

**BLOOMSBURY ELEMENTARY SCHOOL
BOARD OF EDUCATION POLICY MANUAL
POLICY SERIES 2000 – Administration**

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Board of Education
Bloomsbury School District

CONCEPTS AND ROLES IN ADMINISTRATION/GOALS & OBJECTIVES

The Board of Education shall establish policies that govern all aspects of district operations. The Board expects the educational administration to direct, coordinate, and supervise pupils and staff in their efforts to reach goals and objectives adopted by the Board.

Within the guidelines of Board policy, negotiated agreements, and New Jersey law, the Board expects the educational administration to:

- A. Provide up-to-date information and sound professional advice to the Board, as an aid in informed decision-making;
- B. Plan, organize, implement and evaluate the educational programs established by board policy, in order to provide optimum educational opportunities to the pupils of the district;
- C. Provide these optimum educational opportunities at the lowest possible cost;
- D. Use efficient administrative and management procedures, including supervision and evaluation of teaching staff, pursuant to law and regulations, and developed after consultation with and among the Board, administrators and appropriate staff members;
- E. Coordinate the resources of the community with those of the district;
- F. Keep the Board informed of all new legislative actions or changes in code and statute that affect the policies, programs, or operations of the district.

Adopted: 6/2000
Revised/Updated: 9/2008
NJSB Update: 5/2006

Other Reasons:

N.J.S.A. 18A:12-21 et seq. establishes standards of ethical conduct for school officials which by definition includes administrators.

N.J.A.C. 6A:28-1.1 et seq. defines the purpose, authority and operating procedures of the School Ethics Commission.

It is advisable to have a policy expressing the board's philosophical approach to the administration of the schools and stating its general goals.

Legal References:

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|-----------------------------------|---------------------------------------------------------------|
| <u>N.J.S.A. 18A:7A-1 et al.</u> | Public School Education Act of 1975 |
| <u>N.J.S.A. 18A:7F-1 et al.</u> | Comprehensive Education Improvement and Financing Act of 1996 |
| <u>N.J.S.A. 18A:11-1</u> | General mandatory powers and duties |
| <u>N.J.S.A. 18A:12-21 et seq.</u> | School Ethics Act |
| <u>N.J.S.A. 18A:54-20</u> | Powers of board (county vocational schools) |
| <u>N.J.A.C. 6A:8-1.1 et seq.</u> | Standards and Assessment |
| <u>N.J.A.C. 6:3-9.1 et seq.</u> | School Ethics Commission |
| <u>N.J.A.C. 6A:32-1.1 et seq.</u> | School District Operations |

See particularly

N.J.A.C. 6A:32-4.4,-4.5

Possible Cross References:

- *2131 Chief school administrator
- *2210 Administrative leeway in absence of board policy
- 3293.1 Signatures/facsimiles
- *4111 Recruitment, selection and hiring
- *4211 Recruitment, selection and hiring
- *9000 Role of the board
- *9313 Formulation, adoption, amendment of administrative regulations

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

Board of Education
Bloomsbury School District

LINE OF RESPONSIBILITY

The Board of Education shall operate under a unit control system headed by the Chief School Administrator (CSA).

The authority of the Board of Education is transmitted through the CSA along specific paths from person to person as shown in the organization chart of the school district. The lines of authority represent direction of authority and responsibility. The lines are those approved by the Board of Education and are intended to establish clear understanding on the part of all personnel of the working relationships in the school system.

Personnel are expected to refer matters requiring administrative action to the administrator to whom they are responsible. Personnel are expected to keep the person to whom they are immediately responsible informed of their activities by appropriate means.

Adopted: 6/2000
Revised/Updated: 9/2008
NJSB Update: 5/2006

Other Reasons:

"Unit control" means that the Chief School Administrator is the chief executive officer and supervises all functions of the district, including financial. "Dual control" means that the Chief School Administrator and the Board Secretary/business official supervise separate functions, and both report directly to the Board.

Since the Superintendent Tenure Law of 1991, only districts with Chief School Administrators tenured prior to that law can maintain dual control. When a tenured CSA is replaced by a nontenured CSA, the district automatically becomes unit control.

Legal References:

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|--------------------------------------------|----------------------------------------------------------------------|
| <u>N.J.S.A.</u> 18A:11-1 | General mandatory powers and duties |
| <u>N.J.S.A.</u> 18A:17-5 through -14.3 | Secretaries and assistant secretaries; schoolbusiness administrators |
| <u>N.J.S.A.</u> 18A:17-15 through -23 | Superintendents and assistant superintendents of schools |
| <u>N.J.S.A.</u> 18A:17-24.1 <u>et seq.</u> | Shared Administrators, Superintendents |
| <u>N.J.S.A.</u> 18A:54-20 | Powers of board (county vocational schools) |
| <u>N.J.A.C.</u> 6A:9-12.3 | Authorization |
| <u>N.J.A.C.</u> 6A:9-12.4 | School administrator |
| <u>N.J.A.C.</u> 6A:9-12.7 | School business administrator |
| <u>N.J.A.C.</u> 6A:32-2.1 | Definitions (chief school administrator) |

Possible Cross References:

- *1312 Community complaints and inquiries
- 2100 Administrative staff organization
- *2131 Chief school administrator
- *2210 Administrative leeway in absence of board policy
- *3000/3010 Concepts and roles in business and noninstructional operations; goals and objectives
- 9123 Appointment of board secretary
- *9313 Formulation, adoption, amendment of administrative regulations

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

Board of Education
Bloomsbury School District

CHIEF SCHOOL ADMINISTRATOR

The Board of Education, in compliance with state law, will evaluate the Chief School Administrator (CSA) at least annually. Every newly appointed or elected board member shall complete the New Jersey School Boards Association's training program on evaluation of superintendents within 6 months of commencement of his/her term of office. The purpose of the evaluation shall be:

- A. To promote professional excellence and improve the skills of the CSA;
- B. To improve the quality of the education received by the pupils served by the public schools of the district; and
- C. To provide a basis for the review of the job performance of the CSA.

The role and responsibility of the Board in this evaluation shall be:

- A. To review, revise and adopt procedures suggested by the CSA for implementation of this policy;
- B. To determine whether the services of a qualified consultant will contribute substantially to the evaluation process, and to engage such a consultant if the Board deems it desirable;
- C. To adopt an individual plan for professional growth and development of the CSA based in part upon any needs identified in the evaluation. This plan shall reflect contributions by both the board and the CSA. The duration of the plan will be in accordance with the duration of the CSA's contract with the school district;
- D. To hold an annual summary conference between a majority of the full membership of the Board and the CSA. This conference shall include a review of the CSA's performance in terms of his/her job description;
- E. To adopt, by April 30, subsequent to the annual summary conference, an annual written performance report, approved by a majority of the full membership of the Board. This report shall include:
 - 1. Performance areas of strength;
 - 2. Performance areas needing improvement based upon the job description and evaluation criteria set forth below;
 - 3. Recommendations for professional growth and development;
 - 4. A summary of available indicators of pupil progress and growth and a statement of how these available indicators relate to the effectiveness of the overall program and the performance of the CSA; and
 - 5. Provision for performance data that have not been included in the report prepared by the Board of Education to be entered into the record by the CSA within 10 working days after the completion of the report.

The role and responsibility of the CSA shall be to provide information and propose procedures for:

- A. Development of a job description and evaluation criteria, based upon the district's local goals, program objectives, policies, instructional priorities, state goals, statutory requirements, and the

functions, duties and responsibilities of the CSA. The evaluation criteria shall include but not be limited to available indicators of pupil progress;

- B. Specification of methods of data collection and reporting appropriate to the job description;
- C. Design of evaluation instruments suited to reviewing the CSA's performance based upon the job description;
- D. Establishing an evaluation calendar to include a date for the annual conference and including appropriate information available to allow proper consideration of all the items to be included in the subsequent written performance report;
- E. After the Board's adoption of the annual written performance report, to provide all other appropriate information relative to evaluation of his/her performance not contained in the report; and
- F. Preparation and review of the Professional Growth Plan for the Administrator's professional development.

The policy shall be delivered to the CSA upon adoption. Amendments to the policy shall be distributed within 10 working days after adoption.

When the CSA is nontenured, the entire evaluation procedure must be completed by a date consistent with statute and code.

Adopted: 4/89
 Revised/Updated: 4/2000; 3/2008
 NJSB Update: 5/2006

Monitored:

Indicators 6.2, 6.3

Mandated:

N.J.A.C. 6:3-2.2 requires the board to develop policies and procedures on evaluation of the chief school administrator--tenured or nontenured. The evaluation must be based on the chief school administrator's job description.

Other Reasons:

N.J.S.A. 18A:12-21 et seq. establishes standards of ethical conduct for school officials which by definition includes administrators.

N.J.S.A. 18A:17-20 in effect prohibits tenure for superintendents in jobs in which they were not tenured as of September 1, 1991.

N.J.S.A. 18A:17-20.3 requires all new board members to receive NJSBA training in evaluation of superintendents.

N.J.A.C. 6A:28-1.1 defines the purpose, authority and operating procedures of the School Ethics Commission.

Legal References:

NOTE: These legal references pertain primarily to the chief school administrator's employment and evaluation. Many specific responsibilities are assigned by other statutes and administrative code regulations.

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|------------------------------------------|-----------------------------------------------------------------------------------------|
| <u>N.J.S.A.</u> 18A:4-15 | General rule-making power |
| <u>N.J.S.A.</u> 18A:6-10 through -17 | Dismissal and reduction in compensation of persons under tenure in public school system |
| <u>N.J.S.A.</u> 18A:12-21 <u>et seq.</u> | School Ethics Act |
| <u>N.J.S.A.</u> 18A:17-15 through -21 | Appointment of superintendents; terms; apportionment of expense |
| <u>N.J.S.A.</u> 18A:17-20 | Tenured and non-tenured superintendents; general powers and duties |
| <u>N.J.S.A.</u> 18A:17-24 | Clerks in superintendent's office |
| <u>N.J.S.A.</u> 18A:17-24.1 | Shared Administrators, Superintendents |
| <u>N.J.S.A.</u> 18A:27-4.1 | Appointment, transfer, removal or renewal of officers and employees, exceptions |
| <u>N.J.S.A.</u> 18A:28-3 through -6 | No tenure for noncitizens |
| <u>N.J.S.A.</u> 18A:29-14 | Withholding increments; causes; notice of appeals |
| <u>N.J.S.A.</u> 40:8A-1 <u>et seq.</u> | Interlocal Services Act |
| <u>N.J.A.C.</u> 6A:9-12 | Requirements for Administrative Certification |
| <u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u> | School Ethics Commission |
| <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:32-4.1 <u>et seq.</u> | Employment and Supervision of Teaching Staff |

See particularly:

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|---------------------------|-----------------------------------------------------------------|
| <u>N.J.A.C.</u> 6A:32-4.3 | Evaluation of tenured and nontenured chief school administrator |
| <u>N.J.A.C.</u> 6A:32-4.4 | Evaluation of tenured teaching staff members |
| <u>N.J.A.C.</u> 6A:32-4.5 | Evaluation of nontenured teaching staff members |

8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986

Manual for the Evaluation of Local School Districts (June 1993)

Possible Cross References:

| | |
|------------|------------------------------------------------------------|
| *2000/2010 | Concepts and roles in administration; goals and objectives |
| *2121 | Line of responsibility |
| *4111 | Recruitment, selection and hiring |
| *4211 | Recruitment, selection and hiring |
| *9000 | Role of the board |
| *9400 | Board self-evaluation |

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

Board of Education
Bloomsbury School District

ADMINISTRATIVE LEEWAY IN ABSENCE OF BOARD POLICY

In cases where immediate action must be taken within the school system when the Board has provided no guidelines for administrative action, the Chief School Administrator (CSA) shall have the power to act, but his/her decisions shall be subject to review by the Board at its next regular meeting.

It shall be the duty of the CSA to inform the Board promptly of such action and of the need for policy.

Adopted: 4/1989
Revised/Updated: 6/2000; 9/2008
NJSB Update: 5/2006

Other Reasons:

It is advisable to have a policy giving the chief school administrator discretion to act if necessary in situations for which there are no guidelines in policy.

Legal References:

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|---------------------------|--------------------------------------------------------------------|
| <u>N.J.S.A.</u> 18A:11- 1 | General mandatory powers and duties |
| <u>N.J.S.A.</u> 18A:17-20 | Tenured and non-tenured Superintendents; general powers and duties |
| <u>N.J.S.A.</u> 18A:54-20 | Powers of board (county vocational schools) |

Possible Cross References:

| | |
|---------|----------------------------------------------------------------|
| *3516 | Safety |
| 4135.16 | Work stoppages/strikes |
| 4235.16 | Work stoppages/strikes |
| *5131.6 | Drugs, alcohol, tobacco (substance abuse) |
| *5141.1 | Accidents |
| *5141.2 | Illness |
| *6114 | Emergencies and disaster preparedness |
| *9311 | Formulation, adoption, amendment of policies |
| *9313 | Formulation, adoption, amendment of administrative regulations |

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

Board of Education
Bloomsbury School District

NONDISCRIMINATION/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, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, 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, 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 Bloomsbury Board of Education will continue to support its Affirmative Action Resolution of June 15, 2000, 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 Board authorizes the Chief School Administrator (CSA) to develop and implement a multi-year 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 CSA 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(s)

The Board shall appoint a certified member or members of the staff as affirmative action officer(s), and form an affirmative action team, of whom the affirmative action officer is a member. The affirmative action officer(s) shall serve as affirmative action/504 officer and/or desegregation coordinator(s). 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:

- 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 Bloomsbury Elementary School. 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 CSA 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 CSA/Board. Law enforcement shall be summoned when appropriate. This policy statement on sexual 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 CSA 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 which 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.

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 CSA shall devise regulations, including grievance forms and procedures to implement the district's affirmative action policies. S/he shall report to the Board annually on the effectiveness of this policy and the implementing procedures.

Adopted: 3/1992
 Revised/Updated: 6/2000; 9/2008
 NJSB Update: 3/2007

Monitored:

Indicators 1.1, 8.1, 8.2

Mandated:

N.J.S.A. 18A:37-15 requires policy that prohibits harassment, intimidation or bullying on school property, at a school-sponsored function or on a school bus. The board is required to solicit school community input into the policy and to submit the adopted product to the county superintendent. The policy is to be published with any codes of conduct or student handbooks. (See policy 5131 Conduct/discipline).

N.J.A.C. 6A:7-1.4 mandates policy on equal educational opportunity, and recognition of the value of diversity.

Requirements of the multi-year equity plan include policy on various aspects of this topic.

Other Reasons:

The Americans with Disabilities Act (ADA) imposes obligations on boards of education both as employers and providers of education. Many of these obligations duplicate or expand existing obligations under Section 504 and other federal law.

N.J.S.A. 2C:16-1(a)(i) makes a person guilty of the crime of bias intimidation if he commits, attempts to commit, conspires with another to commit, or threatens the immediate commission of an offense with a purpose to intimidate an individual or group of individuals because of race color, religion, gender, handicap, sexual orientation or ethnicity.

N.J.S.A. 10:5-3 forbids discriminatory practices against any person or that person's spouse by reason of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, marital status, familial status, liability for service in the Armed Forces of the United States, or nationality.

N.J.S.A. 10:5-4.1 applies all provisions of the statutes against discrimination to the disabled.

N.J.S.A. 10:5-12 makes it unlawful to discriminate in employment practices against persons in the above categories and includes genetic information, individuals with atypical hereditary cellular or blood traits, or refusal to submit to a genetic test or make the results of a genetic test known, or domestic partnership status.

N.J.S.A. 10:5-27 reads: "With respect only to affectional or sexual orientation, nothing contained herein shall be construed to require the imposition of affirmative action, plans or quotas as specific relief from an unlawful employment practice or unlawful discrimination."

N.J.A.C. 6A:7-1.4(2)c requires the board to develop a comprehensive equity plan every 3 years.

N.J.A.C. 6A:7-1.5 requires the board to annually designate a staff member as the affirmative action officer and form an affirmative action team.

N.J.A.C. 6A:7-1.6 requires the board to provide professional development for all school personnel to identify and resolve problems associated with the student achievement gap and other inequities arising from prejudice.

N.J.A.C. 6A:7-1.7 requires the board to provide equal and bias-free access for all students to all school facilities, courses, programs, activities and services.

N.J.A.C. 6A:7-1.8 requires the board to ensure equal and bias free access to all categories of employment in the district.

Legal References:

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|-----------------------------------------|-------------------------------------------------------------|
| <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 <i>et seq.</i> | Law Against Discrimination |
| <u>N.J.S.A.</u> 18A:6-5, -6 | 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, -1.1 | 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> 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.S.A.</u> 26:8A-1 <i>et seq.</i> | Domestic Partnership Act |
| <u>N.J.A.C.</u> 5:23-7 | Barrier free subcode of the uniform construction code |
| <u>N.J.A.C.</u> 6A:7-1.1 <i>et seq.</i> | Managing for Equality and Equity in Education |

See particularly:

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|--------------------------------------------------|---------------------------------------------------|
| <u>N.J.A.C.</u> 6A:7-1.4, -1.5, -1.6, -1.7, -1.8 | |
| <u>N.J.A.C.</u> 6A:30-1.1 <i>et seq.</i> | 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

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

20 U.S.C.A. 1401 *et seq.* - Education of the Handicapped Act

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

Meritor Savings Bank v. Vinson, 106 S. Ct. 2399 (1986)

School Board of Nassau County v. Arline, 107 S. Ct. 1123 (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. F. 3d (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 of Civil Rights.

Manual for the Evaluation of Local School Districts (June 1993)
Comprehensive Equity Plan, New Jersey Department of Education

Possible Cross References:

| | |
|--------------|----------------------------------------------------------------|
| *3320 | Purchasing procedures |
| *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 |
| *5145.4 | Equal educational opportunity |
| *6121 | Nondiscrimination/affirmative action |
| *6145 | Extracurricular activities |

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

Board of Education
Bloomsbury School District

RESEARCH, EVALUATION, AND PLANNING

As required by law, the Chief School Administrator (CSA) shall annually direct development or review of district long- and short-range goals and the plan of action to attain them. Objectives shall be developed with community participation and approved by the Board of Education; the plan of action shall be prepared in consultation with teaching staff members. The district's plans shall be discussed at a public meeting before the date required by law.

Further, the CSA shall coordinate continual research and evaluation of programs and facilities. The master plan shall be studied and revised periodically to keep it in accord with the changing circumstances and aspirations of the district.

State Monitoring

The CSA shall ensure and coordinate the District Performance Review every three years, in compliance with New Jersey Quality Single Accountability Continuum (NJQSAC). Upon completion of the district's conduct of the District Performance Review, the Board shall fix a date, place and time for the holding of a public meeting for approval by Board resolution. The Board shall comply with meeting procedures specified in N.J.A.C. 6A:30-3.2.

School-level Planning

By September 30, the CSA shall coordinate development and implementation of a two-year school-level plan based on school report card data. This plan shall include pupil performance objectives, a review of progress by teaching and administrative staff, and the involvement of parents.

The performance objectives shall be based on pupil performance or behavior standards as defined in the administrative code.

At least once per semester, the CSA shall conduct meetings by grade level, department, team or similarly appropriate group to review the school-level plan. The review shall include:

- A. School report card data;
- B. Progress toward achieving pupil performance objectives;
- C. Progress toward achieving core curriculum content standards.

The CSA shall sign a statement of assurance attesting to these activities on the form prescribed by the commissioner of education.

The CSA shall submit each school's objectives to the county superintendent for review and approval. The report on the achievement of objectives or progress toward benchmarks for the previous year shall be contained in the October 30th annual report.

Adopted: 11/1983
 Revised/Updated: 6/2000; 9/2008; 1/2011
 NJSB Update: 6/2010

Mandated:

Procedural guideline 2.2(1) requires policy.

Recommendation:

A policy directing the CSA to supervise annual development of district educational objectives as required by law and to evaluate achievement of them. It should also address long-range planning for curriculum and services, and facilities. In a dual-control district, the business official should be co-responsible for the latter. Administrative code regulations and monitoring indicators stress planning and evaluation, and dictate community involvement. Responsibility should be assigned for school level planning as outlined in the administrative code. The district's multi-year building and grounds maintenance plan should be addressed at 3510.

Legal References:

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|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <u>N.J.S.A. 18A:7A-10</u> | Evaluation of performance of each school |
| <u>N.J.S.A. 18A:7A-11</u> | Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills |
| <u>N.J.S.A. 18A:7A-14</u> | Review of evaluations of district performance |
| <u>N.J.S.A. 18A:7F-4</u> | Periodic review of core curriculum content standard by state board; establishment of thoroughness and efficiency standards and cost per pupil |
| <u>N.J.S.A. 18A:7F-6</u> | Approval of budget by Commissioner |
| <u>N.J.A.C. 6:8-1.1 et seq.</u> | Standards and Assessments |
| <u>N.J.A.C. 6A:26-2.1 et seq.</u> | Long-Range Facilities Plans |
| <u>N.J.A.C. 6A:30-1.1 et seq.</u> | Evaluation of the Performance of School Districts |
| <u>N.J.A.C. 6A:32-2.1</u> | Definitions |
| <u>N.J.A.C. 6A:32-12.1</u> | Reporting requirements |
| <u>N.J.A.C. 6A:32-12.2</u> | School-level planning |
| <u>N.J.A.C. 6A:32-13.1 et seq.</u> | Student Behavior |
| <u>N.J.A.C. 6A:32-14.1</u> | Review of mandated programs and services |

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A., 6301 et seq.

Possible Cross References:

| | |
|---------|----------------------------------------------------|
| *1120 | Board of education meetings |
| *1220 | <u>Ad hoc</u> advisory committees |
| *2255 | Action planning for T&E certification |
| *3510 | Operation and maintenance of plant |
| *5020 | Role of parents/guardians |
| *6142.2 | English as a second language; bilingual/bicultural |
| *6171.4 | Special education |
| *7110 | Long-range facilities planning |
| *9130 | Committees |

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

Board of Education
Bloomsbury School District

ACTION PLANNING FOR STATE MONITORING NJQSAC

The Board of Education recognizes that it has important functions under the New Jersey state monitoring system: Quality Single Accountability Continuum (NJQSAC). The Board shall comply with the requirements of the Department of Education's 3-year monitoring system by completing the District Performance Review (DPR). The District shall be assessed in the following 5 key areas:

- A. Operations;
- B. Instruction and Program;
- C. Governance;
- D. Fiscal managements;
- E. Personnel

The Chief School Administrator (CSA) shall take the following steps to oversee the efficient completion of the District Performance Review every 3 years as required by law:

- A. District Performance Review form shall be completed by the district committee. The CSA shall determine the total number of people that will serve on the committee. The CSA shall appoint the following persons to the committee, and, in his or her discretion, may include other persons on the committee with the approval of the Board of Education:
 - 1. Chief school administrator;
 - 2. One or more members of the administrative staff;
 - 3. One or more teaching personnel, representative of different grade levels and/or;
 - 4. The business administrator as well as other appropriate personnel;
 - 5. One or more member representatives of the local collective bargaining unit of the educational staff selected by the local collective bargaining unit; which may include the teaching personnel otherwise appointed in "3" above; and
 - 6. One or more members of the Board selected by the Board.
- B. The CSA shall:
 - 1. Ensure that the process used by the committee in completing the District Performance Review provides for participation and input by all committee members;
 - 2. Consult with the committee in formulating a response to all weighted quality performance indicators of each component of school district effectiveness;
 - 3. Ensure that the responses in District Performance Review encompass and reflect the circumstances that exist in the school district; and
 - 4. Ensure that all responses to the District Performance Review can be verified by data and supporting documentation or otherwise and provide this verification to the department upon request. (N.J.A.C. 6A:30-3.2 District Performance Review)

Additionally, the CSA shall ensure the district's compliance with all indicators when it is within his/her power to do so. S/he shall inform the Board in a timely fashion of any areas in which Board action is required to bring the district into compliance, and suggest to the Board feasible plans of action.

Upon completion of the proposed responses to the District Performance Review, the Board of Education shall fix a date, place and time for the holding of a public meeting, which may be a regularly scheduled meeting of the district Board of Education. The proposed responses to the District Performance Review and statement of assurance shall be presented to the Board for approval by resolution.

The Board shall ensure that:

- A. The proposed responses to the District Performance Review and statement of assurance shall be posted on its internet site, if one exists, at least five working days prior to the date fixed for the meeting, and shall make it available for examination by the public at the district Board offices or another reasonable location;
- B. Notice of the meeting shall be published as required by the Open Public Meetings Act and this notice shall inform the public that the District Performance Review and statement of assurance will be discussed at the meeting and the times and manner in which members of the public may view the proposed responses to the District Performance Review; and
- C. At the public meeting the public shall have the opportunity to comment and be heard with respect to the proposed responses to the District Performance Review. The public shall have the opportunity to submit written comments prior to the meeting, as well. (N.J.A.C. 6A:30-3.2 District Performance Review)

If the school district fails to satisfy the evaluation criteria, the Board of Education shall cooperate in undertaking corrective action plans indicated by the executive county superintendent and pursuant to the New Jersey administrative code.

Certification requirements for teaching staff members shall not be violated.

Equivalency and Waiver Procedures

The Board may apply to the commissioner for a waiver of a specific rule or an equivalent means of implementing a rule through alternate procedures so long as the following criteria are met:

- A. The spirit and intent of New Jersey statutes, applicable federal laws and regulations, and the administrative code are served by granting the equivalency or waiver;
- B. The provision of a thorough and efficient education to the students in the district is not compromised as a result of the equivalency or waiver; and
- C. There will be no risk to student health, safety or civil rights by granting the equivalency or waiver.

All applications for equivalency and waivers shall be signed by CSA and approved by the Board of Education.

Adopted: 4/1989
Revised/Updated: 6/2000, 9/2008; 1/2011
NJSB Update: 6/2010

Other Reasons:

N.J.A.C. 6A:5-1.1 et seq. sets up a process of equivalencies and waivers, allowing some regulatory flexibility in meeting rules in the administrative code.

N.J.A.C. 6A:30-2.1 addresses New Jersey Quality Single Accountability Continuum (NJQSAC), the state evaluation and monitoring of public school districts' performance and capacity in 5 key components of school district effectiveness. They are: instruction and program; personnel; fiscal management; operations; and governance under NJQSAC.

N.J.A.C. 6A:30-3.2 details the responsibilities of the CSA in the appointment of the district committee responsible for the completion of the District Performance Review. The make-up of the district committee is specified as well as the district's requirements regarding public notice and public participation in accordance with the Open Public Meetings Act.

N.J.A.C. 6A:30-5.2 provides that public school districts that satisfy less than 80% of the weighted quality performance indicators in one or more of the key components of school district effectiveness shall be required to commence improvement activities as set forth at N.J.A.C. 6A:30-5.3 through 5.7. These improvement activities shall include development and implementation of a NJQSAC district improvement plan, approved by the Commissioner. Other improvement activities may include: An in-depth evaluation conducted by the Department; receipt of technical assistance, provided by Department staff or by one or more highly skilled professionals.

Recommendation:

A policy addressing district action planning to complete the District Performance Review for NJQSAC monitoring every 3 years. Additionally a policy addressing the district's intended cooperation with improvement activities that result from a failure to satisfy 80% in any or all of the performance indicators. The Board's pledge to take immediate and vigorous action in planning to remediate deficiencies assures the community that the Board is acting in the community's interest.

Legal References:

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|-----------------------------------|---------------------------------------------------------|
| <u>N.J.S.A. 18A:7A-10</u> | Evaluation of performance of each school |
| <u>N.J.S.A. 18A:7A-14.</u> | Review of evaluation of district performance |
| <u>N.J.S.A. 18A:7F-1 et al.</u> | Comprehensive Educational Improvement and Financing Act |
| <u>N.J.S.A. 18A:26-2</u> | Certificates required; exception |
| <u>N.J.A.C. 6:3A-1.1 et seq.</u> | Regulatory Equivalency and waiver \ |
| <u>N.J.A.C. 6A:8-1.1 et seq.</u> | Standards and Assessments |
| <u>N.J.A.C. 6A:30-1.1 et seq.</u> | Evaluation of the Performance of School Districts |
| <u>N.J.A.C. 6A:32-2.1</u> | Definitions |
| <u>N.J.A.C. 6A:32-12.1</u> | Reporting requirements |
| <u>N.J.A.C. 6A:32-12.2</u> | School-level planning |
| <u>N.J.A.C. 6A:32-14.1</u> | Review of mandated programs and services |

Possible Cross References:

| | |
|-------|-----------------------------------|
| *1120 | Board of education meetings |
| *1220 | Ad hoc advisory committees |
| *2240 | Research, evaluation and planning |

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