARD OF EDUCATION
RUTHERFORD**

**INSTRUCTIONAL AND SUPPORT PERSONNEL
R4181/page 1 of 8**

INAPPROPRIATE CONDUCT – TEACHING STAFF MEMBERS

Inappropriate conduct by a school staff member will not be tolerated by the Board of Education. The Policy and this Regulation have been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate conduct and conduct unbecoming a school staff member to pupils.

A Definitions

1. "Building Principal" is the Principal of the building where the staff member is assigned.
2. "Grievance Procedure" is the grievance procedure that provides for prompt and equitable resolution of inappropriate conduct or conduct unbecoming a school staff member.
3. "Hostile Environment Sexual Harassment" is sexual harassing conduct, which can include sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive to limit a pupil's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.
4. The "immediate supervisor" for teaching staff members may be a Building Principal, a member of the school district's non-instructional supervisory staff and/or the School Business Administrator/Board Secretary.
5. "Inappropriate comments" includes, but is not limited to, comments of a sexual nature, sexually oriented humor or language, inappropriate comments about a pupil's clothing or physical appearance, comments with sexual overtones, comments regarding a pupil's dating partner or comments about the staff member's personal life that are not relevant to the professional responsibility of the school staff member.
6. "Inappropriate conduct" includes, but is not limited to, sexual misconduct, a request by a school staff member to a pupil for a social relationship outside the school staff/pupil relationship, sexually harassing conduct, inappropriate touching by the staff member to a pupil or permitting a pupil to inappropriately touch a staff member, corporal punishment, requesting a pupil to expose private parts of their body, other than for school medical purposes, and a staff member exposing their own private parts of their body to a pupil. Inappropriate conduct also includes physical contact between a staff member and pupil that is beyond the staff member/pupil professional relationship. This contact includes, but is not limited to, kissing, touching or feeling private parts of the body, holding hands or arms, and other contact that typically shows a sign of affection beyond the staff member/pupil professional relationship. "Inappropriate conduct" does not include a hug initiated by a pupil as a sign of the pupil's appreciation to a school staff member at a school sponsored activity such as school banquets, school recognition programs, graduations, etc.
7. "Inappropriate language or expression" includes, but is not limited to, the use of any profanity, obscene language, public lewdness or the use of public lewdness, comments with sexual overtones, distribution and/or discussion of any pornography.
8. "Inappropriate staff conduct" is any conduct prohibited by this Policy and corresponding Regulation including any other conduct deemed by the Commissioner of Education, the State Board of Education, statute, administrative code, and/or the judicial case law to be inappropriate conduct and/or conduct unbecoming a school staff member.
9. "Quid Pro Quo Sexual Harassment" is when a school employee explicitly or implicitly conditions a pupil's participation in an educational program or activity or bases an educational decision on the pupil's submission to unwelcomed sexual advances, requests for sexual favors or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the pupil resists and suffers the threatened harm or submits and thus avoids the threatened harm.
10. "Professional responsibility responsibilities" is the responsibilities of the staff member including, but not limited to, all school district sponsored extra-curricular activities, co-curricular activities, athletic coaching responsibilities; and other instructional or non-instructional positions and responsibilities appointed and/or assigned by the administration or Board.
11. "Promptly report" is reporting by the end of the next school day. If school is not in session the next day, then by the end of the first day after the weekend or holiday break. If this reporting time would exceed seventy-two hours, the staff member shall notify the central office administrator no later than seventy-two hours after the required reporting time.
12. "Sexual Harassment" is to include quid pro quo sexual harassment and/or hostile environment sexual harassment.
13. "Staff member" or "school staff member" is a compensated and/or uncompensated member of the school district's staff, including any agents and/or representatives of the school district.
14. "Unannounced or uninvited visit" is a pupil visiting, without prior notice to the staff member or without an invitation from the staff member, the staff member's residence and/or other place where the staff member may be when not performing school related professional responsibilities.

B. Reporting Procedure

1. Any staff member who believes, or has reason to believe, a pupil is seeking a relationship with the staff member beyond his/her professional responsibilities must promptly report this information to the Building Principal or immediate supervisor.
2. Any staff member who believes, or has reason to believe, a pupil is seeking a relationship with another staff member beyond the professional responsibilities of the other staff member or believes, or has reason to believe, another staff member is seeking a relationship with a pupil beyond the professional responsibilities of the other staff member must promptly report this information to the Building Principal or immediate supervisor.

3. Any staff member who believes he/she had, or may have, engaged in conduct prohibited by this Policy and Regulation must promptly report the conduct to the Building Principal or immediate supervisor.
4. Failure of a staff member to report conduct they know, or had reason to know, is prohibited by this Policy and Regulation and will result in appropriate disciplinary action.
5. Any pupil, parent, legal guardian and/or other person(s) who believes, or has reason to believe, a staff member has engaged in conduct prohibited by this Policy and Regulation shall promptly report the conduct to the central office administrator.
6. Any person, including school staff, may make an anonymous report to the central office administrator if the person in good faith believes, or has reason to believe, a staff member has engaged in conduct prohibited by this Policy and Regulation.
7. School staff having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.1 et seq. and inform the Building Principal or immediate supervisor after making such report.

C. Investigation of Reports

1. An immediate supervisor or Building Principal who receives a report a staff member engaged in, or may have engaged in, conduct prohibited by this Policy and Regulation will immediately notify the central office administrator.
2. The central office administrator will begin a prompt and thorough investigation of every report.
3. The central office administrator or the Superintendent will take such appropriate action as provided for in the law and as necessary at any time after receiving a report. This action may include, but is not limited to, notifying law enforcement, notifying the Division of Youth and Family Services if there is reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 and in accordance with N.J.A.C. 6A:16-10.2 et seq., and/or any other measure provided for in the law.

D. Preliminary Investigation of Reports by Others

1. The central office administrator will begin a prompt, thorough, and impartial investigation. The preliminary investigation will be completed no more than ten working days after the central office administrator received the report.
2. The central office administrator's preliminary investigation may include, but is not limited to, interviews with staff members who may have potential knowledge of the alleged conduct, interviews with any pupils who may have potential knowledge of such conduct, interviews with parent(s)/legal guardian(s) or any other persons who may have potential knowledge of the alleged conduct, and interview(s) with the school staff member(s) and pupil(s) reported to have engaged in conduct prohibited by this Policy and Regulation.
3. The central office administrator will request, if relevant to an investigation, the parent(s)/legal guardian(s) of any pupil involved in the investigation to assist in the investigation to determine if inappropriate staff conduct may have existed.
4. If, based on a preliminary investigation, the central office administrator determines conduct prohibited by this Policy and Regulation did not exist, the central office administrator will meet with the staff member(s) and the parent(s)/legal guardian(s) of the pupil(s) reported to review the results of the central office administrator's preliminary investigation. The preliminary investigation report indicating inappropriate conduct did not exist will be in writing and will be provided to the staff member(s) and to the parent(s)/legal guardian(s) if requested. The central office administrator will maintain a separate file for all such reports and the report will not be included in the staff member's personnel file.
5. If, based on a preliminary investigation, the central office administrator deems inappropriate staff conduct may have occurred, he/she will immediately notify and meet with the staff member(s) and the parent(s)/legal guardian(s) of the pupil(s) indicated in the report to review the procedures to be followed in a continued full investigation. A copy of this Regulation and corresponding Policy will be provided to the staff member(s) and to the parent(s)/legal guardian(s) of the pupil indicated in the report upon request.

E. Full Investigation

1. The central office administrator, finding that inappropriate staff conduct may have occurred after the preliminary investigation, requires a full investigation. This full investigation may be conducted in cooperation with the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-10.2 and/or local law enforcement.
2. The central office administrator will conduct the full investigation if the Division of Youth and Family Services and/or local law enforcement does not intervene or if the allegations do not meet the reporting requirements of

- N.J.A.C. 6A:16-10.2 et seq. for reporting to the Division of Youth and Family Services and/or of N.J.A.C. 6A:16-6.3 for reporting to law enforcement.
3. The full investigation will include, but not be limited to, interviews with the staff member(s), pupils, parent(s)/legal guardian(s) and any other persons who know, or would have reason to know, a staff member may have engaged in inappropriate staff conduct.
 4. The central office administrator will accept testimony and evidence from the staff member(s), pupil(s), parent(s)/legal guardian(s) and other persons who may have information relevant to the investigation.
 5. All persons that provide information, testimony and evidence to the central office administrator relative to a report will be informed the information, testimony and evidence may be used in additional investigations and/or hearings as determined by the Superintendent of Schools.
 6. Upon the conclusion of the interviews and review of the information, testimony and evidence, the central office administrator will prepare a written report to the Superintendent of Schools. The report will provide a summary of the interviews and information, testimony and evidence and, if possible, a finding from the central office administrator.
 7. If the central office administrator's full investigation report finds inappropriate staff conduct and/or conduct unbecoming a school staff member did not occur and the Superintendent concurs with the report's findings, the central office administrator will notify and meet with the staff member(s) and the parent(s)/legal guardian(s) of the pupil(s) investigated to review the findings.
 8. If the central office administrator's full investigation report finds inappropriate staff conduct and/or conduct unbecoming a school staff member may have occurred and the Superintendent concurs with the report's findings, the Superintendent may take such appropriate action necessary and as provided for in the law. This action may include, but is not be limited to:
 - a. Provide the staff member an opportunity to rebut the findings of the central office administrator's full investigation report and findings;
 - b. Recommend to the Board of Education the withholding of the staff member's salary increment/increase for the subsequent school year;
 - c. Not recommend the staff member be re-appointed for the next school year;
 - d. Recommend to the Board of Education the staff member be terminated for inappropriate staff conduct and/or conduct unbecoming a school staff member;
 - e. Institute tenure charges (if applicable) in accordance with N.J.A.C. 6A:3-5 – Charges Under Tenure Employees' Hearing Act; and/or
 - f. Recommend to the Board of Education any other disciplinary measures as the Superintendent of Schools determines to be appropriate under the circumstances and in accordance with any collective bargaining agreements between the employee representative association and the Board of Education.
 9. If the Superintendent does not concur with the findings of the central office administrator's full investigation, the Superintendent may continue the investigation, which may include testimony and/or evidence from additional witnesses, a discussion with those who have already provided information to the central office administrator, a discussion with the pupil(s) and parent(s)/legal guardian(s) and any activity the Superintendent believes would be helpful to the continued investigation. The results of the continued investigation conducted by the Superintendent will proceed consistent with paragraph 7. and 8. above.
 10. Any person who is not satisfied with the Superintendent's determination may appeal to the Board of Education.

Adopted:

MILITARY LEAVE

7. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following new Policy #4170 Military Leave on first reading:

**BOARD OF EDUCATION
RUTHERFORD**

**INSTRUCTIONAL AND SUPPORT PERSONNEL
4170/page 1 of 2**

MILITARY LEAVE

The Board of Education recognizes that military service rendered by any district employee in the defense of the country or in maintaining preparedness for conflict, foreign or domestic, is a service benefiting all citizens. Any permanent or full-time officer and/or employee of the district will be provided military leave and related benefits pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq., P.L. 2001 Chapter 351 amending N.J.S.A. 38:23-1, N.J.S.A. 38A:1-1 and N.J.S.A. 38A:4-4., and any other applicable Federal and State laws.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized militia of New Jersey (New Jersey National Guard, New Jersey Naval Militia Joint Command) shall be entitled, in addition to pay received, if any, to a leave of absence without loss of pay or time on all days in which he/she is engaged in any period of State or Federal active duty. The leave of absence for Federal active duty or active duty for training shall not exceed ninety work days in the

aggregate in any calendar year. A permanent or full-time temporary officer or employee who has served less than one year in the district shall receive this leave without pay, but without loss of time. This paid leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of ninety workdays shall be without pay, but without loss of time.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, or other organization affiliated therewith, including the National Guard of other states, shall be entitled, in addition to pay received, if any, to a leave of absence without loss of pay or time on all work days he/she shall be engaged in any period of active duty, provided such leave of absence shall not exceed thirty work days in any calendar year. A permanent or full-time temporary officer or employee who has served less than one year in the district shall receive this leave without pay, but without loss of time. This paid leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of thirty workdays shall be without pay, but without loss of time.

Military leave with pay is not authorized for Inactive Duty Training (IDT) as defined in N.J.A.C. 5A:2-2.1.

The district will provide benefits and rights for staff on military leave as required by Federal and State laws.

Pursuant to N.J.S.A. 52:13H-2.1, in accordance with the provisions of Article VIII, Section II, paragraph 5 of the New Jersey Constitution, upon application by the district to the State Treasury and approval of the application by the Director of the Division of Budget and Accounting, reimbursement shall be made by the State of New Jersey for any costs incurred as a result of the provisions of P.L. 2001, Chapter 351.

N.J.S.A. 18A:6-33; 18A:28-11.1; 18A:29-11; 18A:66-8.1
N.J.S.A. 38:23-1 et seq.; 38A:1-1; 38A:4—4; 52:13H-2.1;
N.J.A.C. 5A:2-2.1
Uniformed Services Employment and reemployment Rights Act
(USERRA), 38 U.S.C. Section 4301 et seq.

Adopted:

MILITARY LEAVE

8. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following new Policy #4270 Military Leave

**BOARD OF EDUCATION
RUTHERFORD**

**INSTRUCTIONAL AND SUPPORT PERSONNEL
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MILITARY LEAVE

The Board of Education recognizes that military service rendered by any district employee in the defense of the country or in maintaining preparedness for conflict, foreign or domestic, is a service benefiting all citizens. Any permanent or full-time officer and/or employee of the district will be provided military leave and related benefits pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq., P.L. 2001 Chapter 351 amending N.J.S.A. 38:23-1, N.J.S.A. 38A:1-1 and N.J.S.A. 38A:4-4., and any other applicable Federal and State laws.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized militia of New Jersey (New Jersey National Guard, New Jersey Naval Militia Joint Command) shall be entitled, in addition to pay received, if any, to a leave of absence without loss of pay or time on all days in which he/she is engaged in any period of State or Federal active duty. The leave of absence for Federal active duty or active duty for training shall not exceed ninety work days in the aggregate in any calendar year. A permanent or full-time temporary officer or employee who has served less than one year in the district shall receive this leave without pay, but without loss of time. This paid leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of ninety workdays shall be without pay, but without loss of time.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, or other organization affiliated therewith, including the National Guard of other states, shall be entitled, in addition to pay received, if any, to a leave of absence without loss of pay or time on all work days he/she shall be engaged in any period of active duty, provided such leave of absence shall not exceed thirty work days in any calendar year. A permanent or full-time temporary officer or employee who has served less than one year in the district shall receive this leave without pay, but without

WASHINGTON SCHOOL 4. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following change order for the construction project at Washington School.

Change Order #A-W-32 J. Pisa, Inc. \$3,680.00
Reason: Install asphalt retaining wall.

Change Order #E-W-46 Anderson Riley Co., Inc. \$994.86
Reason: Install SF-1 Feed

Change Order #E-W-55 Anderson Riley Co., Inc. \$458.00
Reason: Provide 120 volt feeds to DWH and pump per RFI #331.

Change Order #E-W-65 Anderson Riley Co., Inc. \$1,308.00
Reason: Labor to install water flow bell.

Change Order #E-W-67 Anderson Riley Co., Inc. \$1,405.00
Reason: Labor for DC power shutdown.

Change Order #E-W-71 Anderson Riley Co., Inc. \$104.99
Reason: Add GFI elevator machine room outlets.

CHANGE ORDER
LINCOLN SCHOOL

5. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following change orders for the construction project at Lincoln School.

Change Order #E-L-64 Anderson Riley Co., Inc. \$1,817.00
Reason: Install water flow bell.

Change Order #E-L-66 Anderson Riley Co., Inc. \$1,502.00
Reason: Labor for DC power shutdown.

Change Order #E-L-69 Anderson Riley Co., Inc. \$3,776.00
Reason: Electrical receptacles for office area.

Change Order #E-L-70 Anderson Riley Co., Inc. \$104.99
Reason: Install GFI elevator machine room outlets.

CHANGE ORDER
HIGH SCHOOL

6. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following change order for the construction project at Rutherford High School.

Change Order #05D DeSesa Engineering Co., Inc. \$975.00
Reason: Trace shut off valves for UV to be demolished. Demo of band room baseboard piping, UV and shelving, cap piping.

Change Order #06D DeSesa Engineering Co., Inc. \$3,896.37
Reason: Guidance area AHU#6 sound attenuation Package

OLD BUSINESS: (No action to be Taken)

Mrs. Jones reported on her attendance at a meeting regarding the ENCAP program.

MEETING OPEN TO THE PUBLIC: 8:52 P.M. No comments made.

EXECUTIVE SESSION:

Motion by Mr. Casadonte, seconded by Mrs. Williams that an Executive Session be held at 8:55 P.M. for the purpose of discussing legal business. Action may or may not be taken. The Board expects to return within 30 minutes.

Approved.

The Board returned at 9:37 P.M.

(Action to be Taken)

BUILDINGS AND GROUNDS:

BID ACKNOWLEDGEMENT

1A. Motion by Mr. Casadonte, seconded by Mrs. Williams that the Board of Education acknowledge receipt of the bids per attachment for Additions and Renovations to Union School.

Approved.

AWARD OF BID

GEN. CONTR. SVCS.

2A. Resolution by Mr. Casadonte, seconded by Mrs. Williams.

WHEREAS, the Rutherford Board of Education received bid proposals for General Contracting Services for additions and renovations at Union School On October 4, 2005 at 2:00 P.M. in the office of the School Business Administrator, and WHEREAS said proposals have been tabulated and the lowest responsible bidder determined; NOW THEREFORE BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION that award be made as follows:

Brockwell & Carrington Contractors, Inc., 40 Galesi Drive, Wayne, NJ 07470

\$3,465,000

Roll Call Vote:

Mrs. Ahmed – aye	Mr. Jasko – aye	Mrs. Monahan – aye
Mr. Casadonte – aye	Mrs. Jones – aye	Mr. Novosielski – absent
Mrs. Cevalasco – aye	Mr. McLean – aye	Mrs. Williams – aye

AWARD OF BID

STRUCTURAL STEEL WORK

3A. Resolution by Mr. Casadonte, seconded by Mrs. Williams.

WHEREAS, the Rutherford Board of Education received bid proposals for Structural Steel Work for additions and renovations at Union School on October 4, 2005 at 2:00 P.M. in the office of the School Business Administrator, and WHEREAS said proposals have been tabulated and the lowest responsible bidder determined; NOW THEREFORE BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION that award be made as follows:

B&B Ironworks, Inc., 300 Coit Street, Irvington, NJ 07111

\$349,400

Roll Call Vote:

Mrs. Ahmed – aye	Mr. Jasko – aye	Mrs. Monahan – aye
Mr. Casadonte – aye	Mrs. Jones – aye	Mr. Novosielski – absent
Mrs. Cevalasco – aye	Mr. McLean – aye	Mrs. Williams – aye

AWARD OF BID

PLUMBING WORK

4A. Resolution by Mr. Casadonte, seconded by Mrs. Williams.

WHEREAS, the Rutherford Board of Education received bid proposals for Plumbing Work for additions and renovations at Union School on October 4, 2005 at 2:00 P.M. in the office of the School Business Administrator, and WHEREAS said proposals have been tabulated and the lowest responsible bidder determined; NOW THEREFORE BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION that award be made as follows:

Aero Plumbing & Heating, Inc., P.O. Box 51, Vienna, NJ 07880

\$391,190

Roll Call Vote:

Mrs. Ahmed – aye	Mr. Jasko – aye	Mrs. Monahan – aye
Mr. Casadonte – aye	Mrs. Jones – aye	Mr. Novosielski – absent
Mrs. Cevalasco – aye	Mr. McLean – aye	Mrs. Williams – aye

AWARD OF BID

MECHANICAL WORK

5A. Resolution by Mr. Casadonte, seconded by Mrs. Williams.

WHEREAS, the Rutherford Board of Education received bid proposals for Mechanical Work for additions and renovations at Union School on October 4, 2005 at 2:00 P.M. in the office of the School Business Administrator, and WHEREAS said proposals have been tabulated and the lowest responsible bidder determined; NOW THEREFORE BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION that award be made as follows:

Envirocon. LLC. 490 Schoolev's Mountain Road. Hackettstown. NJ 07840

\$577,000.00

Roll Call Vote:

Mrs. Ahmed – aye	Mr. Jasko – aye	Mrs. Monahan – aye
Mr. Casadonte – aye	Mrs. Jones – aye	Mr. Novosielski – absent
Mrs. Cevalco – aye	Mr. McLean – aye	Mrs. Williams – aye

AWARD OF BID
ELECTRICAL WORK

6A. Resolution by Mr. Casadonte, seconded by Mrs. Williams.

WHEREAS, the Rutherford Board of Education received bid proposals for Electrical Work for additions and renovations at Union School on October 4, 2005 at 2:00 P.M. in the office of the School Business Administrator, and WHEREAS said proposals have been tabulated and the lowest responsible bidder determined;

NOW THEREFORE BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION that award be made as follows:

Scout Electric, Inc., 18 Fox Run, Denville, NJ 07834

\$601,600

Roll Call Vote:

Mrs. Ahmed – aye	Mr. Jasko – aye	Mrs. Monahan – aye
Mr. Casadonte – aye	Mrs. Jones – aye	Mr. Novosielski – absent
Mrs. Cevalco – aye	Mr. McLean – aye	Mrs. Williams – aye

ADJOURNMENT:

Motion by Mrs. Williams, seconded by Mrs. Jones that the meeting be adjourned at 9:41 P.M.

Approved.