

# CLOSTER BOARD OF EDUCATION

*Closter, New Jersey*

MINUTES

WORK SESSION MEETING

*Tenakill Middle School*

*February 3, 2022 - 7:30 PM*

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The Board meeting was called to order by Ms. Finkelstein at 7:31 PM

The following Board members were present:

Ms. Fanelli, Ms. Kothari, Ms. Kwon, Ms. Micera, Dr. Puttannah, Ms. Wagner (remotely),  
Ms. Yeoh, Ms. Cross, Ms. Finkelstein

The following Board members were absent:

None

Also present:

Mr. McHale and Mr. Villanueva

**NEW JERSEY OPEN PUBLIC MEETINGS ACT STATEMENT - Read by the President:**

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 Secretary to the Board of Education has caused notice of this meeting by having the date, time, remote access information, and place thereof, posted at each school building within the district, district website, the Board of Education office, the Office of the Borough Clerk, and transmitted to *The Record* and *Northern Valley Suburbanite* newspapers.

**PLEDGE OF ALLEGIANCE**

**SUPERINTENDENT'S REPORT**

Mr. Vincent McHale, Superintendent of Schools shared with the Board and the community his report:

- *As you know, our District Diversity Council created an action plan for this school year. The District Diversity Council met yesterday, Wednesday, February 2, 2022, for a progress report on the action plan. He was so proud to report on the amazing progress of our administrators, teachers, staff and students in bringing the action plan to life. Most recently, we observed Holocaust Remembrance Day on January 27, 2022, and Lunar New Year on February 1, 2022. Students engaged in age-appropriate lessons on the Holocaust and the Korean Parent Group organized the 12<sup>th</sup> Annual Lunar New Year assemblies for both schools, followed by playing a Korean game, Yut Nori, in classrooms. February is also Black History Month and teachers are planning lessons on: biographies of Black Americans, read-alouds of stories with Black protagonists, events in the Civil Rights movement, Dr. King's I Have a Dream speech, and the Little Rock Nine. Upcoming cultural awareness month celebrations are Arab-American Heritage Month in April, and Asian Pacific American Heritage Month and Jewish-American History Month, both in May. Our students are learning important lessons about the cultures represented in*

*Closter and the world. We are preparing our students to function in a diverse world by understanding other cultures – which is definitely a necessary skill.*

- *Our District Evaluation Advisory Committee met again on Monday, January 31, 2022, to work on creating an optional alternative evaluation process for teachers rated highly effective, to be implemented for the 2022-2023 school year. The process being developed would allow teachers rated highly effective to choose an optional evaluation process in which they would video record their instruction several times during the year, write a reflection on the observed strengths and areas for improvement, and then meet with an administrator to discuss. The highly effective teachers who choose this optional process would still have one observation by an administrator. The DEAC had some questions about how best to communicate the expectations to the eligible teachers and we have reached out to six other New Jersey districts who are already implementing this evaluation option for highly effective teachers to enquire about their processes. The DEAC will meet again this month to continue their work.*
- *Pandemic Update*
  - *Since Friday, January 21, 2022 (the day after his last report), we have had 10 students at Hillside Elementary School and 13 students at Tenakill Middle School test positive for COVID-19, which is 1.9% of our total student population. Since January 21, 2022, we have had one staff member test positive in the district, which is .5% of our staff population. Since September 2, 2022, the cumulative number of students who have been COVID-19 positive is 238, which is 20% of the student population. With regard to vaccinations:*
- *Hillside Elementary School*
  - *94% of staff are vaccinated and 35% have been boosted*
  - *36.4% of students are vaccinated; HES students are not eligible for a booster*
- *Tenakill Middle School*
  - *97% of staff are vaccinated and 40% have been boosted*
  - *26% of students are vaccinated and 5% have been boosted*

#### **BOARD DISCUSSION ON NJDOH GUIDELINES FOR COVID-19**

- *School Physician, Dr. Patel spoke and answered questions from the trustees regarding the New Jersey Department of Health guidelines for Covid-19.*

#### **PUBLIC DISCUSSION ON AGENDA ITEMS**

*Moved by Ms. Micera, seconded by Ms. Kwon to open the meeting to the public.*

*Statements made by individual participants are limited to a duration of three (3) minutes unless otherwise announced at the beginning of the discussion. A maximum of 15 minutes for public input is scheduled as per bylaw 0167. The Board urges large groups to select one person to represent them. The Board reminds those individuals who take the opportunity to speak to please step up, identify themselves by name and address, and to limit their comments to items listed on the agenda.*

*Ms. Avizov, 17 Buzzoni Drive, asked why the school calendar did not include more snow days? Mr. McHale explained that in the past there has been one (1) snow day built into the calendar and that is also due to the contract with the Closter Education Association.*

Moved by Ms. Micera, seconded by Ms. Kothari to resume the regular order of business.

### **BOARD OPERATIONS**

Moved by Dr. Puttannah, seconded by Ms. Micera to approve Motions A and B.

Motions were approved by a roll call vote of the Board as follows:

YEAS: Ms. Fanelli, Ms. Kothari, Ms. Kwon, Ms. Micera, Dr. Puttannah, Ms. Wagner (remotely),  
Ms. Yeoh, Ms. Cross, Ms. Finkelstein

NAYS: None

A. **APPROVAL - Minutes**

Motion to approve January 20, 2022 minutes.

B. **APPROVAL - School Calendar for 2022-2023 School Year**

Motion to approve the school calendar for the 2022-2023 school year as per Appendix A.

### **CURRICULUM AND INSTRUCTION COMMITTEE**

*Chairperson Dr. Puttannah, Ms. Finkelstein, Ms. Wagner, Ms. Yeoh*

Moved by Dr. Puttannah, seconded by Ms. Micera to approve Motions A - B.

Motions were approved by a roll call vote of the Board as follows:

YEAS: Ms. Fanelli, Ms. Kothari, Ms. Kwon, Ms. Micera, Dr. Puttannah, Ms. Wagner (remotely),  
Ms. Yeoh, Ms. Cross, Ms. Finkelstein

NAYS: None

A. **APPROVAL - Staff Coursework**

Motion to approve the following courses for 2021-2022 as recommended to the Superintendent by the Principals:

Staff Member: Sarah Kang

Course No./Title: 15:253:522:92 Learning Disabilities

Institution: Rutgers

Credits: 3

Staff Member: Andrea Watkins

Course No./Title: 6880.81 Teaching Vocabulary to Students with Learning Disabilities

Institution: Fairleigh Dickinson University

Credits: 1

Staff Member: Meghan Pleus

Course No./Title: EDUC 718W Implementing Social & Emotional Learning in the Classroom

Institution: University of LaVerne  
Credits: 3

**B. APPROVAL - Staff Conferences**

Motion to approve the following staff conferences:

Staff Member(s): Karen Volpitto  
Conference: Frontline Recruiting & Hiring Webinars  
Location: Virtual  
Date: 3/2/22 - 4/20/22 (2 hours per week)  
Cost to Board: \$695.00

**FINANCE AND PHYSICAL PLANT COMMITTEE**

*Chairperson Ms. Kwon, Ms. Finkelstein, Ms. Kothari, Ms. Yeoh*

Moved by Ms. Kwon, seconded by Ms. Micera to approve Motions A - I.

*Ms. Fanelli inquired where the security cameras would be installed as mentioned in motions D and E. Mr. McHale explained these cameras would be placed in areas that did not currently have cameras.*

*Dr. Puttannah inquired about the SEMI program mentioned in item I. Mr. McHale explained this was for the medicaid program which reimburses for services provided. At the moment we are under the amount of students required; however we are slowly increasing our numbers and next year we may not be able to apply for the waiver.*

Motions were approved by a roll call vote of the Board as follows:

YEAS: Ms. Fanelli, Ms. Kothari, Ms. Kwon, Ms. Micera, Dr. Puttannah, Ms. Wagner (remotely),  
Ms. Yeoh, Ms. Cross, Ms. Finkelstein

NAYS: None

**A. APPROVAL - Monthly Bills**

Motion to approve payment of bills from January 19th, 2022 to January 31, 2022, in the amount of:

General Fund (Fund 10)	\$679,751.41
Special Revenue (Fund 20)	\$ 11,528.66
Total	\$691,280.07

B. **APPROVAL - Monthly Bills**

Motion to approve payment of bills from February 1, 2022 to February 3, 2022, in the amount of:

General Fund (Fund 10)	\$164,497.40
Special Revenue (Fund 20)	\$ 1,180.86
Enterprise (Milk – Fund 60)	\$ 522.02
Total	\$166,200.28

C. **APPROVAL - Staff Remuneration**

Motion to approve remuneration to staff members as follows:

Staff Member: Leigh Bomzer  
Course: Common Core Math Practices & Fostering Math Discussions  
College/University: Fresno Pacific University  
Remuneration: \$905.00

D. **APPROVAL - Security Cameras - Tenakill Middle School**

Motion to approve the purchase and installation of six security cameras from Eastern Datacomm in the amount of \$15,807.75 through the Ed Services Commission of NJ Emergency Notification System Bid #18/19-16.

E. **APPROVAL - Security Cameras - Hillside Elementary School**

Motion to approve the purchase and installation of seven security cameras from Eastern Datacomm in the amount of \$17,649.00 through the Ed Services Commission of NJ Emergency Notification System Bid #18/19-16.

F. **APPROVAL - Classroom Desks**

Motion to approve the purchase of 30 classroom desks (for various classrooms throughout the district) in the amount of \$7,917 from School Specialty through the Ed Data Services Bergen Bid 9917.

G. **APPROVAL - HES Art Room Furniture**

Motion to approve the purchase of various art room furniture from Nickerson New Jersey Inc., in the amount of \$19,686.39 through the Ed Data Services Commission of NJ Furniture and Accessories Bid #20/21-01.

H. **APPROVAL - HES STEM Lab Furniture**

Motion to approve the purchase of various STEM lab furniture from Nickerson New Jersey Inc., in the amount of \$21,935.70 through the Ed Data Services Commission of NJ Furniture and Accessories Bid #20/21-01.

I. **APPROVAL - Submission of Waiver of Requirements (SEMI Program)**

Whereas, NJAC 6A:23A-5.3 provides that a school district may request a waiver of compliance with respect to the district's participation in the Special Education Medicaid Initiative (SEMI) Program for the 2022-2023 school year; and

Whereas, the Closter Board of Education desires to apply for this waiver because it projects having fewer than 40 Medicaid eligible classified students and participation in SEMI would not provide a cost benefit to the district based on the projection of the district's available SEMI reimbursement for the 2022-2023 budget year;

Now Therefore Be It Resolved, that the Closter Board of Education hereby authorizes the Chief School Administrator to submit to the Executive County Superintendent of Schools in the County of Bergen an appropriate waiver of the requirements of NJAC 6A:23A-5.3 for the 2022-2023 school year.

**PERSONNEL AND MANAGEMENT COMMITTEE**

*Chairperson Ms. Cross, Ms. Fanelli, Ms. Finkelstein*

Moved by Ms. Cross, seconded by Ms. Micera to approve Motions A - D.

Motions were approved by a roll call vote of the Board as follows:

YEAS: Ms. Fanelli, Ms. Kothari, Ms. Kwon, Ms. Micera, Dr. Puttannah, Ms. Wagner (remotely),  
Ms. Yeoh, Ms. Cross, Ms. Finkelstein

NAYS: None

A. **APPROVAL - Leave of Absence Change of Date**

Motion to approve the change of date for unpaid leave of absence (date change from January 24, 2022, to January 31, 2022) for Naynaben Dhorajia, Tenakill Middle School paraprofessional; with an anticipated return date of March 28, 2022.

B. **APPROVAL - Substitute Teachers**

Motion to approve the following substitute teachers for the 2021-2022 school Year:

<u>Name</u>	<u>Certification</u>
Krista Stokes-Caglar	NJ Substitute Certification
Debra Fein	NJ Substitute Certification

C. **APPROVAL - Learners Compass Therapist for Student ID #371001**

Motion to approve Elyssa Martino, Learners Compass (parent paid), for Student ID #371001 for the 2021-2022 school year (pending archival of fingerprints).

D. **APPROVAL - Extension for Unpaid LOA (FMLA) for Dara Weiss**

Motion to approve extension for an unpaid leave of absence using FMLA for Dara Weiss until February 15, 2022. Anticipated date of return is February 16, 2022.

## POLICY COMMITTEE

Chairperson Ms. Micera, Ms. Fanelli, Ms. Finkelstein, Ms. Kothari

Moved by Ms. Micera, seconded by Ms. Cross to approve Motion A.

Motions were approved by a roll call vote of the Board as follows:

YEAS: Ms. Fanelli, Ms. Kothari, Ms. Kwon, Ms. Micera, Dr. Puttannah, Ms. Wagner (remotely),  
Ms. Yeoh, Ms. Cross, Ms. Finkelstein

NAYS: None

### A. APPROVAL - First Reading of Policies

Motion to approve the first reading of the following policies, as per attached Appendix B.

- 2415.05 Student Surveys, Analysis, Evaluations, Examinations, Testing or Treatment
- 2431.4 Prevention and Treatment of Sports-Related Concussions and Head Injuries
- 2622 Student Assessment
- 3233 Political Activities
- 5541 Anti-Hazing
- 7540 Joint Use of Facilities
- 8465 Bias Crimes and Bias-Related Acts
- 9560 Administration of School Surveys

## BOARD COMMITTEES

*Ms. Kwon spoke on behalf of the Finance Committee which met today. The Finance Committee discussed the long range facilities plan, preliminary numbers from the SY 20-21 audit, and projects for the 2022/2023 school year. The auditor also informed us that we received an unmodified report from the most recently completed audit. The committee spoke about the reserves and surplus, and we are in good standing. The committee discussed the preliminary budget for the 2022/2023 school year. It should be solidified soon after the Governor's Budget address and will be approved on the March meeting.*

*Ms. Micera spoke on behalf of the Policy Committee. The district is now using Strauss Esmay regarding school policy. The committee will not need to do a full overhaul of the policies, but will be able to make changes as the updates are given from Strauss Esmay.*

## OLD/NEW BUSINESS

*Mr. McHale requested if the board would be interested in moving the Board Committee portion to the beginning of the meeting. This would insure the Board would have all the necessary information before approving motions.*

## PUBLIC DISCUSSION

Moved by Ms. Micera, seconded by Ms. Cross to open the meeting to public discussion.

*Ms. Avia Blum, 239 Parsells Lane, Ms. Blum expressed her concerns regarding the travel quarantine policy. She believes the responsibility of the health of the children should be from the parents, not the Board of Education. The job of the Board is to educate the children.*

*Ms. Daphna Avizov, 17 Buzzoni Drive, Ms. Avizov asked that a committee of experts be created to discuss the reopening plan. This would ensure a safe environment for the children.*

*Mr. Larry Reines, 290 Demarest Avenue. Mr. Reines expressed his concern he has with the health and well being of the children. For the past two years, children have not been exposed to culture. They have missed clubs, sports and drama. He cites the increase of mental health issues in children ages 5 to 17.*

*Mr. Villanueva read comments from the public:*

*Ms. Jaime Stella, 83 Hickory Lane, requested information regarding the funds from the American Rescue Plan. Mr. Villanueva informed the public the funds will be used from 2021/2022 to 2023/2024 school year. Funds will cover a contract with West Bergen Mental Health, Winter and Spring Academic Support Programs, salary and benefits for the Curriculum and Instruction/Vice-Principal position for Hillside, a K-1 Support Teacher, HVAC work for STEM Labs in both Hillside and Tenakill, and Window Replacement.*

*Ms. Messenger, 24 Yale Place, requested the Board to revisit and make amendments to The Return to School plan to follow the current Covid landscape. Ms. Messenger expressed that we should not follow the New Jersey Department of Health guidelines as she believes these become mandates and not guidelines.*

*Ms. Nucera, 35 High Street, requested changes be made to Closter's school policies that a student who is unvaccinated is treated differently than a student who is vaccinated. The student who is not vaccinated is penalized from their education. She further explained a child who is vaccinated is still susceptible to contact Covid.*

*Mr & Mrs. Randesi, 160 Alpine Drive, commented regarding the travel guidelines. Mr. and Ms. Randesi do not believe that someone who has traveled outside of the tri-state area should quarantine prior to returning to school. They believe if a healthy student is wearing a mask in school all day they should not stay home and quarantine. Any individual who is out and about in the community can contract and spread the virus.*

*Mr. & Mrs. Srinivasan, 43 Cedar Lane, requested the board to reconsider the quarantine policy for traveling outside the tri-state area.*

*Dr. Puttannah stated when the reopening committee was created in 2020 it did include a medical professional along with the school nurses.*

*Moved by Ms. Micera, seconded by Ms. Cross to close the meeting to public discussion.*



**CLOSED SESSION MOTION (If required)**

Moved by Ms. Kothari, seconded by Ms. Cross to approve the following Closed Session Motion. Motions were approved by a roll call vote of the Board as follows:

YEAS: Ms. Fanelli, Ms. Kothari, Ms. Kwon, Ms. Micera, Dr. Puttanniah, Ms. Wagner (remotely), Ms. Yeoh, Ms. Cross, Ms. Finkelstein

NAYS: None

BE IT RESOLVED that the Closter Board of Education will adjourn to a Closed Session to discuss the following:

**Legal Matters**

The matters so discussed will be disclosed to the public as soon as and to the extent that such disclosure can be made without adversely affecting the public.

The Board went into Closed Session at 9:10 PM.

The Board reconvened from Closed Session at 10:19 PM.

**ADJOURNMENT**

Moved by Ms. Micera, seconded by Ms. Kwon to adjourn the meeting at 10:20 PM.

Respectfully submitted,



Floro M. Villanueva, Jr.

Business Administrator/Board Secretary

# Cluster 2022-2023 School Year Calendar

DRAFT 1/20/22

BOE Approved: XX/XX/XX

SEPTEMBER (18)						
SU	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

**September**  
 1-2 Staff Reports  
**Professional Dev. Days**  
 5 Labor Day-CLOSED  
 6 First Day-Students  
 26 Rosh Hashanah-CLOSED

FEBRUARY (15)						
SU	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

**February**  
 20 Presidents' Day-CLOSED  
 20-24 Feb. Recess-CLOSED

OCTOBER (20)						
SU	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

**October**  
 5 Yom Kippur-CLOSED  
 17 12:42 PM Dismissal-Students  
**Professional Dev. Day-PM-Staff**

MARCH (23)						
SU	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**March**  
 9 12:42 PM Dismissal  
 Parent/Teacher Conferences

NOVEMBER (18)						
SU	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

**November**  
 10-11 NJEA Convention-CLOSED  
 23 12:42 PM Dismissal  
 24-25 Thanksgiving-CLOSED

APRIL (14)						
SU	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

**April**  
 7 Good Friday-CLOSED  
 7-14 Spring Recess-CLOSED

DECEMBER (17)						
SU	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**December**  
 1 12:42 PM Dismissal  
 Parent/Teacher Conferences  
 23 12:42 PM Dismissal  
 26-30 Holiday Recess-CLOSED

MAY (22)						
SU	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

**May**  
 29 Memorial Day-CLOSED

JANUARY (21)						
SU	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

**January**  
 16 MLK-Staff Reports  
**Professional Dev. Day-Staff**

JUNE (13)						
SU	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

**June**  
 19 Juneteenth  
 (Federal Holiday)  
 15, 16, 20 12:42 PM Dismissal  
 20 Last Day for Students & Staff  
 (21, 22, & 23 Possible Make-up  
 Days for Emergency Closings)

Please note: 12:42 PM dismissal days are indicated by slashes.

Please be advised that emergency closing days will be made up by adding days in the following order:  
 June 21, 22 & 23, and then days will be added in the following order: April 14, 13, 12, 11 and 10.  
 Therefore, please do not make any plans for the April break that cannot be changed.

Only one (1) emergency closing day has been built into the school calendar. In the event this day is not used, it will be "given back" through a reduction in the number of school days. When this information becomes available, it will be communicated to parents/guardians following a decision by the Board of Education.

	STUDENTS	STAFF
SEP	18	18
OCT	20	20
NOV	18	18
DEC	17	17
JAN	21	22
FEB	15	15
MAR	23	23
APR	14	14
MAY	22	22
JUNE	13	13
<b>TOTAL</b>	<b>181</b>	<b>184</b>

# POLICY GUIDE

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Student Surveys, Analysis, and/or Evaluations,  
Examinations, Testing, or Treatment

Jan 22

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[See POLICY ALERT Nos. 222 and 226]

## 2415.05 STUDENT SURVEYS, ANALYSIS, AND/OR EVALUATIONS, EXAMINATIONS, TESTING, OR TREATMENT

The Protection of Pupil Rights Amendment (PPRA) (20 USC §1232h; 34 CFR Part 98) applies to school districts that receive funding from the United States Department of Education (USDOE). The PPRA requires written consent from parents or the emancipated student the opportunity to opt out of participation in a survey, analysis, evaluation, examination, testing, or treatment funded in whole or in part by a program of the United States Department of Education that concerns one or more of the areas outlined in this Policy.

### A. Definitions

“Instructional material” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments. 20 USC §1232h(c)(6)(A).

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening. 20 USC §1232h(c)(6)(B).

“Prior consent” means prior consent of the student, if the student is an adult or emancipated minor or prior written consent of the parent, if the student is an unemancipated minor. 34 CFR §98.4(b).

“Psychiatric or psychological examination or test” means a method of obtaining information, including a group activity, that is not directly related to academic instruction and that is designed to elicit information about attitudes, habits, traits, opinions, beliefs, or feelings. 34 CFR §98.4(c)(1).



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Student Surveys, Analysis, and/or Evaluations,  
**Examinations, Testing, or Treatment**

“Psychiatric or psychological treatment” means an activity involving the planned, systematic use of methods or techniques that are not directly related to academic instruction and that is designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group. 34 CFR §98.4(c)(2).

“Research or experimentation program or project” means any program or project in any program that is funded in whole or in part by the Federal Government and is designed to explore or develop new or unproven teaching methods or techniques. 34 CFR §98.3(b).

B. Parents’ or Emancipated Students’ Right to Inspection of Materials - 34 CFR §98.3 and 20 USC §1232(c)

1. All instructional material, including teachers’ manuals, films, tapes, or other supplementary instructional material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program or any research or experimentation program or project shall be available for inspection by the parents of the children engaged in such program or project in accordance with 20 USC §1232h(a) and 34 CFR §98.3(a).

a. The district shall provide reasonable access to instructional material within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(C)(ii).

2. The parent shall have the right, upon request, to inspect a survey created by a third party before the survey is administered or distributed to their student pursuant to 20 USC §1232h(c)(1)(A)(i).

a. The district shall provide reasonable access to such survey within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(A)(ii).



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Student Surveys, Analysis, and/or Evaluations,  
**Examinations, Testing, or Treatment**

3. The parent shall have the right, upon request, to inspect any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), before the instrument is administered or distributed to their student pursuant to 20 USC §1232h(c)(1)(F)(i).
    - a. The district shall provide reasonable access to such instrument within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(F)(ii).
- C. Protection of Students' Privacy in Examination, Testing, or Treatment with Prior Consent - 34 CFR §98.4
1. In accordance with 34 CFR §98.4(a) no student shall be required, as part of any program funded in whole or in part by a program of the USDOE, to submit without prior consent to psychiatric examination, testing, or treatment, or psychological examination, testing, or treatment, in which the primary purpose is to reveal information concerning one or more of the following:
    - a. Political affiliations;
    - b. Mental and psychological problems potentially embarrassing to the student or the student's family;
    - c. Sex behavior and attitudes;
    - d. Illegal, anti-social, self-incriminating, and demeaning behavior;
    - e. Critical appraisals of other individuals with whom the student has close family relationships;
    - f. Legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers; or





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Student Surveys, Analysis, and/or Evaluations,  
**Examinations, Testing, or Treatment**

- a. The district shall provide notice and offer an opportunity for parents to opt their student out or for emancipated students to opt out of participation in the following activities:
    - (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).
    - (2) The administration of any survey containing one or more of the items listed in D.1. above.
    - (3) Any nonemergency, invasive physical examination or screening that is:
      - (a) Required as a condition of attendance;
      - (b) Administered by the school and scheduled by the school in advance; and
      - (c) Not necessary to protect the immediate health and safety of the student, or of other students.
  - b. The district shall directly notify parents at least annually at the beginning of the school year of the specific or approximate dates during the school year when activities described in D.2.a. above are scheduled or expected to be scheduled in accordance with 20 USC §1232h(c)(2)(B).
3. Exceptions – 20 USC §1232h(c)(4)
- a. The provisions of 20 USC §1232h do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:



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Student Surveys, Analysis, and/or Evaluations,  
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- (1) College or other postsecondary education recruitment, or military recruitment in accordance with Policy 9713;
  - (2) Book clubs, magazines, and programs providing access to low-cost literary products;
  - (3) Curriculum and instructional materials used by schools in the district;
  - (4) Tests and assessments used by schools in the district to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
  - (5) The sale by students of products or services to raise funds for school-related or education-related activities; and
  - (6) Student recognition programs.
- b. The provisions of this Policy:
- (1) Shall not be construed to preempt applicable provisions of New Jersey law that require parental notification; and
  - (2) Do not apply to any physical examination or screening that is permitted or required by an applicable New Jersey law, including physical examinations or screenings permitted without parental notification.





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4. Policy Adoption or Revision – 20 USC §1232h(c)(2)(A)(i)

The district shall provide this Policy to parents and students at least annually at the beginning of the school year, and provide notice within a reasonable period of time after any substantive change is made to this Policy.

E. Student Privacy – 20 USC §1232h and 34 CFR §98

The district shall ensure a student's privacy is protected regarding any information collected in accordance with this Policy.

F. Violations of the PPRA – 20 USC §1232h and 34 CFR §98

Parents or students who believe their rights under PPRA may have been violated may file a complaint with the USDOE.

In addition to the provisions of 20 USC §1232h, 34 CFR §98, and this Policy, the Superintendent or designee shall ensure compliance with the provisions of N.J.S.A. 18A:36-34 and Policy 9560 – Administration of School Surveys before students are required to participate in any academic or nonacademic survey, assessment, analysis, or evaluation.

The Protection of Pupil Rights Amendment (PPRA)

20 USC §1232h

34 CFR Part 98

Elementary and Secondary Education Act of 1965 (20 USC 2701 et seq.) as

amended by the Every Student Succeeds Act

N.J.S.A 18A:36-34

Adopted:



# POLICY GUIDE

PROGRAM

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Prevention and Treatment of Sports-Related  
Concussions and Head Injuries

Jan 22

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[See **POLICY ALERT Nos. 190, 194, 197, and 226**]

## 2431.4 PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES

A concussion is a traumatic brain injury caused by a blow or motion to the head or body that disrupts the normal functioning of the brain and can cause significant and sustained neuropsychological impairments including, but not limited to, problem solving, planning, memory, and behavioral problems. In order to ensure safety, it is imperative that students participating in athletic competition, coaches, and parents are educated about the nature and treatment of sports-related concussions and other head injuries. Allowing a student to return to athletic competition before recovering from a concussion increases the chance of a more serious brain injury.

For the purpose of this Policy and Regulation 2431.4, programs of athletic competition shall include high school interscholastic athletic programs, middle school interscholastic athletic programs where school teams or squads play teams or squads from other school districts, intramural athletic programs within a school or among schools in the district, and any cheerleading program or activity in the school district.

The school district shall adopt an athletic head injury safety training program. The program shall be completed by the school physician, any individual who coaches in an athletic competition, an athletic trainer involved in any athletic competition, and the school nurse. The training program shall be in accordance with guidance provided by the New Jersey Department of Education (NJDOE) and the requirements of N.J.S.A. 18A:40-41.2.

The school district shall annually distribute the NJDOE-developed educational fact sheet regarding sports-related concussions and other head injuries to all parents of students participating in any athletic competition or practice and shall obtain a signed acknowledgement of the receipt of the fact sheet by the student and their parent in accordance with N.J.S.A. 18A:40-41.2(c).



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Prevention and Treatment of Sports-Related  
Concussions and Head Injuries

A student who participates in an athletic competition or practice and who sustains or is suspected of sustaining a concussion or other head injury shall be immediately removed from athletic competition or practice. A student removed from athletic competition or practice shall not participate in further athletic competition or practice until they are evaluated by a physician or other licensed healthcare provider trained in the evaluation and management of concussions and receives written clearance from a physician trained in the evaluation and management of concussions to return to athletic competition or practice; and the student returns to regular school activities and is no longer experiencing symptoms of the injury when conducting those activities in accordance with N.J.S.A. 18A:40-41.4.

The return of a student to athletic competition or practice shall also be in accordance with the graduated, six-step “Return to Play Progression” recommendations and any subsequent changes or other updates to these recommendations as developed by the Centers for Disease Control and Prevention (CDC). The Board shall revise this Policy and Regulation 2431.4 whenever the CDC changes or otherwise updates the “Return to Play Progression” recommendations.

The school district shall provide a copy of this Policy and Regulation 2431.4 to all youth sports team organizations that operate on school grounds. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the school district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that operates on school grounds, if the youth sports team organization provides the school district proof of an insurance policy of an amount of not less than \$50,000 per person, per occurrence insuring the youth sports team organization against liability for any bodily injury suffered by a person and a statement of compliance with this Policy and Regulation 2431.4.

Pursuant to N.J.S.A. 18A:40-41.5 and for the purpose of this Policy, a “youth sports team organization” means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.



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Prevention and Treatment of Sports-Related  
Concussions and Head Injuries

This Policy and Regulation 2431.4 shall be reviewed and approved by the school physician annually and updated as necessary to ensure it reflects the most current information available on the prevention, risk, and treatment of sports-related concussions and other head injuries in accordance with N.J.S.A. 18A:40-41.3.

N.J.S.A. 18A:40-41.1; 18A:40-41.2; 18A:40-41.3; 18A:40-41.4; 18A:40-41.5

Adopted:



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Student Assessment  
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[See POLICY ALERT Nos. 197, 205, 209, 211, 220, and 226]

## 2622 STUDENT ASSESSMENT

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

The Commissioner of Education, in accordance with N.J.S.A. 18A:7C-1 et seq. and 18A:7E-2 and 3, may implement assessments of student achievement in any grade(s) and by such assessments as the Commissioner deems appropriate. The system and related schedule of Statewide assessments shall be approved by the New Jersey State Board of Education. The school district shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments pursuant to N.J.A.C. 6A:8-4.1(c) and (d).

Pursuant to N.J.A.C. 6A:8-4.1(c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled. The school district will provide accommodations or modifications to the Statewide assessment system in accordance with the provisions of N.J.A.C. 6A:8-4.1(d).

Students with disabilities as defined in N.J.A.C. 6A:14-1.3 shall participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10. The school district shall administer the alternative State assessment for students with disabilities in accordance with the provisions of N.J.A.C. 6A:8-4.1(d)3.

The school district shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, (f), (g), (h), or (i), as applicable.



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Student Assessment

The school district shall maintain an accurate record of each student's performance on Statewide assessments and maintain for every student a ninth grade through graduation transcript in accordance with the provisions of N.J.A.C. 6A:8-4.2(d). The Superintendent shall report assessment results to the public and provide educators, parents, and students with assessment results in accordance with the provisions of N.J.A.C. 6A:8-4.3.

N.J.S.A. 18A:7C-1 et seq.; 18A:7E-2; 18A:7E-3  
N.J.A.C. 6A:8-4.1 et seq.; 6A:8-5.1; 6A:14-1.1 et seq.; 6A:14-3.7; 6A:14-4.10

Adopted:



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TEACHING STAFF MEMBERS

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Political Activities

Jan 22

[See POLICY ALERT No. 226]

## 3233 POLITICAL ACTIVITIES

The Board of Education recognizes and encourages the right of all citizens, including teaching staff members, to engage in political activity. **However,** ~~t~~The Board prohibits the use of school **grounds premises** and school time, ~~however,~~ for partisan political purposes.

The Board establishes the following guidelines to govern teaching staff members in their political activities:

1. A teaching staff member shall not engage in political activity on school **grounds premises** unless permitted in accordance with Board Policy No. 7510 - Use of School Facilities and/or applicable Federal and State laws;
2. A teaching staff member shall not post political circulars or petitions on school **grounds premises** nor distribute such circulars or petitions to students nor solicit campaign funds or campaign workers on school **grounds premises**;
3. A teaching staff member shall not display any material that would tend to promote any candidate for office on an election day **on in a** school **grounds facility** that **are** is used as a polling place;
4. A teaching staff member shall not engage in any activity in the presence of students while on school **grounds property**, which **activity** is intended and/or designed to promote, further or assert a position(s) on labor relations issues.

**In accordance with N.J.S.A. 18A:6-8.1.,** a **A teaching** ~~certificated~~ staff member employed by this district who is a member of the Senate or General Assembly of the State of New Jersey shall be entitled to time off from school district duties, without loss of pay, during the periods of **the teaching staff member's his/her** attendance at regular or special sessions of the legislature and hearings or meetings of any legislative committee or commission.



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Political Activities

In accordance with N.J.S.A. 18A:6-8.2., a ~~A~~ **teaching** ~~certificated~~ staff member employed by this district who is a member of the Board of **County Commissioners** ~~Chosen Freeholders~~ of any county of New Jersey shall be entitled to time off from **the teaching staff member's** ~~his/her~~ duties, without pay, during the periods of **the teaching staff member's** ~~his/her~~ attendance at regular or special meetings of the Board of **County Commissioners** and of any committee thereof and at such other times as **the teaching staff member** ~~he/she~~ shall be engaged in performing the necessary functions and duties of **the teaching staff member's** ~~his/her~~ office as a member of the Board of **County Commissioners**.

No other teaching staff member who holds elective or appointive office is so entitled to time off, except as such time off may be provided for by Board policy or negotiated agreement.

The provisions of this ~~P~~**o**l~~i~~**c**y do not apply to the discussion and study of politics and political issues appropriate to the curriculum, the conduct of student elections, or the conduct of employee representative elections.

Nothing in this Policy shall be interpreted to impose a burden on the constitutionally protected speech or conduct of a **teaching** staff member or a student.

~~N.J.S.A. 11:17-2~~

N.J.S.A. 18A:6-8.1.; 18A:6-8.2.; 18A:6-8.4.; 18A:42-4

N.J.S.A. 19:34-42

Green Township v. Rowe, Superior Court of New Jersey - Appellate Division  
A-2528-98T5

Adopted:





# POLICY GUIDE

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[See POLICY ALERT No. 226]

**[MANDATED FOR SCHOOL DISTRICTS WITH A MIDDLE SCHOOL AND/OR HIGH SCHOOL AND OPTIONAL FOR SCHOOL DISTRICTS WITH ONLY AN ELEMENTARY SCHOOL(S)]**

## 5541 ANTI-HAZING

A safe and civil environment in school is necessary for students to learn and achieve high academic standards. Hazing is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. The Board of Education prohibits acts of hazing and adopts this Policy against hazing in accordance with N.J.S.A. 18A:37-32.2. The provisions of this Policy apply to Tenakill Middle School and/or Hillside Elementary School in the school district.

"Hazing" in a school setting includes, but is not limited to, conduct by an individual(s) who is a member and/or representative of a school-sponsored student organization, club, or athletic team where such individual(s) conditions a student's acceptance as a member into such group on whether the student engages in activities that are humiliating, demeaning, intimidating, and exhausting to the student.

N.J.S.A. 2C:40-3.a. indicates hazing may also include, but is not limited to, the conduct outlined below:

1. An individual(s) causes, coerces, or otherwise induces a student to commit an act that violates Federal or State criminal law;
2. An individual(s) causes, coerces, or otherwise induces a student to consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm or is otherwise deleterious to the student's health;
3. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a physical nature, including, but not limited to, whipping, beating, branding, excessive calisthenics, or exposure to the elements;



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4. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a mental or emotional nature, including, but not limited to, activity adversely affecting the mental or emotional health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;
5. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a sexual nature; or
6. An individual(s) subjects a student to any other activity that creates a reasonable likelihood of bodily injury to the student.

Board of Education members, school employees, and contracted service providers are required to report an alleged incident of hazing that may take place or has taken place on or off school grounds to the Principal or designee on the same day when the individual witnessed or received reliable information regarding such an incident. Students, parents, volunteers, or visitors are encouraged to report an alleged incident of hazing that may take place or has taken place on or off school grounds to the Principal or designee on the same day when the individual witnessed or received reliable information regarding any such incident.

Any report of an alleged incident of hazing shall be immediately investigated by the Principal or designee in accordance with procedures used to investigate alleged violations of the Student Discipline/Code of Conduct and Policy and Regulation 5600. A Principal or designee who receives a report of an alleged incident of hazing and fails to initiate or conduct an investigation and fails to minimize or eliminate the hazing may be subject to disciplinary action.

The Principal or designee may identify behavior when investigating an alleged incident of hazing indicating harassment, intimidation, or bullying (HIB) pursuant to N.J.S.A. 18A:37-14 et seq. – New Jersey Anti-Bullying Bill of Rights Act (ABR). If the Principal or designee identifies behavior indicating HIB, the Principal or designee shall ensure a separate investigation is conducted in accordance with the ABR and Policy 5512.



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Anti-Hazing

The Superintendent or designee shall report to local law enforcement any hazing incident that rises to the level of mandatory reporting under the “Uniform Memorandum of Agreement Between Education Officials and Law Enforcement Officials” or any other agreement between local law enforcement and the school district pursuant to N.J.A.C. 6A:16-5.1(b).

Hazing that involves the participation of a coach, teacher, or other adult may constitute child abuse and shall be addressed in accordance with N.J.S.A. 18A:36-25 and Policy and Regulation 8462.

The Board shall enforce any penalty for violation of this Policy in accordance with the student code of conduct and Policy and Regulation 5600, or any other applicable Board Policy or Regulation. In accordance with N.J.S.A. 18A:37-32.3 appropriate penalties for a violation of this Policy may include, but are not limited to:

1. Withholding of diplomas or transcripts pending compliance with the rules;
2. Rescission of permission for the organization or group whose student member(s) are being penalized under this Policy, to operate on school property or to otherwise operate under the sanction or recognition of the school district; and
3. The imposition of probation, suspension, dismissal, or expulsion of a student member(s).

Any discipline instituted in response to a violation of this Policy may be in addition to discipline for a violation of Policy 5512, Policy and Regulation 5600, and any other applicable Board Policy and Regulation.

The school district shall ensure that students are informed of this Policy, including the rules, penalties, and program of enforcement under this Policy. This Policy shall be posted on the school district’s publicly accessible Internet website.

N.J.S.A. 18A:36-25; 18A:37-13.2; 18A:37-14 et seq.; 18A:37-32.2;  
18A:37-32.3  
N.J.A.C. 6A:16-5.1

Adopted:



# POLICY GUIDE

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Joint Use of Facilities  
Jan 22

[See POLICY ALERT No. 226]

## 7540 JOINT USE OF FACILITIES

The Board of Education **supports** ~~advocates~~ the joint expenditure of **school** district funds and municipal or county funds to provide ~~these~~ facilities from which the ~~entire~~ community, ~~children and adults alike~~, may derive benefits.

~~In accordance with this policy,~~ The Board may, as ~~the~~ opportunity or need arises ~~and as it is entitled to do so by law~~, join with

**Choose one or more of the following:**

X the local municipal governing body

X each or all of the governing bodies of municipalities comprising ~~the~~ this school district

X the Board of **County Commissioners** ~~Chosen Freeholders~~ of ~~the~~ this county

in acquiring, improving, equipping, operating, or maintaining jointly used facilities **in accordance with applicable law.**

N.J.S.A. 18A:20-19 ~~et seq.~~; 18A:20-34

~~Cross reference: Policy Guide Nos. 9310, 9340~~

Adopted:

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# POLICY GUIDE

OPERATIONS

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Bias Hate Crimes and Bias-Related Acts

Jan 22

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[See POLICY ALERT No. 226]

## 8465 ~~BIAS HATE~~ CRIMES AND BIAS-RELATED ACTS

The Board of Education is committed to providing a safe and healthy environment for all children in the school district. **Bias Hate** crimes and bias-related acts involving students can lead to further violence and retaliation. **Bias Hate** crimes and bias-related acts, by their nature are confrontational, inflame tensions, and promote social hostility and will not be tolerated by the school district. ~~The S~~school district employees will work closely with local law enforcement and the county prosecutor's office to report or eliminate the commission of **bias hate** crimes and bias-related acts.

### Definitions

A "**bias hate crime**" **means** is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race;; color;; **religion; gender; disability;; religion,** sexual orientation;; **gender identity or expression; national origin;** or ethnicity.

A "bias-related act" **means** is an act directed at a person, group of persons, private property, or public property that is motivated in whole or in part by racial;; gender;; disability;; religion; or sexual orientation;; **gender identity or expression; national origin;** or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense.

All **bias hate** crimes are also bias-related acts, but not all bias-related acts will constitute a **bias hate** crime.

### Required Actions

**School employees shall immediately notify the Principal and the Superintendent or designee when in the** ~~Whenever any school employee in the course of their his/her employment they develops reason to believe that (1) a bias hate crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e). on school property, or has been or is about to be committed by any student, whether on or off school property, and whether or not such offense was or is about to be committed during operating~~



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## Bias Hate Crimes and Bias-Related Acts

~~school hours, or (2) a student enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during operating school hours, the school employee shall immediately notify the Building Principal and Superintendent, who in turn,~~

**The Superintendent or designee shall promptly notify the \_\_\_\_\_ local pPolice dDepartment and the bBias iInvestigation oOfficer for the county prosecutor's office when a bias crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e)1.**

~~The Principal and the Superintendent or designee shall immediately notify the \_\_\_\_\_ local pPolice dDepartment and the bias investigation officer for the county prosecutor's office immediately where~~ if there is reason to believe that a **bias hate crime or bias-related act** that involves an act of violence has been or is about to be physically committed against a student, or there is otherwise reason to believe that a life has been or will be threatened **in accordance with N.J.A.C. 6A:16-6.3(e)2.**

~~Whenever any school employee in the course of his/her employment has reason to believe that a bias-related act has been committed or is about to be committed on school property, or has been or is about to be committed by any student, whether on or off school property and whether or not such bias-related act was or is to be committed during operating school hours, the school employee should immediately notify the Building Principal and Superintendent, who in turn should promptly notify the \_\_\_\_\_ Police Department.~~

~~In deciding whether to refer the matter of a bias-related act to the \_\_\_\_\_ Police Department or the county prosecutor's office, the Building Principal and the Superintendent, should consider the nature and seriousness of the conduct and the risk that the conduct posed to the health, safety and well-being of any student, school employee or member of the general public. The Building Principal and Superintendent should also consider the possibility that the suspected bias-related act could escalate or result in some form of retaliation which might occur within or outside school property.~~



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Bias Hate Crimes and Bias-Related Acts

It is understood a referral to the \_\_\_\_\_ **local pPolice dDepartment** or county prosecutor's office **pursuant to the Memorandum of Agreement between Education and Law Enforcement Officials** is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge.

Unless the \_\_\_\_\_ **local pPolice dDepartment** or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected **bias hate** crime or bias-related act occurring on school **grounds pproperty** and may take such actions as necessary and appropriate to redress and remediate any such acts.

School officials will secure and preserve any such graffiti or other evidence of a suspected **bias hate** crime or bias-related act pending the arrival of the \_\_\_\_\_ **local pPolice dDepartment** or the county prosecutor's office. The school officials, **where when** feasible, will cover or conceal such evidence until the arrival of the \_\_\_\_\_ **local pPolice dDepartment** or county prosecutor's office.

N.J.S.A. 2C:16-1

N.J.A.C. 6A:16-6.1 et seq.; **6A:16-6.2**; 6A:16-6.3(e)

State Memorandum of Agreement approved by the Department of Law & Public Safety and the Department of Education

Adopted:



# POLICY GUIDE

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Administration of School Surveys  
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M

[See POLICY ALERT No. 226]

## 9560 ADMINISTRATION OF SCHOOL SURVEYS

The Board of Education believes the administration of school surveys may be necessary and valuable to the educational program in the school district. The Board recognizes certain student information is personal and some students or parents may not want this information shared with the school district. Therefore, the Board shall ensure school surveys are administered in accordance with N.J.S.A. 18A:36-34 and 18A:36-34.1 and this Policy.

- A. School Surveys, Certain, Parental Consent Required Before Administration – N.J.S.A. 18A:36-34
1. Unless the school district receives prior written informed consent from a student's parent and provides for a copy of the document to be available for viewing at convenient locations and time periods, the school district shall not administer to a student any academic or nonacademic survey, assessment, analysis, or evaluation which reveals information concerning:
    - a. Political affiliations;
    - b. Mental and psychological problems potentially embarrassing to the student or the student's family;
    - c. Sexual behavior and attitudes;
    - d. Illegal, anti-social, self-incriminating, and demeaning behavior;
    - e. Critical appraisals of other individuals with whom a respondent has a close family relationship;
    - f. Legally recognized privileged or analogous relationships, such as lawyers, physicians, and ministers;







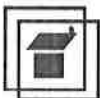
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Administration of School Surveys

2. Written notification provided by the school district to the parent of the student shall be delivered to the parent by regular mail, electronic mail, or a written acknowledgement form to be delivered by the student at least two weeks prior to administration of the survey, assessment, analysis, or evaluation. Written notification shall contain, at minimum, the following information:
  - a. A description of the survey, assessment, analysis, or evaluation;
  - b. The purpose for which the survey, assessment, analysis, or evaluation is needed;
  - c. The entities and persons that will have access to the information generated by the survey, assessment, analysis, or evaluation;
  - d. Specific instruction as to when and where the survey, assessment, analysis, or evaluation will be available for parental review prior to its administration;
  - e. The method by which the parent can deny permission to administer the survey, assessment, analysis, or evaluation to the student; a form specifically providing for such denial shall be included with this notice;
  - f. The names and contact information of persons to whom questions can be directed; and
  - g. A statement advising that failure to respond indicates approval of participation in the survey, assessment, analysis, or evaluation.
3. Information obtained through a survey, assessment, analysis, or evaluation administered to a student in accordance with N.J.S.A. 18A:36-34.1 and B. above, shall be submitted to the New Jersey Department of Education and the New Jersey Department of Health. Information may be used to develop public health initiatives and prevention programs. Information shall not be used for marketing or other commercial purposes that are not related to student health.



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C. Violations – N.J.S.A. 18A:36-34.d.

A violation by the school district of N.J.S.A. 18A:36-34; 18A:36-34.1, and this Policy shall be subject to such monetary penalties as determined by the New Jersey Commissioner of Education.

D. Compliance with Federal Law

In addition to compliance with the provisions of N.J.S.A. 18A:36-34, 18A:36-34.1, and this Policy, the Superintendent or designee shall ensure compliance with the provisions of Policy 2415.05 – Student Surveys, Analysis, Evaluations, Examinations, Testing, or Treatment before students are required to participate in a survey, analysis, evaluation, examination, testing, or treatment funded in whole or part by a program of the United States Department of Education that concerns one or more of the areas outlined in Policy 2415.05.

N.J.S.A. 18A:36-34; 18A:36-34.1

Adopted:



