

# RUTHERFORD BOARD OF EDUCATION

## REGULAR MEETING

APRIL 4, 2016

### AGENDA

MEETING CALL TO ORDER AT 7:30 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

#### **N.J. OPEN PUBLIC MEETINGS LAW**

The New Jersey Open Public Meetings Act 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 posted on the bulletin board outside the Borough Clerk's Office, mailed to the *Herald*, *South Bergenite*, and the *Record* newspapers, and filed with the Borough Clerk. Hard copies of the agenda are available in the meeting room and the agenda is posted electronically on the district's website at [www.rutherfordschools.org](http://www.rutherfordschools.org).

#### **TAPING AND BROADCASTING OF MEETINGS**

Regular meetings of the Rutherford Board of Education will be broadcast without editing during a two-hour segment, as limited by Comcast's time constraints, on Tuesday evenings at 8:00 p.m. on the Comcast public access channel and on FiOS Channel 38. . A video of the meeting can also be viewed on our website, [www.rutherfordschools.org](http://www.rutherfordschools.org). The video link can be found by opening the Board of Education link and clicking on "Public Meetings" and then "Videos". Any member of the public who wishes to view a DVD of the meeting can make that request in writing to the board secretary.

#### **MINUTES APPROVAL**

**Regular Meeting – March 21, 2016**  
**Executive Session – March 21, 2016**

#### **SPECIAL PRESENTATION:**

**Retiring Board Member – Mr. Gary Novosielski**

**Lincoln School – Physical Education – Mr. Potor**

**Before and After Care Presentations:**

**YMCA**

**Family Balance Concepts**

**REPORT OF THE SUPERINTENDENT:**

**REPORT OF THE PRESIDENT:**

**MEETING OPEN TO THE PUBLIC: (Agenda Items Only)**

**NEW BUSINESS (Action to be Taken)**

**PERSONNEL:**

Motion by M\_\_\_\_\_, seconded by M\_\_\_\_\_ to move the following resignations, retirements, salary adjustments, reassignments, appointments, etc., as recommended by the Superintendent of Schools, pending approval from the State Department of Education, subject to the New Jersey Criminal Background Check and other legal requirements.

Vote \_\_\_\_\_.

CAROLYNN GRIFFITHS

1. Resolution by M\_\_\_\_\_, seconded by M\_\_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to accept the retirement of Carolynn Griffiths, teacher assistant at Union School, with regret effective October 1, 2016.

On roll call all members present voted \_\_\_\_\_.

HIGH SCHOOL CLUBS

2. Resolution by M\_\_\_\_\_, seconded by M\_\_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the creation of the High School Graduation Coordinator for the 2015-2016 school year using funds from the Yearbook Business Advisor stipend.

On roll call all members present voted \_\_\_\_\_.

H.S. CO-CURRICULAR

3. Resolution by M\_\_\_\_\_, seconded by M\_\_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following high school co-curricular assignment for the 2015-2016 school year:

Approve:

David Frazier – High School Graduation Coordinator - \$1163.00

On roll call all members present voted \_\_\_\_\_.

NURHAN LISA BOTAS

4. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the unpaid leave under the Family Leave Act for Nurhan Lisa Botas effective March 24, 2016 through April 8, 2016.

On roll call all members present voted \_\_\_\_.

TRAVEL REIMBURSEMENTS

5. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following travel reimbursements for the 2015-2016 school year:

<u>Name</u>	<u>Position</u>	<u>Name of Activity</u>	<u>Dates</u>	<u>Fee</u>	<u>Trans.</u>	<u>Meals</u>	<u>Lodgings</u>	<u>Other</u>
Joseph Kelly	Admin.	NJASBO Conf.	06/8-10/16	\$150	\$95	none	\$285	none

On roll call all members present voted \_\_\_\_.

**CURRICULUM AND INSTRUCTION:**

HOME INSTRUCTION

1. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve home instruction for the following student (name on file in the Office of the Superintendent):

Student #13659 – effective March 29, 2016

On roll call all members present voted \_\_\_\_.

OUT-OF-DISTRICT  
PLACEMENTS

2. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the attached list of contracts for tuition and other services provided for out-of-district placements for the 2015-2016 school year.

On roll call all members present voted \_\_\_\_.

HARASSMENT/INTIMIDATION  
BULLYING DECISION

3. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to affirm the Superintendent's decision in HIB investigation #2015-14, for the reasons set forth in the Superintendent's decision to the students' parents, and directs the Business Administrator/Board Secretary to transmit a copy of the Board's decision to the affected students' parents.

On roll call all members present voted \_\_\_\_.

HARASSMENT/INTIMIDATION  
BULLYING DECISION

4. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to affirm the Superintendent's decision in HIB investigation #2015-15, for the reasons set forth in the Superintendent's decision to the students' parents, and directs the Business Administrator/Board Secretary to transmit a copy of the Board's decision to the affected students' parents.

On roll call all members present voted \_\_\_\_.

HARASSMENT/INTIMIDATION  
BULLYING DECISION

5. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to affirm the Superintendent's decision in HIB investigation #2015-16, for the reasons set forth in the Superintendent's decision to the students' parents, and directs the Business Administrator/Board Secretary to transmit a copy of the Board's decision to the affected students' parents.

On roll call all members present voted \_\_\_\_.

HARASSMENT/INTIMIDATION  
BULLYING DECISION

6. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to affirm the Superintendent's decision in HIB investigation #2015-17, for the reasons set forth in the Superintendent's decision to the students' parents, and directs the Business Administrator/Board Secretary to transmit a copy of the Board's decision to the affected students' parents.

On roll call all members present voted \_\_\_\_.

JOB DESCRIPTION

7. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the attached revised job description for Athletic Director/Supervisor of Physical Education and Health #1-150.

On roll call all members present voted \_\_\_\_.

JOB DESCRIPTION

8. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the attached new job description for Behaviorist/School Psychologist 1-290.1.

On roll call all members present voted \_\_\_\_.

JOB DESCRIPTION

9. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the attached revised job description for Guidance Director #1-230.

On roll call all members present voted \_\_\_\_.

JOB DESCRIPTION

10. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the attached new job description for Special Education Teacher/ABA Preschool #1-360.5.

JOB DESCRIPTION

11. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the attached new job description for Special Education Teacher/Multiple Disabilities program #1.360.6.

On roll call all members present voted \_\_\_\_.

JOB DESCRIPTION

12. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the attached new job description for Supervisor of Elementary Education #1-180.8.

On roll call all members present voted \_\_\_\_.

JOB DESCRIPTION

13. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the attached revised job description for Supervisor of Language Arts Literacy Fine, Practical and Performing Arts #1.180.4

On roll call all members present voted \_\_\_\_.

JOB DESCRIPTION

14. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the attached revised job description for Supervisor of Social Studies and World Languages #1-180.5.

On roll call all members present voted \_\_\_\_.

CURRICULUM GUIDES

15. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following new/revised curriculum guides:

**A. Computer Technology/Business Education**

Coding 201 – Elective Grades 7 & 8

Introduction to Desktop Publishing – Elective Grades 7 & 8

**B. English Language Arts**

Library Media Studies – Grades 7 & 8

**C. Fine, Practical, and Performing Arts**

Band and Choir Combined – Elective Grades 7 & 8

Concert Band – Elective Grades 7 & 8

Concert Choir – Elective Grades 7 & 8

Drama Comprehensive – Elective Grades 7 & 8

Drawing and Design – Elective Grades 7 & 8

Studio Art – Elective Grades 7 & 8

Three-Dimensional Design – Elective Grades 7 & 8

**D. Health and Physical Education**

Health Education – Grade 7

Health Education – Grade 8

**E. Social Studies**

Social Studies – Grade 6 Ancient Civilizations

**F. STEM**

Amusement Parks and Bridges – Elective Grades 7 & 8

Architecture – Elective Grades 7 & 8

Brain Games and Puzzles – Elective Grades 7 & 8

Discover, Dissect, and Delve into Science – Elective Grades 7 & 8

Myth Busters – Elective Grades 7 & 8

On roll call all members present voted \_\_\_\_.

**FINANCE:**

**APPROVAL OF BILLS**

1. Resolution by M\_\_\_\_\_, seconded by M\_\_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION that the bills listed below be approved.

Accounts Payable	65,701.49
Offline Checks	411,582.55
Food Service Checks	218.75
Payroll	1,272,135.37
Student Activities	<u>16,877.26</u>
Total	1,766,515.52

On roll call all members present voted \_\_\_\_.

**DONATION**

2. Resolution by M\_\_\_\_\_, seconded by M\_\_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to accept, with gratitude, the grant in the amount of \$1,000 from the Aerojet

Rocketdyne Foundation of Carlstadt, NJ, in support of the district's Bulldogs VEX IQ Robotics Program.

On roll call all members present voted \_\_\_\_.

## **POLICY**

### NONDISCRIMINATION/ AFFIRMATIVE ACTION

1. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following revisions to Policy #2224 Nondiscrimination/Affirmative Action on first reading. (See attached.)

On roll call all members present voted \_\_\_\_.

### NONDISCRIMINATION/ AFFIRMATIVE ACTION

2. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following revisions to Policy #4111.1 Nondiscrimination/Affirmative Action on first reading. (See attached.)

On roll call all members present voted \_\_\_\_.

### NONDISCRIMINATION/ AFFIRMATIVE ACTION

3. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following revisions to Policy #4211.1 Nondiscrimination/Affirmative Action on first reading. (See attached.)

On roll call all members present voted \_\_\_\_

### ATTENDANCE

4. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following revisions to Policy #4151.2 Attendance on first reading. (See attached.)

On roll call all members present voted \_\_\_\_.

### PHOTOGRAPHS OF PUPILS

5. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following revisions to Policy #5145.5 Photographs of Pupils on first reading. (See attached.)

On roll call all members present voted \_\_\_\_.

### GENDER IDENTITY AND EXPRESSION

6. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following new Policy #5145.7 Gender Identity and Expression on first reading. (See attached.)

On roll call all members present voted \_\_\_\_.

VOTING METHOD

7. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following revision to Policy #9325-4 Voting Method on first reading. (See attached.)

On roll call all members present voted \_\_\_\_.

SCHOOL CLEARING

FOLLOWING CRISIS SITUATION

8. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION To approve the following new regulation #R6114 School Clearing Following Crisis Situation on first reading. (See attached.)

On roll call all members present voted \_\_\_\_.

ELECTRONIC HOMEWORK

POSTING GUIDELINES

9. Resolution by M \_\_\_\_, seconded by M \_\_\_\_.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following revisions to Regulation #R6154 Electronic Homework Posting Guidelines on first reading. (See attached.)

On roll call all members present voted \_\_\_\_.

**BUILDINGS AND GROUNDS:**

**OLD BUSINESS:**

**LEGISLATIVE UPDATE**

**MEETING OPEN TO THE PUBLIC: (Any Topic)**

**EXECUTIVE SESSION:**

Motion by M \_\_\_\_, seconded by M \_\_\_\_ that an Executive Session be held at \_\_\_\_ P.M. for the purpose of discussing \_\_\_\_\_. Action may or may not be taken. The Board expects to return within \_\_\_\_ minutes.

Vote \_\_\_\_\_

The Board returned at \_\_\_\_ P.M.

**ADJOURNMENT:**

Motion by M \_\_\_\_, seconded by M \_\_\_\_ that the meeting be adjourned at \_\_\_\_ P.M.



Vote\_\_\_\_\_

# Job Descriptions for Agenda

## **job description**

BOARD OF EDUCATION  
Rutherford

Locator: 1-180.5/Page **1** of **2**

Position: Supervisor of Social Studies and World Languages

Responsible to: Superintendent of Schools/High School Principal

### **Qualifications:**

1. Valid New Jersey Supervisor and teaching certificate in subject
2. Minimum three years teaching experience
3. Demonstrated leadership in program development and curriculum integration and application of technology across the curriculum
4. Ability to plan, organize and administer a professional development program
5. Required criminal history background check and proof of U.S. citizenship or legal resident alien status.

Terms of Employment: Salary and work year as per negotiated contract.

Goal: To provide leadership in the development, implementation and coordination of the district's K-12 Social Studies and World Languages curriculum.

### **Duties and Responsibilities:**

1. Works with principals and teachers in developing the Social Studies and World Languages curriculum, and assists in the formulation of a philosophy and objectives for the instructional plan.
2. Studies, evaluates, and, as appropriate, recommends to the superintendent the adoption of new instructional materials, method and programs.
3. Provides leadership in the development of the K-12 Social Studies and World Languages instructional program and achievement of state core curriculum standards and district goals and objectives.
4. Assists in the implementation of the district's in-service education program for the instructional staff and recommends teacher attendance at conferences participation in other professional growth activities.
5. Participates in the work of state and national curriculum study organizations and groups.
6. Recommends to the superintendent the addition of new courses, grade placement and credit allowance, and graduation requirements.
7. Schedules and organizes grade level and departmental meetings in order to effect horizontal and vertical continuity and articulation of the instructional program of the schools.
8. Maintains a curriculum reference library for the use of the staff and collaborates with principals and teachers to develop a common file of community resources to enhance the instructional program.

## job description

BOARD OF EDUCATION  
Rutherford

Locator: 1-180.5/Page 2 of 2

9. Secures and makes available to the staff samples of various instructional materials, textbooks and curriculum guides.
10. Coordinates the selection of textbooks and instructional materials throughout the district through the use of faculty committees and recommends those selected to the superintendent for adoption by the board of education.
11. Keeps abreast of and interprets to the staff the current research in the area of curriculum development, teaching and learning.
12. Cooperates with the special services department in planning the instructional program for the special education classes.
13. Meets on a regular basis with other supervisors, special area and guidance directors for the purpose of maintaining ongoing supervision of the coordination and implementation of the district curriculum.
14. Conducts classroom observations and provides supervision/evaluation of teachers and non-certificated staff as requested by building principals or central office administrative staff.
15. Discusses lesson plans of each teacher in the department with him/her periodically and, when necessary, assists him/her in the preparation and evaluation of lesson plans.
16. Advises teachers within the department on classroom climate management.
17. Cooperates and assists in the assignment of senior student teachers, interns and junior practicum students.
18. Advises and assists substitutes.
19. Distributes general and special supplies to members of the department, as requested.
20. Circulates current information on materials and equipment available to the department and keeps teachers informed of meetings and conferences, etc., for self-improvement.
21. Keeps an inventory and databases of all departmental materials and sees to it that they are properly cared for.
22. Assists in the development and coordination of the sections of the budget that pertain to Social Studies, and World Languages curriculum and instruction.
23. Assists in the recruitment, screening, hiring, training, and assigning of instructional personnel.
24. Assumes responsibility for reviewing and evaluating results of district-wide testing programs, and for other evaluative measures used by the schools.
25. Performs other duties as may be assigned by the superintendent.

Evaluation: Performance of this job will be evaluated annually in accordance with state laws and the provisions of the board's policy on evaluation of certified personnel.

Adopted: August 11, 2003

Revised:

## **job description**

BOARD OF EDUCATION  
Rutherford

Locator: 1-180.4/Page **1** of **2**

Position: Supervisor of Language Arts Literacy/Fine Practical and Performing Arts

Responsible to: Superintendent of Schools/High School Principal

### **Qualifications:**

1. Valid New Jersey Supervisor and teaching certificate in subject
2. Minimum three years teaching experience
3. Demonstrated leadership in program development and curriculum integration and application of technology across the curriculum
4. Ability to plan, organize and administer a professional development program
5. Required criminal history background check and proof of U.S. citizenship or legal resident alien status.

Terms of Employment: Salary and work year as per negotiated contract.

Goal: To provide leadership in the development, implementation and coordination of the district's K-12 Language Arts Literacy and FPPA curriculum.

### **Duties and Responsibilities:**

1. Works with principals and teachers in developing the Language Arts Literacy and FPPA curriculum, and assists in the formulation of a philosophy and objectives for the instructional plan.
2. Studies, evaluates, and, as appropriate, recommends to the superintendent the adoption of new instructional materials, method and programs.
3. Provides leadership in the development of the K-12 Language Arts Literacy and FPPA instructional programs and achievement of core curriculum standards and district goals and objectives.
4. Assists in the implementation of the district's in-service education program for the instructional staff and recommends teacher attendance at conferences participation in other professional growth activities.
5. Participates in the work of state and national curriculum study organizations and groups.
6. Recommends to the superintendent the addition of new courses, grade placement and credit allowance, and graduation requirements.
7. Schedules and organizes grade level and departmental meetings in order to effect horizontal and vertical continuity and articulation of the instructional program of the schools.
8. Maintains a curriculum reference library for the use of the staff and collaborates with principals and teachers to develop a common file of community resources to enhance the instructional program.

## **job description**

BOARD OF EDUCATION

Rutherford

Locator: 1-180.4/Page 2 of 2

9. Secures and makes available to the staff samples of various instructional materials, textbooks and curriculum guides.
10. Coordinates the selection of textbooks and instructional materials throughout the district through the use of faculty committees and recommends those selected to the superintendent for adoption by the board of education.
11. Keeps abreast of and interprets to the staff the current research in the area of curriculum development, teaching and learning.
12. Cooperates with the special services department in planning the instructional program for the special education classes.
13. Meets on a regular basis with other supervisors, special area and guidance directors for the purpose of maintaining ongoing supervision of the coordination and implementation of the district curriculum.
14. Conducts classroom observations and provides supervision/evaluation of teachers and non-certificated staff as requested by building principals or central office administrative staff.
15. Discusses lesson plans of each teacher in the department with him/her periodically and, when necessary, assists him/her in the preparation and evaluation of lesson plans.
16. Advises teachers within the department on classroom climate management.
17. Cooperates and assists in the assignment of senior student teachers, interns and junior practicum students.
18. Advises and assists substitutes.
19. Distributes general and special supplies to members of the department, as requested.
20. Circulates current information on materials and equipment available to the department and keeps teachers informed of meetings and conferences, etc., for self-improvement.
21. Keeps an inventory of all departmental materials and sees to it that they are properly cared for.
22. Assists in the development and coordination of the sections of the budget that pertain to Language Arts Literacy and FPPA curriculum and instruction.
23. Assists in the recruitment, screening, hiring, training, and assigning of instructional personnel.
24. Assumes responsibility for reviewing and evaluating results of district-wide testing programs, and for other evaluative measures used by the schools.
25. Performs other duties as may be assigned by the superintendent.

Evaluation: Performance of this job will be evaluated annually in accordance with state laws and the provisions of the board's policy on evaluation of certified personnel.

Adopted: August 11, 2003

Revised:

## job description

BOARD OF EDUCATION  
RUTHERFORD

LOCATOR 1-180.8  
Page 1 of 2

Position: Supervisor of Elementary Education

Responsible to: Principal/Superintendent

### Qualifications:

1. Valid New Jersey Supervisor Certificate.
2. Minimum five years' experience as a preschool and/or elementary teacher.
3. Demonstrated leadership capability in the areas of elementary curriculum, elementary instruction, and special education.
4. Demonstrated skill with differentiation of instruction at the preschool and elementary levels.
5. Knowledge of special education procedures at the preschool and elementary levels.
6. Strong interpersonal and communication skills.
7. Required criminal history background check and proof of U.S. citizenship or legal resident alien status.

Terms of Employment: 10 month as per RSA contract

Goal: To provide leadership and oversight for the Pre-Kindergarten, Kindergarten Center and K - 6 elementary programs and pre-kindergarten through grade 3 special education programs.

### Duties and Responsibilities:

1. Assists the principal in duties related to instruction, supervision, evaluation and the overall administration of the Kindergarten Center.
2. Assists with requisitions, supplies, texts and equipment, conducts inventories, maintains records and reviews receipts and purchase orders for such materials.
3. Supervises programs and services offered to students with disabilities at the preschool to grade three levels.
4. Supervises programs and services offered to students in grades PK - 6.
5. Assists in planning and conducting of safety inspections, safety/crisis drills, and practice activities.
6. Supervises the reporting and monitoring of student attendance and progress.
7. Assists in developing student behavior management programs and in maintaining discipline throughout the school; deals with special cases as necessary.
8. Coordinates child study team functions at the preschool to grade 3 levels.
9. Ensures that students' IEPs are implemented.
10. Provides oversight to the assessment and evaluation processes.
11. Recommends changes for existing procedures, policies, personnel practice and other such matters that may result in more effective and efficient school practices.

## job description

BOARD OF EDUCATION  
RUTHERFORD

LOCATOR 1-180.8  
Page 2 of 2

12. Performs such other record-keeping functions as the principal may direct or is required by federal and state law.
13. Supervises teachers and departments as assigned by the principal or superintendent in grades PK – 6.
14. Assists in scheduling students and teachers.
15. Assists in the supervision of students during lunch periods and before/after school.
16. Prepares mandated federal and state reports.
17. Schedules and organizes grade level and departmental meetings in order to effect horizontal and vertical continuity and articulation of the instructional program of the schools.
18. Assists in training of teachers for state tests.
19. Assists in implementation of state testing.
20. Provides ongoing relevant professional development to staff, as needed.
21. Provides assistance with budget development.
22. Coordinates and supervises special education programs at the preschool to grade 3 levels.
23. Plans and supervises activities to promote student and employee health and safety.
24. Maintains a positive and productive relationship with parents, staff, and students.
25. Performs such duties as may be assigned by the principal or superintendent.

Evaluation: Performance of this job will be evaluated in accordance with state law and regulation as well as the provisions of board policy on the evaluation of certified staff.

Adopted:



## Job description

Board of Education  
Rutherford

Locator: 1-360.6  
Page 1 of 2

Position: Special Education Teacher (Multiple Disabilities Program)

Responsible to: Building Principal; Supervisor of Student Services

### Qualifications:

1. Valid New Jersey Instructional Certificate and Teacher of Students with Disabilities; must be highly qualified
2. Minimum experience as determined by the board.
3. Demonstrated knowledge of effective teaching methods and ability to maintain a positive learning environment.
4. Strong interpersonal and communication skills
5. Required criminal history background check and proof of US citizenship or legal resident alien status.

Terms of Employment: Work year and salary as per negotiated agreement in addition to twenty days of Extended School Year at the hourly contractual rate.

Goal: To provide an approved special education program and establish a class environment that fosters learning and personal growth; to help pupils to develop skills, attitudes and knowledge needed to provide a good foundation for continued education; and to maintain good relationships with parents and other staff members.

### Duties and Responsibilities:

1. Provides instruction to classified pupils in accordance with each pupil's individualized education program.
2. Develops lesson plans and instructional materials and provides individualized and small group instruction to meet the needs of each pupil.
3. Works to achieve state core curriculum content standards and district educational goals and objectives by promoting active learning in the classroom using board-adopted curriculum to the needs of each pupil.
4. Sets specific objectives in lesson preparation and weekly lesson plans and carries through presentation to effectively achieve these objectives.
5. Monitors pupil academic progress and personal growth toward stated objectives of instruction.
6. Works cooperatively with general education teaching staff to coordinate instructional activities and to monitor the progress of each pupil in general education settings.

## Job description

Board of Education  
Rutherford

Locator: 1-360.6  
Page 2 of 2

7. Maintains records of pupil's educational progress in class record books and/or board approved forms and summarizes these marks for reporting purposes.
8. Identifies pupil needs and cooperates with other professional staff members in assessing and resolving learning problems.
9. Establishes and maintains standards of pupil behavior needed to achieve a classroom climate conducive to learning.
10. Budgets class time effectively.
11. Consults regularly with members of the child study team regarding each pupil's educational program, academic program and personal growth. Meets at least once annually with the case manager, parents and other professional staff to review and revise the individualized education program and placement of each assigned pupil.
12. Communicates with parents through conferences and other means to inform them about the school program and to discuss pupil progress.
13. Plans class activities and lesson presentations that are age-appropriate for the class and meet the individual needs, interests and ability levels of all pupils.
14. Maintains professional competence and continuous improvement through in-service education activities and other professional growth activities.
15. Participates in school-level planning, faculty meetings/committees and other school system groups.
16. Makes effective use of community resources to enhance the instructional program.
17. Upholds and enforces school rules, administrative regulations and board policy.
18. Utilizes appropriate technologies to enhance instruction and to affect administrative tasks.
19. Assists students with self-care needs as appropriate.
20. Performs other duties within the scope of his/her employment and certification as may be assigned.

Evaluation: Performance of this job will be evaluated annually in accordance with state laws and the provisions of the board's policy on evaluation of certified staff.

Adopted:

## Job description

Board of Education  
Rutherford

Locator: 1-360.5  
Page 1 of 2

Position: Special Education Teacher (Full day, ABA Preschool Program)

Responsible to: Building Principal; Elementary Education Supervisor

### Qualifications:

1. Valid New Jersey Preschool through Grade 3 Instructional Certificate **and** Teacher of Students with Disabilities
2. Demonstrated knowledge of effective teaching methods and developmentally appropriate classroom activities
3. Ability to maintain a positive learning environment
4. Strong interpersonal and communication skills
5. Required criminal history background check and proof of US citizenship or legal resident alien status.

Terms of Employment: Work year and salary as per negotiated agreement in addition to twenty days of Extended School Year at the hourly contractual rate.

Goal: To provide an approved special education program and establish a class environment that fosters learning and personal growth; to help pupils to develop skills, attitudes and knowledge needed to provide a good foundation for continued education; and to maintain good relationships with parents and other staff members.

### Duties and Responsibilities:

1. Provides instruction to classified pupils in accordance with each pupil's individualized education program.
2. Plan and implement ABA strategies and programs, including discrete trials
3. Works to achieve state core curriculum content standards and district educational goals and objectives by promoting active learning in the classroom using board-adopted curriculum to the needs of each pupil.
4. Develops lesson plans and instructional materials and provides individualized and small group instruction in order to adapt the curriculum to the needs of each pupil.
5. Sets specific objectives in lesson preparation and weekly lesson plans and carries through presentation to effectively achieve these objectives.
6. Monitors pupil academic progress and personal growth toward stated objectives of instruction.
7. Maintains records of pupil's educational progress in class record books and/or board approved forms and summarizes these marks for reporting purposes.

## Job description

Board of Education  
Rutherford

Locator: 1-360.5  
Page 2 of 2

8. Identifies pupil needs and cooperates with other professional staff members in assessing and resolving learning problems.
9. Consults regularly with members of the child study team regarding each pupil's educational program, academic program and personal growth. Meets at least once annually with the case manager, parents and other professional staff to review and revise the individualized education program and placement of each assigned pupil.
10. Establishes and maintains standards of pupil behavior needed to achieve a classroom climate conducive to learning.
11. Budgets class time effectively.
12. Communicates with parents through conferences and other means to inform them about the school program and to discuss pupil progress.
13. Plans class activities and lesson presentations that are age-appropriate for the class and meet the individual needs, interests and ability levels of all pupils.
14. Maintains professional competence and continuous improvement through in-service education activities and other professional growth activities.
15. Participates in school-level planning, faculty meetings/committees and other school system groups.
16. Makes effective use of community resources to enhance the instructional program.
17. Upholds and enforces school rules, administrative regulations and board policy.
18. Utilizes appropriate technologies to enhance instruction and to affect administrative tasks.
19. Assists students with self-care needs as appropriate.
20. Performs other duties which may be within the scope of his/her employment and certification as may be assigned.

Evaluation: Performance of this job will be evaluated annually in accordance with state laws and the provisions of the board's policy on evaluation of certified staff.

Adopted:

## job description

BOARD OF EDUCATION  
RUTHERFORD

LOCATOR: 1-230  
Page 1 of 2

Title: Guidance Director

Responsible to: High School Principal

### Qualifications:

1. A Bachelor's Degree from an accredited or approved institution.
2. A Master's Degree in Pupil Personnel Services and certification as Director of Guidance or Director of Pupil Personnel Services and a Supervisory certificate.
3. Three years experience as a guidance counselor.

Terms of Employment: Salary and work year as per negotiated contract.

Supervises: All guidance related activities including counselors, secretaries, and personnel assigned to the above-mentioned programs.

Job Goal: To provide leadership and coordination to the guidance program.

### Duties and Responsibilities:

1. Providing leadership to the department and responsibility for supervising and evaluating the performance of assigned personnel and program effectiveness.
2. Responsibility for continuous development and evaluation of the school program as it relates to:
  - a. Testing programs
  - b. Maintenance of student records in compliance with N.J.S.A. 18A:36-19
  - c. Close relationships and communication between the guidance department and child study team
  - d. Coordination between county vocational programs
  - e. Curriculum evaluation
3. Administration and interpretation of the educational assessment of the State Department of Education.
4. Assisting or delegating assistance to the principal in the scheduling process and development of a master schedule.
5. Maintaining an active file on colleges, nursing schools, trade and technical schools, and other related institutions which may be of interest to the students.
6. Reviewing marking period grades and quarterly assessments with department heads, offering recommendations.

## **job description**

BOARD OF EDUCATION  
RUTHERFORD

LOCATOR: 1-230  
Page **2** of **2**

7. Being responsible for all necessary paperwork and details for monitoring pupil progress including report cards.
8. Developing programs conveying information to students and parents on:
  - a. Colleges and schools
  - b. Scholarships and financial aid
  - c. Industry and careers
  - d. Personal counseling needs or programs.
9. Attend conferences and in-service meetings as approved by the administration to keep informed of new developments in guidance.
10. Providing an orientation program for all students entering high school, non-public included.
11. Keeping the counselors and staff informed of new developments in the field of guidance through department meetings and/or in-service program.
12. Being responsible for the budget preparation of the department.
13. Initiating, designing, and conducting research having implications for school programs.
14. Delegates responsibilities within the guidance department related to the welfare of the school.
15. Performs other such guidance related duties as may be requested by the administration, subject to the written approval of the Superintendent.

Evaluation: Performance of this job will be evaluated annually in accordance with the provisions of the Board's policy on Evaluation of Professional Personnel.

Adopted: June 26, 1995

Revised:

## Job description

Board of Education  
Rutherford

Locator: 1-290.1  
Page 1 of 2

Position: Behaviorist/School Psychologist

Location: District-wide

Responsible To: Supervisor of Student Services

### Qualifications:

1. Holds a valid New Jersey School Psychologist Certification
2. Holds BCBA Certification
3. Knowledge of laws and regulations governing special education; and demonstrated ability to effectively provide testing, psychological evaluation and counseling services.
4. Demonstrates effective problem solving, communication, organization, planning, record keeping, and human relations skills.
5. Demonstrates ability to work effectively with students, staff, parents, administrators, and others.
6. Required criminal history check and proof of U.S. Citizenship or legal resident alien status

Terms of Employment: Ten Months

Goal: The goal of the District Behaviorist is to develop, implement, and monitor student supports; serve as a child study team case manager; and provide training to staff and parents. To enable pupils to derive full educational benefit from school by promoting their sense of self and by evaluating and working to ameliorate psychological or mental health problems that may interfere with their adjustment to school and the education program offered to them.

### General Duties and Responsibilities:

1. Conduct Functional Behavior Assessments and write detailed analysis of findings and recommendations
2. Develop and oversee Behavior Intervention Plans
3. Conduct relevant psychological evaluations
4. Consult with staff members about student behavioral concerns, FBAs, behavior plans, curriculum modifications, accommodations and social skills, and provide staff with resources, strategies, and in-class modeling of techniques
5. Conduct informal assessments and observations, and develop and monitor behavior plans for classroom implementation

## Job description

Board of Education  
Rutherford

Locator: 1-290.1  
Page 2 of 2

6. Develop programs for students based on sound educational research and best practices
7. Develop, implement, and monitor transition plans for inclusion and integration
8. Oversee intensive instruction/ABA programs in classrooms
9. Oversee and provide consultation to school staff regarding students and programs
10. Provide training and support to staff in applied behavior analysis
11. Provide oversight of district-developed home programs
12. Provide home-based parent training
13. Provide support and consultation for parents
14. Provide psychological counseling to students
15. Provide social skills training to students
16. Make referrals to appropriate community resources
17. Cooperate with personnel of community health and social welfare agencies
18. Keep the staff and community informed of the district's psychological services
19. Serve as a case manager as assigned and maintain appropriate case records
20. Maintain professional competence through continuing education and other professional growth activities
21. Perform all duties required as a member of the child study team by administrative code, state and federal laws and board policy
22. Perform other duties which may be within the scope of his/her employment and certification as may be assigned

Adopted:



## job description

BOARD OF EDUCATION  
Rutherford

Locator: 1-150/Page 1 of 2

Position: Athletic Director/Supervisor of Physical Education and Health

Responsible to: Superintendent/Principal

### Qualifications:

1. Valid New Jersey Supervisor Certificate
2. Minimum experience as determined by the board
3. Demonstrated leadership in the organization and administration of a district-level athletic program
4. Ability to maintain a positive learning environment and high standards of conduct for athletes
5. Required criminal history background check and proof of U.S. citizenship or legal resident alien status.

Terms of Employment: Salary and work year as per negotiated contract.

Goal: To provide leadership in the development, implementation and coordination of the district's athletic program and K-12 Physical Education and Health curriculum.

### Duties and Responsibilities:

1. Works with principals and teachers in developing the Physical Education and Health curriculum, and assists in the formulation of a philosophy and objectives for the instructional plan.
2. Studies, evaluates, and, as appropriate, recommends to the superintendent the adoption of new instructional materials, method and programs.
3. Recommends to the superintendent the addition of new courses, grade placement and credit allowance, and graduation requirements.
4. Schedules and organizes grade level and departmental meetings in order to effect horizontal and vertical continuity and articulation of the instructional program of the schools.
5. Keeps abreast of and interprets to the staff the current research in the area of curriculum development, teaching and learning.
6. Meets on a regular basis with other supervisors, special area and guidance directors for the purpose of maintaining ongoing supervision of the coordination and implementation of the district curriculum.
7. Conducts classroom observations and provides supervision/evaluation of teachers and non-certificated staff as requested by building principals or central office administrative staff.
8. Keeps an inventory of all departmental materials and sees to it that they are properly cared for.

## **job description**

BOARD OF EDUCATION  
Rutherford

Locator: 1-150/Page 2 of 2

9. Organizes and administers the district's program of extracurricular athletics and assumes responsibility for the scheduling of all interscholastic athletic events.
10. Provides leadership in the selection, assignment and evaluation of athletic coaches and trainers.
11. Assumes responsibility for the proper supervision of home games and the availability of game officials, team physicians and security personnel.
12. Arranges for the transportation for athletic competitions.
13. Develops and implements appropriate rules and regulations governing the conduct of athletic activities and ensures compliance with the rules promulgated by the NJSIAA.
14. Verifies each athlete's eligibility according to established physical and academic requirements of eligibility for participation in each sport and obtains written parent permission for students to participate.
15. Prepares and administers the athletic program budget and requisitions program supplies and equipment.
16. Supervise all ticket sales and fundraising events of the athletic program and assumes responsibility for proper handling of funds.
17. Arranges field and gym practice schedules.
18. Supervises the care, maintenance and storage of all athletic and PE/Health equipment and supplies and maintains a current inventory.
19. Arranges for the physical examination of all athletes prior to each season.
20. Maintains records of athletic contests and award winners and plans and supervises an annual recognition program for athletes.
21. Promotes good school-community relations and support through effective communication regarding the district's athletic program.
22. Upholds and enforces school rules, administrative regulations and board policy.
23. Performs other duties which may be within the scope of his/her employment and certification as may be assigned.

Evaluation: Performance of this job will be evaluated annually in accordance with state law and the provisions of the board's policy on evaluation of certificated staff.

Adopted: January 12, 2003

Revised:

# Policies for Agenda

ELECTRONIC HOMEWORK POSTING GUIDELINES

In an effort to increase communication among the teachers, students and parents of Rutherford Public Schools and to expand the use of technology, all teachers are required to post homework and long-term class assignments ~~on an Electronic Homework Posting~~online.

The following guidelines have been developed to direct the posting of assignments.

1. Teachers will post homework assignments for each day that class is in session. Posting of assignments once for the entire week is acceptable as long as the assignments are edited to ensure accuracy.
2. Long-term projects and due dates will be listed ~~on Electronic Homework Posting~~.
3. For classes that do not have regularly assigned homework (such as certain computer classes, physical education classes, art, drama, music, etc), ~~Electronic Homework~~the Pposting will be updated once a month to reflect projects/activities on which the class is currently working. For classes where individualized instruction occurs (such as speech and basic skills), the teacher will provide contact information for parents.
4. Students are required to write down homework assignments in class. ~~Electronic Homework P~~Online posting is meant as an aid for students and parents and is not a substitute for writing down homework and important dates in planners. Internet outages, webpage outages, or lack of Internet access will never suffice as an excuse for missed assignments.
- ~~5. Teachers who elect to maintain a website for homework postings will provide a link to access their website on Electronic Homework Posting.~~
5. ~~6.~~ Although teachers are required to keep their ~~Electronic Homework P~~Online posting current, there may be infrequent occasions that it is not possible to provide updates as planned, due to unusual circumstances such as website problems, illness of a teacher, etc. Therefore, the assignments ~~on Electronic Homework Posting~~posted are subject to change. As the primary source of assignments remains the classroom, delays in posting homework online will almost never be an acceptable excuse for any student to miss an assignment. In addition, teachers frequently make adjustments to the homework schedule based on work and activities accomplished in the classroom each day. Every effort will be made to update ~~Electronic Homework P~~the online posting; however, changes may not always be reflected on the website. Teachers should be mindful of those students who legitimately used the ~~Electronic Homework P~~online posting as a source of an assignment, such as those students who have prepared work in advance, or have been on an extended absence from the classroom.
6. ~~7.~~ Access to ~~Electronic Homework Posting~~ can be obtained through teacher homework links will be maintained on the Rutherford Public Schools website. ([www.ruthersfordschools.org](http://www.ruthersfordschools.org)) or through the ~~Electronic Homework Posting~~ website.

Adopted: July 13, 2009  
Revised:

**SCHOOL CLEARANCE FOLLOWING CRISIS SITUATION**

The Board is committed to protecting the health, safety and welfare of students during the school day, and will take action necessary to provide for the safety and security of its students, staff and/or property. In “crisis situations,” the Board reserves the right to exclude a student who has been determined to pose an imminent or potential threat to student or staff safety, pending appropriate mental health clearance.

- I. Examples of “Crisis Situations” (*not exclusive*)
  - A. Actions creating an imminent danger to the student or others.
  - B. Verbalization(s) or other action(s) threatening the health, safety or wellbeing of the student, staff or other students;
  - C. Verbalization(s) or other action(s) reflecting an intent or plan to harm the student or others;
  - D. Verbalization(s) or other action(s) indicating that the student may be at risk of causing harm to the student or others; or
  - E. Possession of object(s) or material(s) posing a threat to the health, safety or well-being of the student, staff or other students.
- II. Discipline
  - A. A student’s exclusion based upon an identified crisis situation shall not be considered a disciplinary consequence.
  - B. This Policy is intended to address mental health related issues only (i.e., to ensure that the student does not represent a danger to him/herself or others), and does not supersede the implementation of appropriate disciplinary action for infractions of school regulations or action required by N.J.S.A. 18A:40A-12 or N.J.A.C. 6A:16-4.3 as described in policies and explained in student handbooks and/or Code of Student Conduct.
- III. Procedures
  - A. In situations where a student presents as an imminent danger to himself or others, school emergency procedures will be followed, and supersede the provisions of Section III.C of this Policy.
  - B. Staff members shall immediately notify the School Principal, or his/her designee, of any potential crisis situations.
  - C. In response to every report, the School Principal (or designee) shall immediately:
    1. Notify the Crisis Intervention Team (or other designated team/individual responsible for the initial assessment of the student);
    2. Notify the Superintendent of Schools; and
    3. Notify the student’s parent or legal guardian.
  - D. In response to every report, the Crisis Intervention Team, consisting of the Principal and the Vice-Principal, guidance counselor, school psychologist, student assistance coordinator and/or social worker, shall conduct a student interview to assess whether or not the student presents as a potential danger to him/herself or others, and to determine whether or not the student requires a mental health assessment prior to reinstatement.
  - E. Provisions shall be made for the appropriate care and supervision of the student pending either: (1) a determination by the Crisis Intervention

**SCHOOL CLEARANCE FOLLOWING CRISIS SITUATION**

Team that the student's exclusion is not required; or (2) the student's release to his or her parent/guardian.

- IV. Assessment and Reinstatement
- A. If the Crisis Intervention Team determines that the student presents as a potential danger to him/herself or others and requires a mental health assessment prior to reinstatement, the Principal shall notify the student's parent/guardian of this determination.
  - B. The assessment must be completed by a licensed or certified mental health professional (e.g., psychologist, psychiatrist, social worker or psychiatric nurse). The Principal shall provide the student's parents/guardians with appropriate referral information for qualified mental health providers.
    1. Assessments completed by evaluators selected by the school district shall be at the expense of the school district.
    2. Assessments completed by evaluators selected by the student's parent/guardian shall be at the expense of the parent.
  - C. For purposes of the assessment, it is necessary for the evaluator to have access to all relevant information regarding the student and the incident giving rise to the exclusion. The student's parent/guardian shall be asked to provide consent for a member of the Crisis Intervention Team to contact the professional completing the evaluation to provide necessary background information.
    1. If a parent/guardian cannot be reached and the student is screened and/or assessed by the appropriate school personnel as being in imminent danger of harming him/herself or others, the school may initiate an immediate assessment.
  - D. The assessment must include:
    1. Identifying information;
    2. Medical and family history;
    3. Review of presenting problem or incident;
    4. Mental status examination;
    5. Diagnosis, as appropriate;
    6. Recommendations for follow-up services, as appropriate; and
    7. Other information deemed relevant by the evaluator.
  - E. Clearance letter must include:
    1. Evaluator's name and license number;
    2. Student's name and date of birth;
    3. Confirmation that the evaluator assessed the student in accordance with the standards set forth in Section IV.D of this Policy following and in connection with the precipitating school-based incident;
    4. The date of the assessment; and
    5. A specific statement that the student does not present as a danger to him/herself or others.
  - F. If the parents or guardians assume the cost of the assessment (through a provider of their own choosing), the resulting report is their property, and will require their consent before being released to the school district. Parents are encouraged to share such information with the school district. However, the required information (see Section IV.E above) must be included in the clearance letter.

SCHOOL CLEARANCE FOLLOWING CRISIS SITUATION

V. Re-Entry to School

Following receipt of the school clearance letter, the District shall schedule a reentry meeting with the child and his/her parents/guardian and an appropriate school district designee. Discussion may include, but is not limited to:

- A. Consideration of CST referral, as appropriate
- B. Discussion with parents regarding follow-up treatment, as necessary
- C. Discussion with parents regarding access to additional evaluative information (beyond clearance letter)

VI. Instruction During Exclusion:

Students will be provided with appropriate home or other out- of-school instruction in accordance with *N.J.A.C. 6A:16-10.1 et seq.* during any period of exclusion.

Adopted:

### VOTING METHOD

Official actions may be taken only at a regular monthly or specially called meeting at which a quorum is present. All motions shall require for adoption a majority vote of those present and voting (minimally, a majority of the quorum), except as provided by code or statute.

A vote can be conducted by voice, show of hands or roll call, provided that the vote of each member is recorded, except where a recorded roll call majority is required by code or statute. Proxy voting is prohibited. Any member may request that the board be polled.

#### Abstentions

A member may abstain from voting. An abstention shall be so recorded and shall not be counted as either an affirmative or a negative vote. Abstentions are to be so recorded, regardless of whether a person speaks for or against a motion prior to stating his/her wish to abstain. The silence of a member on any vote shall be recorded as an abstention.

### VOTING METHOD

#### EXHIBIT

#### BOARD VOTING REQUIREMENTS

**The following actions require a recorded roll call vote and must pass by an affirmative vote of a majority of the full membership of the board. “Full membership” means the number of board members when all the members’ seats are filled. A “majority of the full membership” means a majority of that number. N.J.S.A. 18A:1-1.**

1. Directing the Board Secretary to make deductions for fees and premiums for hospital and group insurance plans and United States government bonds from salaries of participating employees (N.J.S.A. 18A:16-8).
2. Appointing and fixing the salary and term of a Board Secretary (N.J.S.A. 18A:17-5).
3. Appointing and fixing the salary and term of an Assistant or Acting Board Secretary (N.J.S.A. 18A:17-13).
4. Appointing and fixing the term of a Superintendent of Schools (N.J.S.A. 18A:17-15).
5. Appointing or removing an Assistant Superintendent of Schools (N.J.S.A. 18A:17-16).
6. Appointing and fixing the term of an Administrative Principal (N.J.S.A. 18A:17-20.5).
7. Appointing and fixing the term of a shared Superintendent or a shared School Business Administrator (N.J.S.A. 18A:17-24.3). (Please note that this particular statute only requires a “majority of the membership.”)
8. Appointing or removing and fixing the salary of a Business Manager in a Type I school



**VOTING METHOD**

- district (N.J.S.A. 18A:17-25).
9. Appointing an executive superintendent in districts in cities of the first class with a population over 325,000 (N.J.S.A. 18A:17A-1).
  10. Disposing of lands owned by the board, or rights or interests therein (N.J.S.A. 18A:20-5).
  11. Exchanging lands owned by the board (N.J.S.A. 18A:20-8).
  12. Adopting a budget in Type II districts having a Board of School Estimate (N.J.S.A. 18A:22-26).
  13. Fixing and determining the amount of money to be voted upon by the voters of the district at or after the public hearing on the school budget for Type II districts without a Board of School Estimate (N.J.S.A. 18A:22-32).
  14. Adopting the question(s) to be submitted to the voters concerning any capital project(s) to be paid for from the proceeds of an issue of bonds in Type II districts without a Board of School Estimate (N.J.S.A. 18A:22-39).
  15. Adopting a proposal for the issuance of school bonds by Type II districts having a Board of School Estimate (N.J.S.A. 18A:24-10b).
  16. Transferring a teaching staff member (N.J.S.A. 18A:25-1).
  17. Restoring or removing an Assistant Superintendent, principal or teacher, following suspension by the Superintendent of Schools (N.J.S.A. 18A:25-6). (Please note that this particular statute only requires a "majority of the membership."
  18. Appointing a teaching staff member (N.J.S.A. 18A:27-1).
  19. Appointing, transferring, removing or renewing the employment contract of a certificated or non-certificated officer or employee (N.J.S.A. 18A:27-4.1).
  20. Withholding, for inefficiency or other good cause, a prescribed employment or adjustment increment (N.J.S.A. 18A:29-14).
  21. Adopting or altering a course of study (N.J.S.A. 18A:33-1).
  22. Selecting textbooks (N.J.S.A. 18A:34-1).
  23. Applying for membership in an already established county educational audiovisual aids center (N.J.S.A. 18A:51-11).
  24. ~~N.J.A.C. 6:3-7.1~~ Applying to the executive county superintendent to investigate the advisability of withdrawing from a regional district (N.J.A.C. 6A:32-11.1). (Note that in this case, the roll call majority vote is required by administrative code provision. This is not a statutory requirement.)

VOTING METHOD

25. ~~N.J.A.C. 6:19-2.4(b) Approving the content of separate question(s) to be submitted to voters that propose programs in addition to the Core Curriculum Content Standards. (The roll call majority vote is required by administrative code provision. However, this requirement is not included in statute.)~~ Submitting, for executive county superintendent review, the content of separate questions to be submitted to the voters that propose programs in addition to the core curriculum context standards that may be in excess of its adjusted spending growth limitation (N.J.A.C. 6A:23-8.5(b)). (Note that in this case, the roll call majority vote is required by administrative code provision. This is not a statutory requirement.)

**The following actions require a recorded roll call vote and must pass by an affirmative vote of two-thirds of the full membership of the board.**

1. Determining the necessity to sell bonds to raise money for a capital project by a Type II district with a Board of School Estimate (N.J.S.A. 18A:22-27).
2. Permitting the private sale of certain bonds if no legally acceptable bid is received by a Type II district (N.J.S.A. 18A:24-45(c)).

**The following actions require an affirmative vote of the majority of the full membership of the board. They do not require a roll call vote. Some of the statutory votes require “all of the members of the board” or a “majority of the board of education.” NJSBA believes that all of these actions require a majority of the full membership of the board. Check with your board attorney for details.**

1. Determining the sufficiency of charges to dismiss or reduce the salary of a tenured employee (N.J.S.A. 18A:6-11).
2. Filling of vacancies on elected boards of education (“majority vote of the remaining members”) (N.J.S.A. 18A:12-15).
3. Removing from office a president or vice president of a board for failure to perform a duty imposed upon him by law (N.J.S.A. 18A:15-2). (“majority vote of all of the members”)
4. Appointing, fixing the salary and defining the duties of a school business administrator or appointing a shared business administrator between two or more districts. (N.J.S.A. 18A:17-14.1). (“majority vote of all of the members”)
5. Disqualifying a bidder who would otherwise be determined to be the lowest responsible bidder due to prior negative experience (N.J.S.A. 18A:18A-4). (“majority of the board of education”)
6. Authorizing of purchase of securities (N.J.S.A. 18A:20-37). (“majority vote of all of its members”)
7. Authorizing of sale of securities (N.J.S.A. 18A:20-39). (“majority vote of all of its members”)
8. Adopting a proposal for the issuance of school bonds in Type II districts without a Board of

**VOTING METHOD**

School Estimate (including regional districts) (N.J.S.A. 18A:24-10c).

9. Admitting pupils, who have never attended public or private school, after October 1 following the opening of school for the full term (N.J.S.A. 18A:38-6). ("majority vote of all of the members")
10. Deciding to establish, with other school districts of the county, a county educational audio-visual aids center (N.J.S.A. 18A: 51-1).
11. Employee travel, with prior CSA approval ("majority of full voting membership") (N.J.S.A. 18A:11-12(f))
12. Board Member travel ("majority of full voting membership") (N.J.S.A. 18A:11-12(g))
13. In a school district with a board of school estimate, approval of additional tax levy (N.J.S.A. 18A:7F-39)("majority of those board members who are present")

**The following actions require an affirmative vote of two-thirds of the full membership of the board. They do not require a roll call vote.**

1. Determination of member district's share of educational services commission expenses (two-thirds of representative assembly) (N.J.S.A. 18A:6-62). Authorization to enter into a contract or agreement after twice advertising for bids pursuant to N.J.S.A. 18A:18A-4 with subsequent failure to receive any bids (N.J.S.A. 18A:18A-5 (c)) (authorized members of the board).
2. Adoption of new corporate name for school district composed of two or more municipalities (N.J.S.A. 18A:8-17.1). Authorization to negotiate and award a contract or agreement after twice advertising for bids and having rejected those bids for appropriate reasons. (N.J.S.A. 18A:18A-5(c)) (authorized members of the board)
3. Authorization to negotiate and award a contract or agreement after twice advertising for bids and having once failed to receive bids and having once rejected bids received for appropriate reasons. (N.J.S.A. 18A:18A-5(c)). (authorized members of the board)
4. Authorization to negotiate, award or enter into a contract or agreement after the board has solicited and received at least three quotations on materials, supplies or equipment for which a State contract has been issued, and the lowest responsible quotation is at least ten percent (10%) less than the cost charged under the State contract (N.J.S.A. 18A:18A-5(e)).
5. Adopting a refunding bond ordinance by a Type II school district (N.J.S.A. 18A:24-61.4).
6. Selling or exchanging refunding bonds (N.J.S.A. 18A:24-61.9).
7. Endorsing approval of a lease purchase and authorizing the chief school administrator and/or board secretary to advertise and solicit proposals in connection with a lease purchase, and to request state approval of a lease purchase of five years or less (N.J.A.C. 6A:26-10.3(h)). (Note that in this case, the two-thirds roll call majority vote is required by

**VOTING METHOD**

administrative code provision. However, Ithis requirement is not included in statute a statutory requirement.)

8. Endorsing approval of a lease of facilities in excess of five years and authorizing the board of education to request approval of an amendment to its long range facilities plan to reflect the leased facility (N.J.A.C. 6A:26-10.11 (c)). (Note that in this case, the two-thirds majority vote is required by administrative code provision. This is not a statutory requirement.)

**The following actions require an affirmative vote of two thirds of the “authorized membership” of the school board. “Authorized membership of the school board” means the full membership of the district board of education as established pursuant to N.J.S.A. 18A:12.**

1. Transferring amounts among line items and program categories (N.J.S.A. 18A:22-8.1, N.J.A.C. 6A:10A-8.2 (e), N.J.A.C. 6A:23-2.11(f)).
2. Petitioning the Commissioner for authority to make a transfer of surplus, unbudgeted or under budgeted revenue amounts to line items and program categories prior to April 1 due to an emergent circumstance (N.J.S.A. 18A:22-8.1, N.J.A.C. 6A:10A-8.2 (b), N.J.A.C. 6A:23-2.11(c)).
3. Petitioning the Commissioner for authority to make a transfer of surplus, unbudgeted or under budgeted revenue amounts to line items and program categories between April 1 and June 30 in order to achieve the thoroughness standards for the current year (N.J.S.A. 18A:22-8.1, N.J.A.C. 6A:10A-8.2 (a), N.J.A.C. 6A:23-2.11(b)). Note that the Abbott code speaks to achieving the efficiency and effectiveness standards, not the thoroughness standards.
4. Authorization to negotiate and award a contract or agreement after twice advertising for bids pursuant to N.J.S.A. 18A:18A-4, with subsequent failure to receive any bids (N.J.S.A. 18A:18A-5(c)).
5. Authorization to negotiate and award a contract or agreement after twice advertising for bids and having rejected those bids for appropriate reasons (N.J.S.A 18A:18A-5(c)).
6. Authorization to negotiate and award a contract or agreement after twice advertising for bids and having once failed to receive bids and having once rejected bids received for appropriate reasons (N.J.S.A. 18A:18A-5 (c)).

**The following action requires an affirmative vote of three-quarters of the members present. It does not require a roll call vote.**

1. Calling an emergency meeting of the board without providing adequate prior notice (N.J.S.A. 10:4-9).

When in doubt or where a question exists concerning the formal requirements of a vote, the board should take action by roll call vote and should consult its board attorney

**VOTING METHOD**

Adopted: June 10, 2002

Revised:

Legal References: N.J.S.A. 18A:38-8.1 Representation of ~~Additional member on board of~~  
~~education of sending district; matters covered to~~  
~~represent board of education in each sending district~~

Aurentz v. Little Egg Harbor Township Planning Board, 171 N.J. Super. (Law  
Div. 1979)

King v. Asbury Park Board of Education, 1939-49 S.L.D. 20

Matawan Teachers' Assn. v. Board of Education, 223 N.J. Super. 504(App.  
Div. 1988)

Lincoln Park Bd. of Ed. v. Boonton Bd. of Ed., 97 N.J.A.R. 2d (EDU) (May  
30)

Little Ferry Bd. of Ed. v. Ridgefield Park Bd. of Ed., 97 N.J.A.R. 2d (EDU)  
(July 24)

Green Twp. Bd. of Ed. v. Newton Bd. of Ed., 97 N.J.A.R. 2d (EDU) (August  
5)

**GENDER IDENTITY AND EXPRESSION**

The board of education believes that a school culture that supports student achievement, respects the values of all students and fosters understanding of gender identity and expression within the school community is a safe learning environment. New Jersey law and district policy require that all programs, activities, and employment practices be free from discrimination based on sex, sexual orientation, gender identity or gender expression. Therefore in keeping with these mandates the board is committed to creating a safe learning environment for all students and to ensure that every student has equal access to all school programs and activities.

The board believes that fostering this understanding successfully requires cooperation and good communication between the parents/guardians, school administration, school staff and the school community. The chief school administrator shall ensure that students with gender identity or expression concerns and their parents/guardians shall be given the opportunity to discuss these issues and participate in the educational planning and programming for their student. The chief school administrator may consult the experiences and expertise of qualified school staff as well as external resources where appropriate.

To proactively plan for a safe learning environment free of discrimination and harassment students and parents/guardians of students with gender identity and expression concerns are encouraged to alert the school district and schedule a meeting with the chief school administrator. Upon request, the chief school administrator shall schedule a meeting with the parent/guardian and the student for the purpose of evaluating the needs of the student and planning any accommodations that may be considered to facilitate a respectful and comfortable school program that supports the student's achievement.

**Definitions:**

- A. "Gender Identity" is a person's deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth. Everyone has a gender identity.
- B. "Transgender" is a term which describes people whose gender identity or gender expression is different from their assigned gender at birth.
- C. "Gender expression" refers to the way a person expresses gender to others in ways that are socially defined as either masculine or feminine, such as through behavior, clothing, hairstyles, activities, voice or mannerisms.
- D. "Gender non-conforming" refers to gender-related identity and/or gender expression which does not conform to the social expectations or norms for a person of that gender assigned at birth.
- E. "Transition" refers to the process in which a person goes from living and identifying as one gender to living and identifying as another.

**Harassment, Intimidation and Bullying**

The board shall make every effort to maintain a safe and supportive learning and educational environment that is free from harassment, intimidation, and/or bullying and free from

**GENDER IDENTITY AND EXPRESSION**

discrimination on account of actual or perceived race, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, nationality, atypical hereditary cellular or blood trait of any individual, genetic information, or refusal to submit to a genetic test or make the results of a genetic test known, disabilities, social or economic status, pregnancy, childbirth, pregnancy-related disabilities, actual or potential parenthood, family status or other distinguishing characteristic.

Complaints alleging discrimination shall be reported to the school affirmative action officer according to board policies (2224, 4111.1/4211.1 and 6121 Nondiscrimination/Affirmative Action).

Any student experiencing or observing harassment, intimidation and bullying is encouraged to report the incident to a member of school staff. Any staff member observing or receiving a report of harassment, intimidation or bullying shall report the incident to the principal the same day the incident is observed or the report received according to board policy 5131.1 Harassment, Intimidation and Bullying. All reported incidents of discrimination, harassment, intimidation, and bullying shall be promptly investigated and resolved according to law and board policy.

**Confidentiality and Privacy**

School personnel may not disclose information that may reveal a student's transgender or gender non-conforming status, except as allowed by law. Under the Family Education Rights Privacy Act (FERPA), only those school employees with a legitimate educational need may have access to a student's records or the information contained within those records. Disclosing confidential student information to other employees, students, parents, or other third parties may violate privacy laws, including but not limited to FERPA. Transgender students have the ability, as do all students, to discuss and express their gender identity and expression openly and decide when, with whom, and how much of their private information to share with others.

Students who do not want their parents/guardians to know about their transgender status shall be addressed on a case-by-case basis. In some cases, notifying parents/guardians carries risks for the student, such as being kicked out of the home. Prior to notification of any parent or guardian regarding the transition process, school staff should work closely with the student to assess the degree to which, if any, the parents/guardians will be involved in the process and must consider the health, well-being, and safety of the transitioning student. The school counselor shall balance the rights of the student needing support and the requirement that parents/guardians be kept informed about their child. In accordance with law, parents/guardians and/or the appropriate local officials shall be informed when there is any suspicion of injury or harm to the student or other students.

**Coordination of School Accommodations**

In planning appropriate accommodations for a student who is transitioning, the chief school administrator, parents/guardians and the student and other qualified staff or consultants as necessary shall meet to discuss actions that the district and school personnel may take to create safe learning environment, including:

**GENDER IDENTITY AND EXPRESSION**

**A. Names/Pronouns**

School staff shall be directed to address the student by the name and pronoun corresponding to their gender identity that is consistently asserted at school. Students are not required to obtain a court ordered name and/or gender change or to change their pupil personnel records as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity. To the extent possible and consistent with these guidelines, school personnel shall make efforts to maintain the confidentiality of the student's transgender status.

School documentation such as student IDs shall be issued in the name that reflects a student's gender identity that is consistently asserted at school.

**B. Sports and Physical Education**

Transgender students shall be provided the same opportunities to participate in physical education as are all other students. Generally, students may be permitted to participate in physical education and sports in accordance with the student's gender identity that is consistently asserted at school. Participation in competitive interscholastic athletic activities will be resolved on a case-by-case basis and according to the standards established by the New Jersey State Interscholastic Athletic Association (NJSIAA).

**C. Restroom and Locker Room Accessibility**

The district aims to support transgender students while also ensuring the safety and comfort of all students. The chief school administrator together with the parents/guardians, student and other qualified staff or consultants shall evaluate options for the use of restrooms and locker rooms by the transgender students and consider the following factors, including, but not limited to:

1. The transgender student's preference;
2. Protecting student privacy;
3. Maximizing social integration of the transgender student;
4. Minimizing stigmatization of the student;
5. Ensuring equal opportunity to participate;
6. The student's age; and
7. Protecting the safety of the students involved.

Generally students may have access to the restroom or locker room that corresponds to the gender identity or expression that they consistently assert at school and no student shall be forced to accept an accommodation with which he/she disagrees. A transgender or transitioning student who expresses a need or desire for increased privacy may be provided with reasonable alternative arrangements. Reasonable alternative arrangements may include the use of a private area, or a separate changing schedule, or use of a single stall, gender neutral restroom. Any alternative arrangement shall be provided to the extent possible in a way that protects the student's ability to keep his or her transgender status confidential.



**GENDER IDENTITY AND EXPRESSION**

A transgender student should not be required to use a locker room or restroom that conflicts with the student's gender identity or expression consistently asserted at school.

**D. Gender Segregation in Other Areas**

As a general rule, in any other circumstances where students are separated by gender in school activities (i.e. overnight field trips), students may be permitted to participate in accordance with the gender identity or expression consistently asserted at school. Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case-by-case basis considering the factors set forth above.

**E. Dress Code**

Students have the right to dress in accordance with their gender identity or expression that is consistently asserted at school, within the constraints of the school policy for student dress (5132 Student Dress). School staff shall not enforce a school's dress code more strictly against transgender and gender nonconforming students than other students.

**F. Privacy**

The chief school administrator and/or his or her designees are expected to work closely with the student and his or her parents/guardians in formulating an appropriate plan regarding the confidentiality of the student's transgender or transitioning status that works for both the student and the school. Privacy considerations may also vary with the age of the student.

Where the transgender or transitioning student feels more supported and safe when other students are aware that they are transgender or transitioning, school staff shall be given guidance and training appropriate for facilitating a respectful school climate. School personnel may be directed to work closely with the student, parents/guardians, other family members and other staff members on a plan to inform and educate the student's peers. It may also be appropriate to engage external resources to assist with educational efforts.

**Resources for Transgender or Transitioning Students**

If a school staff member observes that a gender identity issue is creating challenges for a student at school or if a student indicates an intention to transition, the staff member shall alert the school counselor and encourage the student to meet with the school counselor if appropriate. School staff shall make every effort to support the student and encourage the support and respect of student peers and staff during school.

When a student indicates an intention to transition, the school counselor, as appropriate, shall offer assistance and provide the student, and/or their parents/guardians as appropriate, with information, resources and referral services regarding the issues associated with gender identity and expression and/or formal gender transition. The school counselor shall also provide information regarding gender transition planning at school. The counselor shall coordinate the measures planned and taken at school for supporting the student and creating a sensitive

**GENDER IDENTITY AND EXPRESSION**

supportive environment at school. These measures may include:

- A. Making resources available to parents/guardians who have additional questions or concerns;
- B. Developing age-appropriate lessons for students about gender diversity and acceptance: and
- C. Staff training surrounding vigilance to prevent possible harassment, intimidation and bullying issues that may arise for transgender or transitioning students.

Reports of harassment, intimidation and bullying shall be promptly investigated and resolved according to board policy 5131.1 Harassment, Intimidation and Bullying.

**Official Records**

To the extent that the school is not legally required to use a student's legal name or gender on school records and other documents, the school shall use the name and gender preferred by the student.

Each school is required to maintain a permanent student record of each student, which includes the legal name of the student as well as the student's biological gender. In addition, schools are required to use a student's legal name and gender on standardized tests and reports to the State Education Department.

A student's permanent student record may be changed to reflect a change in legal name or gender only upon receipt of documentation that such legal name and/or gender have been changed pursuant to applicable law. The following documentation may be provided:

- A. A court order or birth certificate demonstrating the student's new name.
- B. For a legal change of gender, the student must provide a birth certificate indicating the student's legal gender, or a valid passport indicating the student's legal gender.

Adopted:

**Key Words**

Gender Identity, Transgender, Gender Expression, Gender Non-conforming

<u>Legal References:</u>	<u>N.J.S.A.</u> 2C:16-1	Bias intimidation
	<u>N.J.S.A.</u> 2C:33-4	Harassment
	<u>N.J.S.A.</u> 10:5-1 <u>et seq.</u>	Law Against Discrimination
	<u>N.J.S.A.</u> 18A:6-5	Inquiry as to religion and religious tests prohibited
	<u>N.J.S.A.</u> 18A:6-6	No sex discrimination
	<u>N.J.S.A.</u> 18A:26-1	Citizenship of teachers, etc.

GENDER IDENTITY AND EXPRESSION

<u>N.J.S.A.</u> 18A:26-1.1	Residence requirements prohibited
<u>N.J.S.A.</u> 18A:29-2	Equality of compensation for male and female teachers
<u>N.J.S.A.</u> 18A:37-14 through -19	Harassment, intimidation, and bullying defined; definitions
<u>N.J.S.A.</u> 18A:36-20	Discrimination; prohibition
<u>N.J.A.C.</u> 6A:7-1.1 <u>et seq.</u>	Managing for Equality and Equity in Education
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 6A:32-12.1	Reporting requirements
<u>N.J.A.C.</u> 6A:32-14.1	Review of mandated programs and services

Executive Order 11246 as amended

29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended

20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972

42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972

Comprehensive Equity Plan, New Jersey Department of Education

Doe v. Regional School Unit 26, No. 12-582 (Me. Jan. 30, 2014)

NJSIAA, Constitution, Bylaws, Rules and Regulations, Transgender Policy (pg. 75), <http://www.njsiaa.org/resources/njsiaa-handbook>

Possible

<u>Cross References:</u>	
*2224	Nondiscrimination/affirmative action
*4111	Recruitment, selection and hiring
*4111.1	Nondiscrimination/affirmative action
*4131/4131.1	Staff development; inservice education/visitations/conferences
*4211	Recruitment, selection and hiring
*4211.1	Nondiscrimination/affirmative action
*4231/4231.1	Staff development; inservice education/visitations/conferences
*5131	Conduct/discipline
*5131.1	Harassment, intimidation and bullying
*5145.4	Equal educational opportunity
*6121	Nondiscrimination/affirmative action
*6145	Extracurricular activities

\*Indicates policy is included in the Critical Policy Reference Manual.

The following organizations provide support to transgender individuals:

**GENDER IDENTITY AND EXPRESSION**

- [GLSEN](#) (The Gay, Lesbian, Straight Education Network) model policy. GLSEN is a prominent organization supporting GLBT youth. They have resources about creating safe and supportive environments for students.
- [The Trevor Project](#) is the leading national organization focused on crisis and suicide prevention efforts among lesbian, gay, bisexual, transgender and questioning youth.

**Resources For Parents, Educators, And Service Providers:**

Founded in 1972 with the simple act of a mother publicly supporting her gay son, PFLAG is the nation's largest family and ally organization.

**PFLAG Resources**

- [Welcoming our Trans Families and Friends](#)  
Download this free guide (PDF) to get the basics on what being transgender means, how to talk about it, and how to find the resources that can support you.
- [Find a PFLAG Chapter.](#)  
There are more than 350 chapters of Parents, Families and Friends of Lesbians and Gays (PFLAG) across the U.S. Find one near you right now.

**Partner Organizations Resources**

- [National Center for Transgender Equality](#)  
Knowing and using correct language can be very important to transgender and gender non-conforming people, just like everyone else. Here is a handy terminology guide regarding gender identity.
- [American Psychological Association](#)  
This downloadable pamphlet from the APA answers questions about transgender people, gender identity and gender expression.

**Parent and Educator Resources**

- [Gender Spectrum](#)  
Raising children who don't fit neatly into male or female boxes brings a wealth of questions and uncertainties. Here you will find information and support to assist you in your search for answers.
- [Trans Youth Equality Foundation](#)  
The Trans Youth Equality Foundation is based in Maine, but offers education, advocacy and support for transgender and gender non-conforming children and youth and their families everywhere by sharing information about the unique needs of this community and partnering with families, educators and service providers to help foster a healthy, caring, and safe environment for all transgender children.

**GENDER IDENTITY AND EXPRESSION**

- [Families in TRANSition: A Resource Guide for Parents of Trans Youth](#)

Families in TRANSition: A Resource Guide for Parents of Trans Youth is the first comprehensive Canadian publication (created by Central Toronto Youth Services) to address the needs of parents and families supporting their trans children. It summarizes the experiences, strategies, and successes of a working group of community consultants – researchers, counselors, parents, advocates as well as trans youth themselves.

- [Matt Kailey, author of My Child is Transgender: 10 Tips for Parents of Adult Trans Children](#)

This gentle and easy-to-use FAQ gives people an accessible set of guidelines that can be used in everyday life.

- [Working with Transgender Youth \(Lambda Legal & Child Welfare League of America\)](#)

Like all young people in care, transgender youth are entitled to bias-free attention to their unique needs and to be safe in their placements and services. This guide, created by Lambda Legal and the Child Welfare League of America, provides child welfare professionals who work with transgender young people with education about transgender issues and tools to help prepare them to work sensitively with these clients.

- [Trans Youth Family Allies \(TYFA\)](#)

TYFA works to empower children and families by partnering with educators, service providers and communities, to develop supportive environments in which gender may be expressed and respected. They envision a society free of suicide and violence in which all children are respected and celebrated.

PHOTOGRAPHS OF PUPILS

Taking pictures of district pupils and buildings for commercial purposes is prohibited without written approval of the chief school administrator.

"Commercial purposes" in this context is defined to mean for sale or for use in connection with the advertisement or promotion of goods or services.

"School pupils" in this context means boys and girls enrolled in the school during that part of the day they are at school, on the school grounds, or engaged in any activity under the direction and supervision of the school.

Pictures of children with educational disabilities shall not be disseminated in any way unless permission is granted by parents/guardians. Photographs of children placed in the district by the Division of ~~Youth and Family Services (DYFS)~~ Child Protection and Permanency (DCP&P) shall not be published without permission of the division case worker.

Photographs on the District Web Site

Pictures of district pupils shall not be posted on the web site or released to any other publication, except under the following conditions:

- A. Prior written permission has been obtained from the pupil's parent/guardian or from the adult pupil;
- B. Group photographs may identify the group, but not the individuals in the group;
- C. Prior written permission has been obtained from the pupil's parent/guardian or from the adult pupil, if the pupil is receiving an award or special recognition.

Adopted: April 14, 2003  
Revised: November 11, 2013  
Revised:

Legal References: N.J.S.A. 18A:11-1  
N.J.S.A. 18A:36-35  
N.J.S.A. 18A:54-20

General mandatory powers and duties  
Disclosure of certain student information on internet prohibited without parental consent  
Powers of board (county vocational schools)

### NONDISCRIMINATION/AFFIRMATIVE ACTION

The board of education guarantees to all persons equal access to all categories of employment, retention and advancement in this district, regardless of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, disability, nationality, pregnancy, atypical hereditary cellular or blood trait of any individual or nonapplicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test.

An affirmative action/equity program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; renewal or non-renewal; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

The board-designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

#### Harassment and Favoritism

The board of education is an affirmative action employer and holds all its employees responsible for maintaining a working environment that is free from all discriminatory practices. Harassment or favoritism on any basis included in the board's statement of equal access to employment, retention and advancement is prohibited.

Administrators and supervisors shall be familiarized with the actions which constitute harassment and favoritism. This material shall be included in the legally mandated affirmative action inservice training for all employees, and shall be clear and specific (see policy 2224). When harassment has been determined to have taken place, appropriate disciplinary action will follow. All such determination shall be reported to the board.

#### Sexual Harassment

The board of education shall maintain a working environment that is free from sexual harassment.

Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited. No supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment of an employee. Sexually harassing conduct committed by nonsupervisory personnel is also prohibited.

Staff may file a formal grievance related to sexual harassment. The Affirmative Action Officer will receive all complaints and carry out a prompt and thorough investigation and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

NONDISCRIMINATION/AFFIRMATIVE ACTION

Pregnancy

The board prohibits discrimination against pregnant women and those who suffer medical conditions related to pregnancy and childbirth. The chief school administrator or his or her designee shall ensure that reasonable accommodation are made that will allow them to maintain a healthy pregnancy or recovery from childbirth, without being removed from their positions, placed on unpaid leave, or fired.

The district shall provide reasonable accommodations to pregnant women and those who suffer medical conditions related to pregnancy and childbirth, such as bathroom breaks, breaks for increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules, and temporary transfers to less strenuous or hazardous work.

Requested accommodations that cause the district an undue hardship are not required by law and shall not be provided.

"Whistleblower" Protection

The board prohibits discrimination or retaliation against any school employee who does any of the following:

- A. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the board that the employee reasonably believes is in violation of a law, or a rule or regulation established pursuant to law;
- B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation established pursuant to law by the board; or
- C. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes is in violation of law, rule or regulation; is fraudulent or criminal; or is incompatible with public health, safety or welfare or protection of the environment.

The board shall ensure that notices are posted conspicuously in each school, informing employees that they are protected under the "Conscientious Employee Protection Act."

Report on Implementation

The chief school administrator shall devise regulations, including grievance forms and procedures to implement this policy. He/she shall be responsible for informing staff annually of the identity and location of the affirmative action officer and the implementing procedures.

Adopted: October 7, 2002  
Revised: January 14, 2013

Legal References: N.J.S.A. 10:5-1 et seq. Law Against Discrimination  
See particularly:  
N.J.S.A. 10:5-3, -3.1, -4.1, -12, -27



NONDISCRIMINATION/AFFIRMATIVE ACTION

<u>N.J.S.A.</u> 18A:6-5	Inquiry as to religion and religious tests prohibited
<u>N.J.S.A.</u> 18A:6-6	No sex discrimination
<u>N.J.S.A.</u> 18A:18A-17	Facilities for handicapped persons
<u>N.J.S.A.</u> 18A:26-1	Citizenship of teachers, etc.
<u>N.J.S.A.</u> 18A:26-1.1	Residence requirements prohibited
<u>N.J.S.A.</u> 18A:29-2	Equality of compensation for male and female teachers
<u>N.J.S.A.</u> 26:8A-1 <u>et seq</u>	Domestic Partnership Act
<u>N.J.S.A.</u> 34:19-1 <u>et seq.</u>	Conscientious Employee Protection Act
<u>N.J.A.C.</u> 6A:7-1.1 <u>et seq.</u>	Managing for Equality and Equity in Education

NONDISCRIMINATION/AFFIRMATIVE ACTION

See particularly:

N.J.A.C. 6A:7-1.4,-1.8

N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

N.J.A.C. 6A:32-14.1 Review of mandated programs and services

Executive Order 11246 as amended

29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972

42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)

Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)

School Board of Nassau County v. Arline, 480 U.S. 273 (1987)

Vinson v. Superior Court of Alameda County, 740 P.2d 404 (Cal. Sup. Ct. 1987)

Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)

Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)

The Comprehensive Equity Plan, New Jersey State Department of Education

Cross References: \*2224 Nondiscrimination/affirmative action  
\*3320 Purchasing procedures  
\*4211 Recruitment, selection and hiring  
\*4212.8 Nepotism  
\*4247 Employee safety  
\*5145.4 Equal educational opportunity  
\*6121 Nondiscrimination/affirmative action

\*Indicates policy is included in the Critical Policy Reference Manual.

ATTENDANCE

Employee attendance is an important factor in the successful operation of any school district and in the maintenance of the continuity of the educational program. The Board of Education is vitally and continually interested in the attendance of each employee and considers satisfactory attendance an important criterion of satisfactory job performance.

The privilege of district employment imposes on each employee the responsibility to be on the job on time every scheduled work day. This responsibility requires that the employee maintain good health standards, take intelligent precautions against accidents, both on and off the job, and manage personal affairs in order to satisfy district attendance requirements.

The Board is required by the high costs of absences and disrupted work schedules to give continuing attention to the maintenance of regular attendance by employees. Therefore, if an absence of an employee is not in accordance with the provisions of Board policies, a deduction in salary shall be made, unless there seems to be sufficient reason for excusing the absence in which case the matter shall be referred to the Board. A day's salary of any employee on a 10 month appointment shall be considered  $1/200$ th of one year's salary. A day's salary of any employee on an 11 month appointment shall be considered  $1/240$ ~~220~~th of one year's salary. A day's salary of any employee on a 12 month appointment shall be considered  $1/260$ ~~240~~th of one year's salary.

Legal References: N.J.S.A. 18A:11-1; 18A:27-4; 18A:28-5; 18A:30-6

Adopted: December 10, 1984  
Renumbered: 00/00/00 (3212)  
Revised: November 13, 2006  
Revised: November 8, 2010  
Revised:

**NONDISCRIMINATION/AFFIRMATIVE ACTION**

The board of education guarantees to all persons equal access to all categories of employment, retention and advancement in this district, regardless of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, pregnancy, liability for service in the Armed Forces of the United States, disability, nationality, atypical hereditary cellular or blood trait of any individual, nonapplicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test.

An affirmative action/equity program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; renewal or non-renewal; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

The board-designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

**Harassment and Favoritism**

The board of education is an affirmative action employer and holds all its employees responsible for maintaining a working environment that is free from all discriminatory practices. Harassment or favoritism on any basis included in the board's statement of equal access to employment, retention and advancement is prohibited.

Administrators and supervisors shall be familiarized with the actions that constitute harassment and favoritism. This material shall be included in the legally mandated affirmative action inservice training for all employees, and shall be clear and specific (see policy 2224). When harassment has been determined to have taken place, appropriate disciplinary action will follow. All such determinations shall be reported to the board.

**Sexual Harassment**

The board of education shall maintain a working environment that is free from sexual harassment.

Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited. No supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment of an employee. Sexually harassing conduct committed by nonsupervisory personnel is also prohibited. ~~Any employee in the workplace who participates in deliberate or repeated unsolicited verbal comment (s), gesture (s), or physical contact of a sexual nature which is unwelcome is also engaging in sexual harassment.~~

**NONDISCRIMINATION/AFFIRMATIVE ACTION**

Staff may file a formal grievance related to sexual harassment. The Affirmative Action Officer will receive all complaints and carry out a prompt and thorough investigation and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

**Pregnancy**

The board prohibits discrimination against pregnant women and those who suffer medical conditions related to pregnancy and childbirth. The chief school administrator or his or her designee shall ensure that reasonable accommodation are made that will allow them to maintain a healthy pregnancy or recovery from childbirth, without being removed from their positions, placed on unpaid leave, or fired.

The district shall provide reasonable accommodations to pregnant women and those who suffer medical conditions related to pregnancy and childbirth, such as bathroom breaks, breaks for increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules, and temporary transfers to less strenuous or hazardous work.

**"Whistleblower" Protection**

The board prohibits discrimination or retaliation against any school employee who does any of the following:

- A. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the board that the employee reasonably believes is in violation of a law, or a rule or regulation established pursuant to law;
- B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation established pursuant to law by the board; or
- C. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes is in violation of law, rule or regulation; is fraudulent or criminal; or is incompatible with public health, safety or welfare or protection of the environment.

The board shall ensure that notices are posted conspicuously in each school, informing employees that they are protected under the "Conscientious Employee Protection Act."

**Report on Implementation**

The chief school administrator shall devise regulations, including grievance forms and procedures to implement this policy. He/she shall be responsible for informing staff annually of the identity and location of the affirmative action officer and the implementing procedures.

Adopted: October 7, 2002  
Revised: December 10, 2012  
Revised:

NONDISCRIMINATION/AFFIRMATIVE ACTION

Legal References: N.J.S.A. 10:5-1 et seq. Law Against Discrimination

See particularly:

N.J.S.A. 10:5-3, -3.1 -4.1,  
-12, -27

N.J.S.A. 18A:6-5 Inquiry as to religion and religious tests prohibited

N.J.S.A. 18A:6-6 No sex discrimination

N.J.S.A. 18A:18A-17 Facilities for handicapped persons

N.J.S.A. 18A:26-1 Citizenship of teachers, etc.

N.J.S.A. 18A:26-1.1 Residence requirements prohibited

N.J.S.A. 18A:29-2 Equality of compensation for male and female

N.J.S.A. 26:8A-1 et seq. Domestic Partnership Act

N.J.S.A. 34:19-1 et seq. Conscientious Employee Protection Act

N.J.A.C. 6A:7-1.1 et seq. Managing for Equality and Equity in  
Education

See particularly:

N.J.A.C. 6A:7-1.4, -1.8

N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School  
Districts

N.J.A.C. 6A:32-14.1 Review of mandated programs and services

Executive Order 11246 as amended

29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of  
1972

42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as  
amended by the Equal Employment Opportunities Act of 1972

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of  
1973

20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)

Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)

School Board of Nassau County v. Arline, 480 U.S. 273 (1987)

Vinson v. Superior Court of Alameda County, 740 P.2d 404 (Cal. Sup. Ct.  
1987)

Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)

Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir.  
2001)

NONDISCRIMINATION/AFFIRMATIVE ACTION

The Comprehensive Equity Plan, New Jersey State Department of Education

Possible

Cross References: \*2224 Nondiscrimination/affirmative action  
\*3320 Purchasing procedures  
\*4111 Recruitment, selection and hiring  
\*4112.8 Nepotism  
\*4147 Employee safety  
\*5145.4 Equal educational opportunity  
\*6121 Nondiscrimination/affirmative action

\*Indicates policy is included in the Critical Policy Reference Manual.

**NON DISCRIMINATION/AFFIRMATIVE ACTION**

State and federal statutes and regulations prohibit school districts from discriminatory practices in employment or educational opportunity against any person by reason of race, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, nationality, atypical hereditary cellular or blood trait of any individual, genetic information, or refusal to submit to a genetic test or make the results of a genetic test known, pregnancy in employment or in educational opportunities. Further state and federal protection is extended on account of disabilities, social or economic status, pregnancy, childbirth, pregnancy related disabilities, actual or potential parenthood, or family status.

The Rutherford Board of Education will continue to support its Affirmative Action Resolution, and to implement the district's equal educational opportunity policy, school and classroom practices plan and contract/employment practices plan in accordance with law and regulation.

The chief school administrator shall oversee the development and implementation of the three year comprehensive equity plan to ensure that the district provides equality in educational programs and to identify and correct, or assess and prevent, all bias, discrimination and impermissible isolation in policies, practices and facilities of the district. Upon approval of this plan by the state department of education, the board shall adopt it by resolution. The chief school administrator shall report to the board annually on progress toward goals established in the plan. A copy of the district's affirmative action/equity plans and self-evaluation of their achievement shall be available in the district office.

**Affirmative Action Officer and Team**

The board shall annually appoint a member of the staff as the affirmative action officer and form an affirmative action team, of whom the affirmative action officer is a member. The affirmative action officer shall serve as affirmative action/504 officer and/or desegregation coordinator. The affirmative action officer must have New Jersey certification with an administrative, instructional, or education services endorsement. The board shall ensure that all members of the school community know who the affirmative action officer is and how to access him/her.

The affirmative action officer shall:

- A. Coordinate the required professional development training for certificated and non-certificated staff;
- B. Notify all students and employees of district grievance procedures for handling discrimination complaints; and
- C. Ensure that the district grievance procedures, including investigative responsibilities and reporting information, are followed.

The affirmative action team shall:



**NON DISCRIMINATION/AFFIRMATIVE ACTION**

- A. Develop the comprehensive equity plan in compliance with administrative code;
- B. Oversee the implementation of the district's comprehensive equity plan;
- C. Collaborate with the affirmative action office in coordinating the required professional development training;
- D. Monitor the implementation of the comprehensive equity plan; and
- E. Conduct the annual district internal monitoring to ensure continuing compliance with state and federal law and code.

**Harassment**

The board of education shall maintain an instructional and working environment that is free from harassment of any kind. Administrators and supervisors will make it clear to all staff, pupils and vendors that harassment is prohibited. Sexual harassment shall be specifically addressed in the affirmative action inservice programs required by law for all staff.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- A. Submission to the conduct or communication is made a term or condition of employment or education;
- B. Submission to, or rejection of, the conduct or communication is the basis for decisions affecting employment and assignment or education;
- C. The conduct or communication has the purpose or effect of substantially interfering with an individual's work performance or education;
- D. The conduct or communication has the effect of creating an intimidating, hostile or offensive working or educational environment.

Sexual harassment of staff or children interferes with the learning process and will not be tolerated in the Rutherford Public Schools. Harassment by board members, employees, parents, students, vendors and others doing business with the district is prohibited. Any child or staff member who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the affirmative action officer or building principal. Anyone else who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the chief school administrator or board president. Employees whose behavior is found to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including dismissal. Other individuals whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the chief school administrator/board. Law enforcement shall be summoned when appropriate. This policy statement on sexual

**NON DISCRIMINATION/AFFIRMATIVE ACTION**

harassment shall be distributed to all staff members.

Staff or pupils may file a formal grievance related to harassment on any of the grounds addressed in this policy. The affirmative action officer will receive all complaints and carry out a prompt and thorough investigation, and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination or harassment will result in appropriate disciplinary action.

**School and Classroom Practices**

In implementing affirmative action, the district shall:

- A. Identify and correct the denial of equality of educational opportunities for pupils solely on the basis of any classification protected by law;
- B. Continually reexamine and modify, as may be necessary, its school and classroom programs; location and use of facilities; its curriculum development program and its instructional materials; availability of programs for children; and equal access of all eligible pupils to all extracurricular programs.

These topics are included in the pupil and instruction policies of the district at #5145.4 Equal educational opportunity, #6121 Nondiscrimination/affirmative action, and #6145 Extracurricular activities.

**Contract/Employment Practices**

The district directs the chief school administrator to ensure that appropriate administrators implement the district's affirmative action policies by:

- A. Adhering to the administrative code in selection of vendors and suppliers; informing vendors and suppliers that their employees are bound by the district's affirmative action policies in their contacts with district staff and pupils;
- B. Continuing implementation and refinement of existing practices and affirmative action plans, making certain that all recruitment, hiring, evaluation, training, promotion, personnel management practices and collective bargaining agreements are structured and administered in a manner that furthers equal employment opportunity principles and eliminates discrimination on any basis protected by law, holding inservice programs on affirmative action for all staff in accordance with law.

These topics are included in the business and noninstructional operations, and the personnel policies of the district at #3320, #3327, #4111.1 and #4211.1.

NON DISCRIMINATION/AFFIRMATIVE ACTION

Disabled

In addition to prohibiting educational and employment decisions based on nonapplicable disabling condition, the district shall, as much as feasible, make facilities accessible to disabled pupils, employees and members of the community as intended by Section 504 and as specified in the administrative code.

Report on Implementation

The chief school administrator shall devise regulations, including grievance forms and procedures to implement the district's affirmative action policies. He/she shall report to the board annually on the effectiveness of this policy and the implementing procedures.

Adopted: December 10, 1984  
Revised: March 13, 1995  
Revised: October 23, 1995 (as per I.D.E.A. language)  
Revised: January 14, 2002  
Revised: November 12, 2012  
Revised:

Legal References: N.J.S.A. 2C:16-1 Bias intimidation  
N.J.S.A. 2C:33-4 Harassment  
N.J.S.A. 10:5-1 et seq. Law Against Discrimination  
N.J.S.A. 18A:6-5 Inquiry as to religion and religious tests prohibited  
N.J.S.A. 18A:6-6 No sex discrimination  
N.J.S.A. 18A:18A-17 Facilities for handicapped persons  
N.J.S.A. 18A:26-1 Citizenship of teachers, etc.  
N.J.S.A. 18A:26-1.1 Residence requirements prohibited  
N.J.S.A. 18A:29-2 Equality of compensation for male and female teachers  
  
N.J.S.A. 18A:37-14 through -19 Harassment, intimidation, and bullying defined; definitions  
N.J.S.A. 18A:36-20 Discrimination; prohibition  
N.J.S.A. 26:8A-1 et seq. Domestic Partnership Act  
N.J.A.C. 5:23-7.1 et seq. Barrier free subcode of the uniform construction code  
N.J.A.C. 6A:7-1.1 et seq. Managing for Equality and Equity in Education  
See particularly:  
N.J.A.C. 6A:7-1.4, -1.5, -1.6, -1.7, -1.8  
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
N.J.A.C. 6A:32-12.1 Reporting requirements  
N.J.A.C. 6A:32-14.1 Review of mandated programs and services

NON DISCRIMINATION/AFFIRMATIVE ACTION

Executive Order 11246 as amended

29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended

20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972

42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)

Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)

School Board of Nassau County v. Arline, 480 U.S. 273 (1987)

Vinson v. Superior Court of Alameda County, 740 P.2d 404 (Cal. Sup. Ct. 1987)

State v. Mortimer, 135 N.J. 517 (1994)

Taxman v. Piscataway Bd. of Ed. 91 F.3d 1547 (3d Cir. 1996)

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)

Saxe v. State College Area School Dist., 240 F.3d 200 (3d Cir. 2001)

L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05 (Feb. 22, 2007), 2007 N.J. LEXIS 184. The New Jersey Supreme Court ruled that a school district may be held liable under the New Jersey Law Against Discrimination (LAD), N.J.S.A. 10:5-1 to -49, when students harass another student because of his perceived sexual orientation. A district school will be liable for such harassment if it knew or should have known of the harassment but failed to take reasonable remedial actions. The matter was remanded to the Director of the Division on Civil Rights.

Comprehensive Equity Plan, New Jersey Department of Education

Possible

Cross References: \*3320

\*4111

\*4111.1

Purchasing procedures

Recruitment, selection and hiring

Nondiscrimination/affirmative action

**NON DISCRIMINATION/AFFIRMATIVE ACTION**

- \*4131/4131.1 Staff development; inservice  
education/visitations/conferences
- \*4211 Recruitment, selection and hiring
- \*4211.1 Nondiscrimination/affirmative action
- \*4231/4231.1 Staff development; inservice  
education/visitations/conferences
- \*5131 Conduct/discipline
- \*5145.4 Equal educational opportunity
- \*6121 Nondiscrimination/affirmative action
- \*6145 Extracurricular activities

\*Indicates policy is included in the Critical Policy Reference Manual.