

POLICY GUIDE

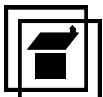
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Board Member Election and Appointment

0143 BOARD MEMBER ELECTION AND APPOINTMENT

The election and appointment of Board of Education members will be conducted in strict compliance with law.

Vacancies in the membership of Boards of Type II districts having elected Boards shall be filled in accordance with N.J.S.A. 18A:12-15. Such vacancies shall be filled as follows:

- 1. By the Executive County Superintendent, if the vacancy is caused by the absence of candidates for election to the Board or by the removal of a member because of lack of qualifications, or is not filled within sixty-five days following its occurrence;**
- 2. By the Executive County Superintendent, to a number sufficient to make up a quorum of the Board if, by reason of vacancies, a quorum is lacking;**
- 3. By special election, if in the annual school election two or more candidates qualified by law for membership on the Board receive an equal number of votes. Such special election shall be held only upon recount and certification by the County Board of Elections of such election result, shall be restricted to such candidates, shall be held within sixty days of the annual school election, and shall be conducted in accordance with procedures for annual and special school elections set forth in Title 19 of the Revised Statutes. The vacancy shall be filled by the Executive County Superintendent if in such special election two or more candidates qualified by law for membership on the Board receive an equal number of votes;**



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Board Member Election and Appointment

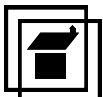
4. By special election, if there is a failure to elect a member at the annual school election due to improper election procedures. Such special election shall be restricted to those persons who were candidates at such annual school election, shall be held within sixty days of such annual school election, and shall be conducted in accordance with the procedures for annual and special school elections set forth in Title 19 of the Revised Statutes;
5. By the Commissioner of Education if there is a failure to elect a member at the annual school election due to improper campaign practices; or
6. By a majority vote of the remaining members of the Board after the vacancy occurs in all other cases.

Each member so appointed shall serve until the organizational meeting following the next annual election unless the member is appointed to fill a vacancy occurring within the sixty days immediately preceding such election if the annual election is held in April, or occurring after the third Monday in July if the election is held in November, to fill a term extending beyond such election, in which case the member shall serve until the organizational meeting following the second annual election next succeeding the occurrence of the vacancy, and any vacancy for the remainder of the term shall be filled at the annual election or the second annual election next succeeding the occurrence of the vacancy, as the case may be in accordance with N.J.S.A. 18A:12-15.

~~A vacancy in the membership of a regional Board of Education shall be filled in accordance with N.J.S.A. 18A:13-11. A vacancy be filled from the constituent districts represented by the former incumbents in the same manner as vacancies in the membership of Boards of Education of Type II districts having elected Boards of Education are filled.~~

~~A vacancy in the membership of a Board of Education shall be filled as follows:~~

- ~~1. By the Executive County Superintendent, if the vacancy is caused by:~~



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Board Member Election and Appointment

- a. ~~The absence of candidates for election to the school Board;
or~~
 - b. ~~The removal of a member because of lack of qualifications;
or~~
 - c. ~~The failure of the Board to appoint a person to a vacancy
within sixty five days following its occurrence; or~~
 - d. ~~Two or more candidates qualified by law for membership on
the Board receiving an equal number of votes in a special
runoff election.~~
 - e. ~~By the Executive County Superintendent, to a number
sufficient to make up a quorum of the Board if, by reason of
vacancies, a quorum is lacking;~~
3. ~~By special election within sixty days of the annual school election,
if:~~
- a. ~~Two or more candidates qualified by law for membership on
the school Board receive an equal number of votes in the
annual school election; or~~
 - b. ~~The annual election is disqualified due to improper election
procedures.~~
4. ~~By the Commissioner of Education if there is a failure to elect a
member at the annual school election due to improper campaign
practices; or~~
5. ~~By a majority vote of the remaining members of the Board of
Education after the vacancy occurs in all other cases.~~

The Board Secretary shall promptly notify the President of a vacancy to be filled by the Board. The President shall inform all other Board members. The Board will give public notice of the vacancy and invite any qualified person to submit a written request for consideration of **their** ~~his/her~~ candidacy for the vacancy. The Board may also require candidates submit a resume with their written request.



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Board Member Election and Appointment

In considering candidates who have expressed an interest in a vacancy, the Board of Education may interview candidates in public or executive session. The Board must vote to appoint a candidate to a vacancy in public session and there shall be no decisions made in executive session. In the event interviews are conducted in executive session, Board members, in the public session nomination and voting process, shall express their opinion in support of their vote so the public can witness any deliberations, policy formulation, and the decision-making process of the Board.

A roll call vote will be conducted on candidates in the order the candidates were nominated with a second. If there are two or more vacancies, each vacancy will be filled by a separate election process. The first candidate who receives the votes of a majority of the remaining Board members will be elected to the vacancy. In the event no candidate receives a majority vote of the remaining Board members, another election process shall be conducted between the two candidates receiving the highest number of votes.

N.J.S.A. 18A:12-11; 18A:12-15

N.J.S.A. 18A:13-5; 18A:13-10; 18A:13-11

N.J.S.A. 18A:54-16

Adopted:



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Duties of Public School Accountant

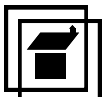
0173 DUTIES OF PUBLIC SCHOOL ACCOUNTANT

The Board of Education shall cause an audit of the annual financial statements to be made pursuant to N.J.S.A. 18A:23-1 et seq., and shall engage, to conduct the annual audit, only a licensed public school accountant who has an external peer/quality report performed in accordance with Government Auditing Standards (Yellow Book) by the Comptroller General of the United States (U.S. Government Printing Office, Stop SSOP, Washington, DC 20402-0001). The Board shall ensure that the external peer/quality report is completed within the time established the Government Auditing Standards issued by the Comptroller General of the United States unless the accountant or firm can show good cause as to why there is a delay. ~~The Board will engage only a licensed public school accountant to conduct the annual audit in accordance with N.J.S.A. 18A:23-1 et seq. The accountant must have an external peer/quality report performed in accordance with N.J.A.C. 6A:23A-16.2(i)1, unless the accountant or firm can show good cause as to why there was a delay completing such report within the required timelines established by Government Auditing Standards issued by the Comptroller General of the United States.~~

The Board ~~shall will~~ require the submission of the most recent external peer/quality report **and letter of comment to the Board** for review and evaluation prior to **each** the appointment of a the licensed public school accountant **to conduct the annual audit in accordance with the provisions of N.J.A.C. 6A:23A-16.2(i)2.**

The Board ~~shall will~~ acknowledge the receipt, review, and evaluation of the external peer/quality report in the public session and Board minutes in which the **Board authorizes the engagement of the** accountant or firm to perform the audit ~~is engaged in accordance with the provisions of N.J.A.C. 6A:23A-16.2(i)2.i.~~

The Board ~~shall will~~ require the submission of an updated external peer/quality report of the **engaged licensed public school** accountant, within thirty days after the issuance date of the external peer/quality report if **such** the report is issued prior to the date of the audit opinion for the most recent fiscal year **in accordance with the provisions of N.J.A.C. 6A:23A-16.2(i)2.ii.**



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Duties of Public School Accountant

In accordance with NJOMB Circular Letter ~~15-08 98-07~~, **Single Audit Policy for Recipients of Federal Grants, State Grants, and State Aid, including any amendments or revisions thereto, the Board shall ensure** the public school accountant ~~will~~ provides a copy of the most recent external peer/quality report to the **New Jersey** Department of Education, within thirty days after the initial engagement ~~of a licensed public school accountant or firm by the Board~~ and within thirty days after the issuance of a subsequent peer/quality report **in accordance with the provisions of N.J.A.C. 6A:23A-16.2(i)2.iii.**

The Board shall engage a public school accountant during the audit engagement period for non-auditing, management, or other consulting services only if ~~the such~~ services comply with the **independence independent** standards as established in Government Auditing Standards (Yellow Book) by the Comptroller General of the United States **in accordance with the provisions of N.J.A.C. 6A:23A-16.2(i)3.**

~~The Board may be prohibited for good cause by the~~ Commissioner of Education **may prohibit, for good cause, the Board** from engaging a particular licensed public school accountant, or may ~~be directed the use of a process for by the Commissioner on a process to be used in~~ the appointment of a licensed public school accountant pursuant to N.J.A.C. 6A:23A-16.2(i)4.

The public school accountant ~~shall will~~ complete the annual audit as required by the **New Jersey** Department of Education and N.J.S.A. 18A:23-12. Each annual audit shall include an audit of the books, accounts and moneys, and a verification of all cash and bank balances, of the Board and of any officer or employee **thereof** and of moneys derived from athletic events or ~~the other~~ activities of any organization of **public school** students conducted under the auspices of the Board, from the date of the last annual audit to the date of the ~~current~~ audit **in question. Such The** audit ~~shall will~~ also include a determination of the extent to which the district **has** used contracts entered into by the State Division of Purchase and Property pursuant to ~~P.L. 1969 c. 104 (C.~~ N.J.S.A. 52:25-16.1 et seq.) in the purchase of materials, supplies, or equipment for the district **in accordance with N.J.S.A. 18A:23-2.** The report of each **annual** audit ~~shall will~~ be completed in accordance with the time requirements of N.J.S.A. 18A:23-1 and ~~shall will~~ be filed by the public school accountant in accordance with N.J.S.A. 18A:23-2.3.



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Duties of Public School Accountant

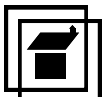
The Board Secretary shall prepare or have prepared a synopsis or summary of the annual audit and recommendations, prior to the holding of the meeting of the Board to take action thereon; a copy of which synopsis or summary shall be available for distribution to interested parties at the meeting in accordance with N.J.S.A. 18A:23-4. Within thirty days following ~~the~~ receipt of the report of ~~the annual audit~~ the Board **shall**, at a regularly scheduled public meeting, ~~will~~ cause the recommendations of the **auditor** ~~accountant~~ to be read and **to be** discussed and the discussion ~~will be~~ duly noted **on** ~~in~~ the Board meeting minutes in accordance with N.J.S.A. 18A:23-5. ~~The Board Secretary will prepare or have prepared a summary of the annual audit for this Board meeting in accordance with N.J.S.A. 18A:23-4.~~

N.J.S.A. 18A:23-1 et seq.

N.J.A.C. 6A:23A-16.2

~~Cross reference: Policy Guide No. 6830~~

Adopted:



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Legal Services
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0174 LEGAL SERVICES

In accordance with N.J.A.C. 6A:23A-5.2, the Board of Education adopts this Policy and its strategies to **minimize the cost of legal services** ~~ensure the use of legal services by employees and the Board of Education members and the tracking of the use of legal services.~~

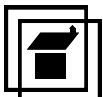
The Board of Education authorizes the Superintendent of Schools, the School Business Administrator/Board Secretary, the Board President, and the Superintendent of Schools' designee as designated contact person(s) to request services or advice from contracted legal counsel.

The _____ shall be responsible to review all legal bills and confer with designated contact persons in reviewing such legal bills.

In accordance with the provisions of N.J.A.C. 6A:23A-5.2(a)2, the Board shall designate ~~an~~ the administrative staff member to review all legal bills and **confer with designated** ~~designates~~ contact person(s) to ensure the prudent use of legal services **and the tracking of the use of those services.**

In the event the sSchool district's with legal costs that exceed one hundred thirty percent of the Statewide average per student amount, ~~should establish~~ the procedures established outlined in 1., 2., 3., and 4. below shall be implemented and, if not implemented, and, if not established, the district shall provide evidence the such procedures established in 1., 2., 3., and 4. below would not result in a reduction of costs:

1. The designated contact person(s) shall ensure that contracted legal counsel is not contacted unnecessarily for management decisions or readily available information contained in district materials such as Board policies, administrative regulations, or guidance available through professional source materials.
2. All requests for legal advice shall be made to the designated contact person(s) in writing and shall be maintained on file in the district offices. The designated contact person(s) shall determine whether the request warrants legal advice or if legal advice is necessary.



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Legal Services

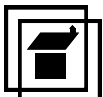
3. The designated contact person(s) shall maintain a log of all legal counsel contact including the name of the legal counsel contacted, date of the contact, issue discussed, and length of contact.
4. All written requests for legal advice and logs of legal counsel contacts shall be forwarded to the **designated contact person(s)** (~~administrator responsible for maintaining district files of requests for legal advice and logs of legal counsel contacts~~), who shall be responsible to review all legal bills and compare all legal bills to the contact logs and to investigate and resolve any variances.

Any professional services contract(s) for legal services shall prohibit advance payments. Services to be provided shall be described in detail in the contract and invoices for payment shall itemize the **legal** services provided for the billing period. Payments to legal counsel(s) shall only be for **legal** services actually provided **in accordance with N.J.A.C. 6A:23A-5.2(a)4**.

School districts and **county** vocational school districts **shall not contract** ~~are prohibited from contracting~~ with legal counsel or ~~use using~~ in-house legal counsel to pursue any affirmative claim or cause of action on behalf of district administrators and/or any individual Board member(s) ~~for or pursuing~~ any claim or cause of action ~~in for~~ which the damages to be awarded would benefit an individual rather than the school district as a whole **in accordance with N.J.A.C. 6A:23A-5.2(b)**.

Pursuant to N.J.A.C. 6A:23A-5.2(a)1., ~~t~~The Board of Education will annually establish prior to budget preparation, a maximum dollar limit for ~~each type of professional service, including~~ legal services. In the event it becomes necessary to exceed the established maximum dollar limit for **legal** ~~the professional~~ services, the Superintendent of Schools shall recommend to the Board of Education an increase in the maximum dollar amount. Any increase in the maximum dollar amount shall require formal Board action.

Contracts for legal services will be issued by the Board in a deliberative and efficient manner that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement. This may include, but is not limited to, issuance of such contracts through a Request for Proposals (RFP) based on cost and other specified factors or other comparable processes **in accordance with N.J.A.C. 6A:23A-5.2(a)5**. Contracts for legal



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Legal Services

services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct **in accordance with N.J.A.C. 6A:23A-5.2(a)6.**

N.J.A.C. 6A:23A-5.2

Adopted:



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Professional Services
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0177 PROFESSIONAL SERVICES

In accordance with N.J.A.C. 6A:23A-5.2, the Board of Education adopts this Policy and its strategies to minimize the cost of professional services.

The Board shall establish a maximum dollar limit, annually prior to budget preparation, for each type of professional service, with appropriate notification to the Board if it becomes necessary to exceed the maximum. Upon such notification, the Board may adopt a dollar increase in the maximum amount through formal Board action in accordance with N.J.A.C. 6A:23A-5.2(a)1.

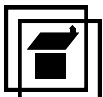
~~The Board of Education will establish annually prior to budget preparation a maximum dollar limit for each type of professional service. In the event it becomes necessary to exceed the established maximum dollar limit for the professional services, the Superintendent of Schools shall recommend to the Board of Education an increase in the maximum dollar amount. Any increase in the maximum dollar amount shall require formal Board action.~~

Contracts for **professional legal** services will be issued by the Board in a deliberative and efficient manner that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement. This may include, but is not limited to, issuance of such contracts through a Request for Proposals (RFP) based on cost and other specified factors or other comparable processes; **and professional services contracts are** ~~Contracts for legal services shall be~~ limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct **in accordance with N.J.A.C. 6A:23A-5.2(a)5. and 6.**

Nothing in this Policy or N.J.A.C. 6A:23A-5.2 shall preclude the Board from complying with the requirements of any statute, administrative code, or regulation for the award of professional services contracts.

N.J.A.C. 6A:23A-5.2

Adopted:



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Internal Controls

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1570 INTERNAL CONTROLS

As a condition of receiving State aid, the school district shall establish specific policies and procedures on internal controls designed to provide management with reasonable assurance that the district's goals and objectives will be met and ~~that~~ meet the requirements ~~at of~~ N.J.A.C. 6A:23A-6.5 through N.J.A.C. 6A:23A-6.13. Internal controls shall promote operational efficiency and effectiveness, provide reliable financial information, safeguard assets and records, encourage adherence to prescribed policies, and comply with law and regulation **in accordance with N.J.A.C. 6A:23A-6.4(a).**

The specific internal controls contained in N.J.A.C. 6A:23A-6 shall be established together with other internal controls contained in N.J.A.C. 6A and other law and regulations, required by professional standards, and as deemed necessary and appropriate by district management. The district may submit **to the Commissioner of Education** a written request ~~to the Commissioner~~ to approve an alternative system, approach, or process for implementing the internal controls required in N.J.A.C. 6A:23A-6. The application **shall must** include documented evidence, ~~that~~ **including includes**, but is not limited to, an independent, third-party written assessment that the alternative system, approach, or process will achieve the same safeguards, efficiency, and other purposes as the specified internal control requirement(s) **in accordance with N.J.A.C. 6A:23A-6.4(b).**

The school district shall evaluate business processes annually and allocate available resources appropriately in an effort to establish a strong control environment pursuant to the requirements of N.J.A.C. 6A:23A-6.5. In accordance with the provisions of N.J.A.C. 6A:23A-6.5(b), the School Business Administrator/Board Secretary shall identify processes that, when performed by the same individuals, are a violation of sound segregation of duties when performed by the same individuals. The School Business Administrator/Board Secretary and shall segregate the duties of all such processes among Business Office staff based on available district resources, assessed vulnerability, and the associated cost-benefit, except as required at N.J.A.C. 6A:23A-6.5(b)1. and 2. The district shall include in the Annual Comprehensive Financial Report (ACFR) Comprehensive Annual Financial Report (CAFR) a detailed organizational charts for the Central Office that tie to the district's position control logs, including, but not limited to, the business, human resources, and information management functions.



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Internal Controls

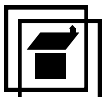
The ~~school~~ district shall establish Standard Operating Procedures (SOP) for each task or function of the business operations of the district ~~by December 31, 2009~~. The SOP ~~m~~Manual shall include sections on each routine task or function as outlined in N.J.A.C. 6A:23A-6.6(b) and ~~6A:23A-6.6(c)~~. **The district shall establish a SOP** ~~A standard operating procedure shall be established~~ that ensures office supplies are ordered in appropriate quantities, maintained in appropriate storage facilities, and monitored to keep track of inventory **in accordance with N.J.A.C. 6A:23A-6.6(c)**.

If the ~~School~~ districts has a ~~with~~ budgets in excess of \$25,000,000 or ~~with~~ more than three hundred employees, **the district** shall maintain an Enterprise Resource Planning (ERP) System ~~that which~~ integrates all data and processes of the ~~school~~ district into a unified system. ~~An~~ The ERP system ~~shall~~ uses multiple components of computer software and hardware and a unified database to store data for the various system modules to achieve the integration. ~~Districts required to maintain an ERP System that do not have an ERP System in place on July 1, 2008 shall fully implement an ERP System by the 2010-2011 school year and maintain both the existing system(s) and run a beta test ERP System during the 2009-2010 school year.~~ Whenever considering financial systems or the automation of other services or functions, the Superintendent ~~of Schools~~ or School Business Administrator/Board Secretary shall notify the Executive County Superintendent in writing to see if opportunities for a shared service system exist. Access controls shall be established for key elements of financial systems to ensure ~~that~~ a single person does not have the ability to make system edits that would violate segregation of duties controls **in accordance with N.J.A.C. 6A:23A-6.7(c)**.

The ~~school~~ district shall maintain an accurate, complete, and up-to-date automated position control roster to track the actual number and category of employees and the detailed information for each **in accordance with N.J.A.C. 6A:23A-6.8(a)**. ~~Districts are required to maintain a position control roster by December 31, 2009.~~ The position control roster shall share a common database and be integrated with the district's payroll system, agree to the account codes in the budget software, and ensure ~~that~~ the data within the position control roster system includes, at a minimum, the ~~required~~ information as **outlined required** in N.J.A.C. 6A:23A-6.8(a)3.

N.J.A.C. 6A:23A-6.4; 6A:23A-6.5; 6A:23A-6.6;
6A:23A-6.7; 6A:23A-6.8

Adopted:



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Administrative Employment Contracts

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1620 ADMINISTRATIVE EMPLOYMENT CONTRACTS

The Executive County Superintendent shall review and approve, for all Superintendents of Schools, Superintendents of Schools reappointed pursuant to N.J.S.A. 18A:17-20.1, Deputy Superintendents of Schools, Assistant Superintendents of Schools, and School Business Administrators, including any interim, acting, or person otherwise serving in these positions, in school districts, county vocational school districts, county special services school districts and other districts, except charters **schools**, within the cCounty under the supervision of the Executive County Superintendent:

1. New employment contracts, including contracts that replace expired contracts for existing tenured and non-tenured employees;
2. Renegotiations, extensions, amendments, or other alterations of the terms of existing employment contracts that have been previously approved by the Executive County Superintendent; and
3. Provisions for contract extensions where such terms were not included in the original employment contract or are different from the provisions contained in the original approved employment contract.

In counties where there is no Executive County Superintendent, an Executive County Superintendent from another county shall be designated by the Commissioner of Education to review and approve all contracts **in accordance with N.J.A.C. 6A:23A:3-1(a) and listed 1., 2., and 3. above.**

The contract review and approval shall take place prior to any required public notice and hearing pursuant to N.J.S.A. 18A:11-11, and prior to the Board of Education approval and execution of the contracts to ensure compliance with all applicable laws, including, but not limited to, N.J.S.A. 18A:30-3.5; 18A:30-9; 18A:17-15.1; and 18A:11-12.



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Administrative Employment Contracts

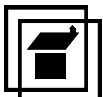
In accordance with the provisions of ~~N.J.S.A. 18A:11-11~~ and N.J.A.C. 6A:23A-3.1(c)1, the public notice and public hearing required **pursuant to N.J.S.A. 18A:11-11** shall be applicable to a Board of Education that renegotiates, extends, amends, or otherwise alters the terms of an existing contract with a Superintendent of Schools, Deputy Superintendent of Schools, Assistant Superintendent of Schools, or School Business Administrator. In accordance with N.J.S.A. 18A:11-11, notice must be provided to the public at least thirty days prior to the scheduled action by the Board. The Board shall also hold a public hearing and shall not take any action on the matter until the hearing has been held. The Board shall provide the public with at least ten days' notice of the public hearing.

In accordance with N.J.A.C. 6A:23A-3.1(c)1, the public notice and public hearing required pursuant to N.J.S.A. 18A:11-11 shall not apply to new contracts, including contracts that replace expired contracts for existing employees in one of these positions **listed at N.J.A.C. 6A:23A-3.1(a)**, whether tenured or not tenured. Nothing shall preclude a Board from issuing a public notice and/or holding a public hearing on new contracts, including new contracts that replace expired contracts for existing tenured and non-tenured employees.

The public notice and public hearing required pursuant to N.J.S.A. 18A:11-11 is also required in the event an existing contract for a Superintendent of Schools, Deputy Superintendent of Schools, Assistant Superintendent of Schools, or School Business Administrator is rescinded or terminated by the Board of Education before it is due to expire and the parties agree to new employment terms.

In connection with the Executive County Superintendent's review of the contract, the Board shall provide the Executive County Superintendent with a detailed statement setting forth the total cost of the contract for each applicable year, including salary, longevity (if applicable), benefits, and all other emoluments **in accordance with N.J.A.C. 6A:23A-3.1(d)**.

The review and approval of the employment contracts of Superintendents of Schools, Deputy Superintendents of Schools, Assistant Superintendents of Schools, and School Business Administrators conducted by the Executive County Superintendent shall be consistent with the following additional standards outlined in N.J.S.A. 18A:7-8.1 and N.J.A.C. 6A:23A-3.1(e):



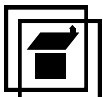
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Administrative Employment Contracts

1. Contracts for each class of administrative position shall be comparable with the salary, benefits, and other emoluments contained in the contracts of similarly credentialed and experienced administrators in other ~~school~~ districts in the region with similar enrollment, academic achievement levels and challenges, and grade span.
2. No contract shall include provisions that are inconsistent with the travel requirements pursuant to N.J.S.A. 18A:11-12 and N.J.A.C. 6A:23A-7, including, but not limited to, the provisions for mileage reimbursement and reimbursement for meals and lodging in New Jersey. Any contractual provision that is inconsistent with law **shall be** ~~is~~ superseded by the law.
3. No contract shall include provisions for the reimbursement or payment of employee contributions that are either required by law or by a contract in effect in the ~~school~~ district with other teaching staff members, such as payment of the employee's State or Federal taxes, or of the employee's contributions to FICA, Medicare, State pensions and annuities (TPAF), life insurance, disability insurance (if offered), and health benefit costs.
4. No contract shall contain a payment as a condition of separation from service that is deemed by the Executive County Superintendent to be prohibited or excessive in nature. The payment cannot exceed the lesser of the calculation of three months' pay for every year remaining on the contract with ~~pro-ratio~~ pro-ration for partial years, not to exceed twelve months, or the remaining salary amount due under the contract.
5. No contract shall include benefits that supplement or duplicate benefits that are otherwise available to the employee by operation of law, an existing group plan, or other means; **for example e.g.,** an annuity or life insurance plan that supplements or duplicates a plan already made available to the employee. Notwithstanding the provisions of N.J.A.C. 6A:23A-3.1 ~~this section~~, a contract may contain an annuity where ~~these~~ benefits are already contained in the existing contract between ~~that the~~ employee and the district.



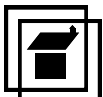
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Administrative Employment Contracts

6. Contractual provisions regarding accumulation of sick leave and supplemental compensation for accumulated sick leave shall be consistent with N.J.S.A. 18A:30-3.5 **and 18A:30-3.6**. Supplemental payment for accumulated sick leave shall be payable only at the time of retirement and shall not be paid to the individual's estate or beneficiaries in the event of the individual's death prior to retirement. Pursuant to N.J.S.A. 18A:30-3.2, a new Board of ~~Education~~ contract may include credit of unused sick leave **days** in accordance with the new Board's ~~of Education's~~ policy on sick leave credit for all employees.
7. Contractual provisions regarding accumulation of unused vacation leave and supplemental compensation for accumulated unused vacation leave shall be consistent with N.J.S.A. 18A:30-9. Contractual provisions for payments of accumulated vacation leave prior to separation can be included, but only for leave accumulated prior to June 8, 2007, and remaining unused at the time of payment. Supplemental payments for unused vacation leave accrued consistent with the provisions of N.J.S.A. 18A:30-9 after June 8, 2007, as well as unused vacation leave accumulated prior to June 8, 2007, that has not been paid, shall be payable at the time of separation and may be paid to the individual's estate or beneficiaries in the event of the individual's death prior to separation.
8. Contractual provisions that include a calculation of per diem for twelve-month employees shall be based on a two hundred sixty-day work year.
9. No provision for a merit bonus shall be made except where payment is contingent upon achievement of quantitative merit criterion and/or qualitative merit criterion:
 - a. A contract may include no more than three quantitative merit criteria **and/or** two qualitative merit criteria per contract year.
 - b. The Executive County Superintendent shall approve or disapprove the selection of quantitative merit **and/or** qualitative merit criteria and the data that forms the basis of measuring the achievement of quantitative merit **and/or** qualitative merit criteria.



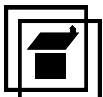
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Administrative Employment Contracts

- c. A contract may provide for merit bonuses in an amount not exceeding 3.33 percent of annual salary for each quantitative merit criterion achieved and 2.5 percent of annual salary for each qualitative merit criterion achieved. Any such merit bonus shall be considered “extra compensation” for purpose of N.J.A.C. 17:3-4.1 and shall not be cumulative.
 - d. The Board of ~~Education~~ shall submit to the Executive County Superintendent a resolution certifying that a quantitative merit criterion or a qualitative merit criterion has been satisfied and shall await confirmation of the satisfaction of that criterion from the Executive County Superintendent prior to payment of any merit bonus.
- 10. No provision for a bonus shall be made except where payment is contingent upon achievement of measurable specific performance objectives expressly contained in a contract approved pursuant to N.J.A.C. 6A:23A-3.1, where compensation is deemed reasonable relative to the established performance objectives and achievement of the performance objectives has been documented to the satisfaction of the Board of ~~Education~~.
- 11. No provision for payment at the time of separation or retirement shall be made for work not performed except as otherwise authorized in N.J.A.C. 6A:23A-3.1 and N.J.S.A. 18A:7-8.1.
- 12. No contract shall include a provision for a monthly allowance except for a reasonable car allowance. A reasonable car allowance shall not exceed the monthly cost of the average monthly miles traveled for business purposes multiplied by the allowable mileage reimbursement pursuant to applicable law and regulation and New Jersey Office of Management and Budget (NJOMB) circulars. If such allowance is included, the employee **cannot** ~~shall not~~ be reimbursed for business travel mileage nor assigned permanently a car for official district business. Any provision of a car for official district business **shall** ~~must~~ conform with N.J.A.C. 6A:23A-6.12 and **shall** be supported by detailed justification. No contract shall include a provision of a dedicated driver or chauffeur.



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Administrative Employment Contracts

13. All Superintendent contracts shall include, **pursuant to N.J.S.A. 18A:17-15.1**, the required provision **that pursuant to N.J.S.A. 18A:17-15.1 which states that the contract is null and void** in the event the Superintendent's certificate is revoked, ~~the contract is null and void.~~
14. No contract shall include a provision for additional compensation upon the acquisition of a graduate degree unless the graduate degree is conferred by ~~an a-regionally~~ accredited college or university ~~as defined in applicable regulations~~. No contract shall include a provision for assistance, tuition reimbursement, or additional compensation for graduate school coursework, unless the coursework culminates in the acquisition of a graduate degree conferred by ~~an a-regionally~~ accredited **institution**, college, or university ~~as defined in applicable regulations~~.

The review and approval of an employment contract for the Superintendent ~~of Schools~~ shall not include maximum salary amounts pursuant to N.J.S.A. 18A:7-8.j.

Any action(s) by the Executive County Superintendent undertaken pursuant to N.J.S.A. 18A:7-8.1, N.J.A.C. 6A:23A-3.1, and this Policy may be appealed to the Commissioner of Education pursuant to the procedures set forth at N.J.A.C. 6A:3, Controversies and Disputes.

N.J.S.A. 18A:7-8; 18A:7-8.1; 18A:11-11
N.J.A.C. 6A:23A-3.1; 6A:23A-7 et seq.

Adopted:



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Notification of Promotion, New Job,
and Transfer Opportunities

NEW

1636.01 NOTIFICATION OF PROMOTION, NEW JOB, AND TRANSFER OPPORTUNITIES

The Board of Education shall make reasonable efforts to announce, post, or otherwise make known opportunities for promotion that are advertised internally within the district or externally on internet-based advertisements, postings, printed flyers, or other similar advertisements to all current employees in the affected department or departments of the district prior to making a promotion decision in accordance with N.J.S.A. 34:6B-23.

For the purpose of N.J.S.A. 34:6B-23 and this Policy, “promotion” means a change in job title and an increase in compensation.

Any promotion for a current employee that is awarded on the basis of years of experience or performance shall not be subject to the notification requirements established in N.J.S.A. 34:6B-23 and this Policy. Nothing in N.J.S.A. 34:6B-23 and this Policy shall be construed to prohibit the Board from making a promotion on an emergent basis due to an unforeseen event.

The Board shall disclose in each posting for new jobs and transfer opportunities that are advertised by the Board either externally or internally the hourly wage or salary, or a range of the hourly wage or salary, and a general description of benefits and other compensation programs for which the staff member would be eligible. Nothing in N.J.S.A. 34:6B-23 and this Policy shall be construed to prohibit the Board from increasing the wages, benefits, and compensation identified in the job opening posting at the time of making an offer for employment to an applicant.

N.J.S.A. 34:6B-23

Adopted:



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Statutory Curricular Requirements
Comprehensive Health and Physical Education

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2422 STATUTORY CURRICULAR REQUIREMENTS COMPREHENSIVE HEALTH AND PHYSICAL EDUCATION

The New Jersey Student Learning Standards (NJSLS) provide clear and consistent learning goals across distinct content areas to help prepare students for postsecondary success. The NJSLS demonstrate what students are expected to learn at specific grade levels and bands, so that every parent and teacher can understand and support learning. The NJSLS offer the foundation on which school districts build coherent curriculum and plan instruction to prepare each student with the knowledge and skills needed to succeed.

~~The Board of Education requires all students to participate in a comprehensive, sequential, health and physical education program aligned with the New Jersey Student Learning Standards (NJSLS) that emphasizes the natural interdisciplinary connection between wellness and health and physical education. The primary focus of the NJSLS is the development of knowledge and skills that influence healthy behaviors within the context of self, family, school, and the local and global community.~~

~~The curriculum requirements listed below address the need for students to gain knowledge and skill in caring for themselves, interacting effectively with others, and analyzing the impact of choices and consequences. The primary focus of the curriculum listed below is to help students develop concepts and skills that promote and influence healthy behaviors.~~

The New Jersey State Board of Education adopts the NJSLS and the The NJSLS incorporate New Jersey statutes **require instruction to be part of the school district's implementation of the NJSLS related to health and well-being of students in New Jersey schools.** The following statutes **that require instruction to be part of the school district's implementation of** ~~incorporated into~~ the NJSLS include, but are not limited to, the following requirements:

1. Accident and Fire Prevention (N.J.S.A. 18A:6-2) requires regular courses of instruction in accident and fire prevention.



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Statutory Curricular Requirements ~~Comprehensive Health and Physical Education~~

2. Breast Self-Examination (N.J.S.A. 18A:35-5.4) requires offering instruction on breast self-examination for students in grades seven through twelve.
3. Bullying Prevention Programs (N.J.S.A. 18A:37-17) requires the establishment of bullying prevention programs.
4. Cancer Awareness (N.J.S.A. 18A:40-33) requires the development of a school program on cancer awareness by the Commissioner of Education.
5. Dating Violence Education (N.J.S.A. 18A:35-4.23a) requires instruction regarding dating violence in grades seven through twelve.
6. Domestic Violence Education (N.J.S.A. 18A:35-4.23) allows instruction on problems related to domestic violence and child abuse.
7. Gang Violence Prevention (N.J.S.A. 18A:35-4.26) requires instruction in gang violence prevention for elementary school students.
8. Health, Safety, and Physical Education (N.J.S.A. 18A:35-5) requires that all students in grades one through twelve participate in at least two and one-half hours of health, safety, and physical education each school week.
9. Drugs, Alcohol, Tobacco, Controlled Dangerous Substances, and Anabolic Steroids (N.J.S.A. 18A:40A-1) requires instructional programs on drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances and the development of curriculum guidelines for each grade Kindergarten through twelve.

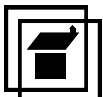


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Statutory Curricular Requirements ~~Comprehensive Health and Physical Education~~

10. Lyme Disease Prevention (N.J.S.A. 18A:35-5.1 through **18A:35-5.3**) requires the development of Lyme ~~disease~~ curriculum guidelines **for the teaching of information on the prevention of Lyme disease and other tick-borne diseases and training to all teaching staff members who instruct students with Lyme Disease.**
11. Organ Donation (N.J.S.A. 18A:7F-4.3) requires information relative to organ donation to be given to students in grades nine through twelve.
12. Sexual Assault Prevention (N.J.S.A. 18A:35-4.3) requires the development of a sexual assault prevention education program by the Commissioner of Education for utilization by school districts.
13. Stress Abstinence (N.J.S.A. 18A:35-4.19 through ~~N.J.S.A. 18A:35-4.22~~), also known as the “AIDS Prevention Act of 1999,” requires sex education programs to stress abstinence.
14. Suicide Prevention (N.J.S.A. 18A:6-111 through **18A:6-113**) requires instruction in suicide prevention in public schools.
15. Cardiopulmonary Resuscitation (CPR)/Automated External Defibrillator (AED) (N.J.S.A. 18A:35-4.28 and 18A:35-4.29) requires public high schools and charter schools to provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator to each student prior to graduation.
16. Sexually Explicit Images through Electronic Means (N.J.S.A. 18A:35-4.32 and **18A:35-4.33**) requires instruction, once during middle school, on the social, emotional, and legal consequences of distributing and soliciting sexually explicit images through electronic means.
17. History of Disabled and LGBT Persons (N.J.S.A. 18A:35-4.35 and **18A:35-4.36**) requires instruction on the political, economic, and social contributions of persons with disabilities and lesbian, gay,



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bisexual, and transgender people for middle and high school students.

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Statutory Curricular Requirements ~~Comprehensive Health and Physical Education~~

18. Financial Literacy (N.J.S.A. 18A:35-4.34) requires instruction with basic financial literacy necessary for sound financial decision-making in each of the grades six through eight.
19. Sexual Abuse and Assault Awareness and Prevention Education (N.J.S.A. 18A:35-4.5a) requires age-appropriate sexual abuse and assault awareness and prevention education in grades preschool through twelve.
20. Curriculum to Include Instruction on Diversity and Inclusion (N.J.S.A. 18A:35-4.36a) requires instruction on diversity and inclusion in an appropriate place in the curriculum for students in grades Kindergarten through twelve.
21. Incorporation of Age-Appropriate Instruction Relative to Consent for Physical Contact and Sexual Activity (N.J.S.A. 18A:35-4.38) requires age-appropriate instruction in grades six through twelve on the law and meaning of consent for physical contact and sexual activity.
22. Health Curriculum to Include Instruction on Mental Health (N.J.S.A. 18A:35-4.39) requires health education programs to include instruction on mental health and the relation of physical and mental health for students in grades Kindergarten through twelve.
23. Information About “New Jersey Safe Haven Infant Protection Act” Included in Public School Curriculum (N.J.S.A. 18A:35-4.40) **requires** information on the provisions of the “New Jersey Safe Haven Infant Protection Act” shall be included in curriculum for public school students in grades nine through twelve.
24. Infusion of African American Accomplishments into School Curricula (N.J.S.A. 18A:35-4.43) requires in the curriculum for all elementary and secondary students instruction that infuses into all



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courses on the United States the centuries of accomplishments by African Americans in the building and development of America.

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Statutory Curricular Requirements ~~Comprehensive Health and Physical Education~~

25. Asian American, Pacific Islander History, Contributions; Instruction Included in Curriculum (N.J.S.A. 18A:35-4.44) requires instruction on the history and contributions of Asian Americans and Pacific Islanders in an appropriate place in the curriculum of students in grades Kindergarten through twelve as part of the district's implementation of the NJSLs in Social Studies.

2625. Any ~~o~~Other ~~s~~Statutory or ~~a~~Administrative ~~c~~Codes requiring instruction to be part of the district's implementation of the NJSLs. The Board will incorporate into its health and physical education curriculum any other requirements of the NJSLs in ~~Comprehensive Health and Physical Education.~~

In accordance with the provisions of N.J.S.A. 18A:35-4.7, any student whose parent presents to the Principal a signed statement that any part of the instruction in health, family life education, or sex education is in conflict with **their** ~~his/her~~ conscience or sincerely held moral or religious beliefs shall be excused from that portion of the course where such instruction is being given and no penalties as to credit or graduation shall result.

The Board of ~~Education~~ must provide two and one-half hours of health, safety, and physical education courses in each school week, or proportionately less when holidays fall within the week. Recess period(s) shall not be used to meet the requirements of N.J.S.A. 18A:35-5, 7, and 8.

In accordance with N.J.S.A. 18A:35-4.31, the Board of ~~Education~~ shall provide a daily recess period of at least twenty minutes for students in grades Kindergarten through five. A recess period is not required on a school day in which the day is substantially shortened due to a delayed opening or early dismissal. The recess period shall be outdoors, if feasible. A student shall not be denied recess for any reason, except as a consequence of a violation of the school district's Code of Student Conduct, including a harassment, intimidation, or bullying (HIB) investigation pursuant to N.J.S.A. 18A:37-13 et seq. Students may not be denied



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recess more than twice per week for a violation of the Code of Student Conduct or HIB investigation and these students shall be provided restorative justice activities during the recess period.

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Statutory Curricular Requirements ~~Comprehensive Health and Physical Education~~

Restorative justice activities are defined as activities designed to improve the socioemotional and behavioral responses of students through the use of more appropriate and less punitive interventions thereby establishing a more supportive and inclusive school culture. The student's recess period should be scheduled in a manner that does not interfere with the implementation of a student's Individualized Education Program (IEP). School staff may deny recess for a student on the advice of a medical professional, school nurse, or the provisions of a student's IEP and/or 504 Plan.

A copy of the NJSLS for ~~Comprehensive Health and Physical Education~~ and all related curriculum/course guides and instructional material shall be available for public inspection ~~in each school~~.



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Adopted:

STUDENTS
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Student Sun Protection
M

5339.01 STUDENT SUN PROTECTION

The Board of Education believes it is important that school district students protect themselves against harmful sun-related skin diseases by using protective measures. Pursuant to N.J.S.A. 18A:40-12.39 and notwithstanding any law or regulation to the contrary, the Board adopts this Policy concerning a student's use of sunscreen and sun-protective clothing, such as hats and sunglasses, while outdoors at school and school-sponsored functions.

As used in this Policy, "sunscreen" means a topical product used for the purpose of limiting skin damage caused by overexposure to the sun, and which is regulated by the Federal Food and Drug Administration for over-the-counter use, in accordance with N.J.S.A. 18A:40-12.39.a.

Students are not required to provide documentation from a physician or other licensed health care professional in order to use sunscreen or sun-protective clothing while outdoors at school or a school-sponsored function.

The Board requires written permission from a student's parent to allow that student to carry or use sunscreen at school or a school-sponsored function for all students in grade(s) PreK through grade eight. Any student required to have written permission from their parent to carry or use sunscreen shall be monitored by school staff to ensure safety through the appropriate use of sunscreen.

Sunscreen can be packaged as aerosol, spray, lotion or cream with fragrances, as such the district prohibits the use of sunscreen that the Principal or designee may deem harmful to students with asthma or other respiratory ailments or a nuisance to students or staff members.

Any student found to be using sunscreen in an inappropriate manner shall have their permission to use sunscreen revoked and be disciplined in accordance with the student code of conduct. If a student's permission to use sunscreen is revoked, the district shall notify the student's parent in writing of the reasons and duration for the revocation of that permission and of any discipline associated with the incident.



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The district shall provide for the transportation and storage of sunscreen to ensure accessibility when students travel off school grounds for school-sponsored functions.

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Student Sun Protection

Nothing in this Policy shall be construed as requiring a staff member to assist a student in applying sunscreen.

N.J.S.A. 18A:40-12.39

Adopted:



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Special Education Medicaid Initiative (SEMI) Program M

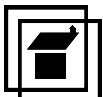
6111 SPECIAL EDUCATION MEDICAID INITIATIVE (SEMI) PROGRAM

Every New Jersey school district, with the exception of any district that obtains a waiver of the requirements of N.J.A.C. 6A:23A-5.3(b) ~~pursuant to the procedures set forth at N.J.A.C. 6A:23A-5.3(b)~~, shall take appropriate steps to maximize its revenue from the Special Education Medicaid Initiative (SEMI) ~~p~~Program by following ~~the~~ policies and procedures to maximize participation in the program as set forth in N.J.A.C. 6A:23A-5.3(d) and to comply with all program requirements as set forth in N.J.A.C. 6A:23A-5.3(e).

The school district may seek, in the prebudget year, a waiver of the requirements of N.J.A.C. 6A:23A-5.3 in accordance with the procedures as outlined in N.J.A.C. 6A:23A-5.3(b). As part of the annual budget information, the ~~New Jersey~~ Department of Education shall provide each ~~school~~ district with a projection of available SEMI reimbursement for the budget year, as determined by the ~~New Jersey State~~ Department of ~~the~~ Treasury's third-party administrator for SEMI. ~~Beginning with the 2009-2010 school year, T~~he school district shall recognize as revenue in its annual ~~school~~ district budget no less than ninety percent of the projection ~~provided by the Department of Education~~. The district may seek approval from the Executive County Superintendent to use its own projection of SEMI reimbursement upon demonstration ~~that~~ the numbers it used in calculating the projection are more accurate than the projection provided.

The ~~school~~ district shall strive to achieve maximum participation in the SEMI program. "Maximum participation" means obtaining a ninety percent return rate of parental consent forms for all SEMI-eligible students. Districts shall enter all students following their evaluations into the third-party system **as determined by the New Jersey Department of the Treasury** to identify the district's universe of eligible students. This ~~may~~ ~~can~~ be done without parental consent.

If the district participates ~~Districts participating~~ in the SEMI reimbursement program, **the district** shall comply with program requirements as outlined in N.J.A.C. 6A:23A-5.3(e).



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FINANCES

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Special Education Medicaid Initiative (SEMI) Program

~~If the A-school district that~~ has less than ninety percent participation of SEMI-eligible students in the prebudget year or that has failed to comply with all program requirements ~~at set forth in~~ N.J.A.C. 6A:23A-5.3(e), **the district** shall submit a SEMI action plan to the Executive County Superintendent for review and approval as part of the ~~school~~ district's proposed budget submission. The district's SEMI action plan shall include the components as outlined in N.J.A.C. 6A:23A-5.3(g).

If the district does ~~Districts that did~~ not achieve ninety percent participation, or **does not** achieve their approved benchmarks in the SEMI program for a given budget year and cannot demonstrate that they fully implemented their **New Jersey** Department of Education-approved SEMI action plan **required at N.J.A.C. 6A:23A-5.3(f) and (g), the district** shall be subject to review for the withholding of State aid by the Commissioner **of Education**, pursuant to N.J.S.A. 18A:55-3, in an amount equal to the SEMI revenue projection based on their approved benchmark for the budget year, if applicable, less actual SEMI reimbursements for the budget year. The State aid deduction shall be made in the second subsequent year after the budget year.

If the district does not meet the requirement of the cost-settlement components of SEMI, the district may be required to refund all or part of their SEMI reimbursements.

N.J.A.C. 6A:23A-5.3



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Adopted:

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Budget Preparation
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6220 BUDGET PREPARATION

The annual budget is the financial plan for the effectuation of the educational plan for the district.; ~~its preparation is, therefore, one of the most important functions performed by the Board of Education.~~ The budget shall be designed to carry out that plan in a thorough and efficient manner, to maintain school district facilities, and to honor continuing obligations of the district.

A proposed budget requires the critical analysis ~~by~~ **of** every member of the Board **of Education** during its preparation. The administration shall work with the Board to ensure Board members have a thorough understanding of the budget appropriations, budget revenue, the proposed educational program, and the budget's impact to the local tax levy. The Board shall also provide for community input during the budget development process.

~~The annual school district budget and supporting documentation shall be prepared in accordance with the provisions of N.J.S.A. 18A:7F; et seq. and N.J.A.C. 6A:23A-8.1 et seq. The Board will obtain approval of the local funding for a non-referendum capital project (school facility project or other capital project) in accordance with the provisions of N.J.A.C. 6A:23A-8.4.~~

The annual school district budget and supporting documentation shall be prepared in accordance with the provisions of N.J.S.A. 18A:7F; N.J.S.A. 18A:22-7 and 18A:22-8; and N.J.A.C. 6A:23A-8. The Board shall adopt and will submit its proposed budget and supporting documentation as prescribed by the Commissioner to the Executive County Superintendent for approval, together with Commissioner-prescribed supporting documentation, a budget that provides for a thorough and efficient education pursuant to N.J.A.C. 6A:23A-8.1(a). Pursuant to N.J.A.C. 6A:26-3.7 and 6A:26-3.12, the Board shall obtain approval of the local funding for a non-referendum capital project (school facility project or other capital project) in accordance with N.J.A.C. 6A:23A-8.4.

The budget will be presented to the Board ~~of Education~~ to allow adequate time for review and adoption. ~~The budget should evolve primarily from the needs of the~~



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~~individual schools as expressed by the Building Principals and the district educational program as expressed by the central administrative staff and be compatible with approved district plans.~~

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Budget Preparation

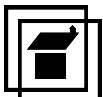
The Board shall include in the budget application to the Executive County Superintendent a complete reporting of revenues and appropriations and other requirements pursuant to N.J.S.A. 18A:22-8-1 **et seq.** and N.J.S.A. 18A:7F-5 through 63.

The Board, upon submission of its budget application to the Executive County Superintendent or by the statutory submission date, whichever is earlier, shall make available upon request for public inspection all budget and supporting documentation contained in the budget application and all other documents listed in N.J.A.C. 6A:23A-8.1 once the budget application has been submitted to the Executive County Superintendent for approval.

The budget, as adopted for the school year pursuant to N.J.S.A. 18A:7F-5, shall be provided for public inspection on the district's **website** ~~Internet site~~, if one exists, and made available in print in a "user-friendly," plain language budget summary format in accordance with the provisions of N.J.A.C. 6A:23A-8.1(c).

All budgetary and accounting systems used in the school district must be in accordance with double-entry bookkeeping and Generally Accepted Accounting Principles as required in N.J.A.C. 6A:23A-16.1 et seq.

N.J.S.A. 18A:7F et seq.; 18A:22-7 et seq.
N.J.A.C. 6A:23A-8.1 et seq.; 6A:23A-16.1 et seq.



POLICY GUIDE

Adopted:

