

**CAMDEN'S PROMISE CHARTER SCHOOL**  
**Camden, New Jersey**

**Policy Manual**

---

TABLE OF CONTENTS

**4000 Instructional and Support Personnel**

4110, 4210	Streamline Tenure Acquisition and Dismissal
4111	Recruitment, Selection and Hiring
4111.1, 4211.1	Nondiscrimination, Affirmative Action
4112.2	Certification
4112.4, 4212.4	Employee Health
4112.6, 4212.6	Personnel Records
4112.8, 4212.8	Nepotism
4113, 4213	Assignment; Transfer
4115	Supervision
4116	Evaluation
4117.4, 4217.4	Reduction in Force, Abolishing a Position
4117.41	Nonrenewal
4119.21, 4219.21	Conflict of Interest
4119.22, 4219.22	Conduct and Dress
4119.23	Employee Substance Abuse
4119.26, 4219.26	Electronic Communication
4121	Substitute Teachers
4122	Student Teachers, Interns
4123	Classroom Aides
4131, 4131.1	Staff Development; In-service Education, Visitations, Conferences
4138, 4238	Non-school Employment
4138.2	Private Tutoring
4147, 4247	Employee Safety
4151, 4251	Attendance Patterns
4151.1, 4251.1	Personal Illness and Injury
4211	Recruitment, Selection and Hiring
4215	Supervision
4216	Evaluation
4219.23	Employee Substance Abuse
4222	Non-instructional Aides
4231, 4231.1	Staff Development; In-service Education, Visitations, Conferences



**STREAMLINE TENURE ACQUISITION AND DISMISSAL**

All teaching staff members, janitors, and secretaries of the charter school shall acquire streamline tenure after five consecutive years of effective employment as determined by the Department of Education approved educator evaluation system established and in use by the charter school. All teaching staff members, janitors, and secretaries who have acquired streamline tenure prior to June 30, 2013, shall retain streamline tenure status and shall not be dismissed or reduced in compensation except for inefficiency, incapacity, or conduct unbecoming (N.J.A.C. 6A:11-6.2 a, b).

Current employees, who have not attained streamline tenure prior to June 30, 2013 shall be considered for tenure after five consecutive years of effective employment as determined by the Department of Education approved educator evaluation system in use by the school.

The school shall specifically afford employees the security and protection in accordance with the state laws and regulations (N.J.S.A. 18A:36A-14e).

"Streamline tenure" means the tenure process for all charter school teaching staff members, janitors and secretaries who are either newly employed in a charter school or who are employed in a charter school while on leave from district boards of education.

**Tenure Disputes**

Once streamline tenure is acquired, an employee of the school may only be dismissed or receive reduced compensation for inefficiency, incapacity, unbecoming conduct or other just cause.

The school shall assume the burden of substantiating the charges by a preponderance of competent and credible evidence. If the charge is for inefficiency or incapacity the employee evaluations, as conducted by the Department of Education approved educator evaluation system in use by the school, may be used to substantiate the charges.

"Streamline tenure removal" means the process by which an employee who has obtained streamline tenure can be dismissed or reduced in compensation.

The school shall file and certify streamline tenure charges according to the following procedures and timelines:

- A. The chief school administrator shall file written charges, executed under oath, accompanied by a record of the case's proceedings, with the board of trustees. The board shall review and consider the record prior to issuing a decision;
- B. The board of trustees shall transmit the charge(s) to the affected streamline tenured employee within 20 work days of the date that they were filed with the board of trustees. Proof of mailing or hand delivery shall constitute proof of transmittal receipt. This notification shall include:
  1. The right of the affected tenured employee to have the opportunity to respond to the charge(s);
  2. Notification of the right to request a hearing to dispute the charges.

**Board Hearing**

If a hearing is requested, the tenured employee shall be provided with:

- A. An opportunity to be represented by legal counsel;

STREAMLINE TENURE ACQUISITION AND DISMISSAL (continued)

- B. A list of the charter school administration's witnesses no later than five days before the hearing; and
- C. An opportunity to confront and cross-examine witnesses of the administration and to produce his or her own witnesses or affidavits.

The school shall have the burden of substantiating the charges by a preponderance of competent and credible evidence.

The hearing shall be completed no later than 30 days after the board of trustees' receipt of the tenured employee's response to the charges, barring any unforeseen circumstances warranting an extension of such time. Following the hearing, the board of trustees shall determine whether the charges have been substantiated by a preponderance of competent and credible evidence in the record and whether the tenured employee shall be dismissed or reduced in compensation.

The tenured employee shall be issued a written decision of the board of trustees' determination whether to dismiss or reduce in compensation within 10 days of the determination. The written decision shall include, at a minimum:

- A. A summary of evidence considered;
- B. Factual findings relative to each charge; and
- C. A determination whether each charge was substantiated.

Appeals

The employee shall have 15 days after receipt of the written decision of the board to submit a written appeal to the Commissioner. The employee shall serve the board of trustees with all briefs or papers filed with the Commissioner in connection with the appeal. The Commissioner may extend the time period for filing an appeal upon finding good cause if the request for an extension is received within the 15-day period provided for filing an appeal.

Upon filing an appeal, the board of trustees may submit a response within 10 days of receiving all briefs or papers served by the aggrieved party and shall serve the aggrieved party with a response.

The Commissioner shall render a determination on the appeal within 45 days of receipt of the board of trustees' response. If no response is filed, the determination shall be issued within 45 days of the date the board or trustees' response is due.

The Commissioner's decision shall constitute a final agency decision appealable to the New Jersey Superior Court Appellate Division.

NJSBA Review/Update: April 2017  
Adopted:

Key Words

Tenure, Streamline Tenure, Efficiency, Arbitration, Appeal

<b><u>Legal References:</u></b>	<u>N.J.S.A. 2A:24-7</u> Through -10 <u>N.J.S.A. 18A:12-21 et seq.</u> <u>N.J.S.A. 18A:17-2</u>	Application for confirmation, vacation or modification of award School Ethics Act Tenure of secretaries, assistant secretaries, school business administrators, business managers and secretarial and clerical employees
---------------------------------	---	--

STREAMLINE TENURE ACQUISITION AND DISMISSAL (continued)

<u>N.J.S.A.</u> 18A:17-3	Tenure of janitorial employees
<u>N.J.S.A.</u> 18A:28-5	Requirements of tenure
<u>N.J.S.A.</u> 18A:36A-1 <u>et seq.</u>	Charter School Program Act
<u>See Particularly:</u>	
<u>N.J.S.A.</u> 18A:36A-14	Authority of the board of trustees; employees
<u>N.J.A.C.</u> 6A:11-6.1 <u>et seq.</u>	Tenure acquisition

**Possible**

<b><u>Cross References:</u></b> *2224	Nondiscrimination/affirmative action
*3320	Purchasing procedures
*4111/4211	Recruitment, selection and hiring
*4111.1/4211.1	Nondiscrimination/affirmative action
*4112.8/4212.8	Nepotism
*4115	Supervision
*4116	Evaluation
*4131/4131.1	Staff development
*4215	Supervision
*4216	Evaluation
*4231/4231.1	Staff development

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



**POLICY**

---

**RECRUITMENT, SELECTION AND HIRING**

The Camden's Promise Charter School Board of Trustees guarantees equal employment, advancement opportunity and equal pay for equal work for all people regardless of race, creed, color, national origin, nationality, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, pregnancy or other conditions not related to the duties and responsibilities of the job.

The board believes that the quality of the professional staff in large part determines the quality of the education offered school students. Therefore, the chief school administrator shall have the responsibility of locating and recruiting the best qualified candidates to provide for the identified needs of school students. Recruiting practices shall include measures for targeting underrepresented populations in every category of employment.

Provisional teaching candidates shall be given equal consideration with all other candidates for teaching positions. The chief school administrator shall follow all requirements of the administrative code in providing the necessary training program for all teachers hired with provisional certificates.

in accordance with the Every Student Succeeds Act, all teachers hired by the board for programs in the school supported with Title I, part A funds shall meet the State certification and licensure requirements. All teachers of core academic subjects (English, reading/language arts, mathematics, science, foreign languages, civics/government, economics, arts, history and government) hired by the board shall possess the appropriate certification including having a bachelor's degree from an accredited institution of higher learning and:

- A. Complete an undergraduate major in the appropriate subject area;
- B. Hold a graduate degree in the subject area; or
- C. Complete at least 30 credits in a coherent sequence of courses appropriate to the subject area.

The chief school administrator or his or her designee shall ensure that the school's employment application process and pre-employment inquiry and interview process conform to the guidelines of the New Jersey Division on Civil Rights and the Law Against Discrimination.

It shall be the duty of the chief school administrator to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the successful completion of a criminal history check, proof of citizenship or eligible alien status, and certification for the type of position for which nomination is made.

The chief school administrator shall take steps to verify the academic credentials of any potential candidate for employment, and ensure any degrees cited, academic coursework or credits completed, or titles claimed by an individual have been granted by an accredited institution of higher education. For chief school administrator candidates, the board shall take similar steps. Documents shall not be accepted from non-accredited institutions or any fraudulent source. If a current employee is found to have obtained employment, tuition reimbursement or increased salary based on documents or credentials obtained from a non-accredited institution, the board will take appropriate action, up to and including the possible discharge of the individual and/or obtaining a refund of the tuition reimbursement or increased salary.

RECRUITMENT, SELECTION AND HIRING (continued)

The chief school administrator shall recommend for employment those individuals who, in his/her opinion, are best qualified to fill the vacancy without regard to race, creed, color, national origin, nationality, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, pregnancy or other conditions not related to the duties and responsibilities of the job.

The chief school administrator shall prepare and maintain job descriptions that define the duties, responsibilities and qualifications required for each position. The board shall adopt those job descriptions required by law or code and others as appropriate.

The chief school administrator in determining the candidates to be nominated shall seek information whenever possible from the candidate's prior employers.

The board shall affirm employment and initial placement on the salary guide by a recorded roll call majority vote of the full membership of the board.

The board shall appoint all staff members only from nominations made by the chief school administrator. Should a nominee be rejected, it shall be the duty of the chief school administrator to make other nominations.

Residency Requirements

Every employee hired by the board shall have their principal residence with the State of New Jersey. For the purposes of this policy an employee may have only one principal residence which shall be defined as:

- A. Where the employee spends the majority of their nonworking time;
- B. Is most clearly the center of the employee's domestic life; and
- C. The employee's designated legal address and legal residence for voting.

The fact that an employee is either domiciled or owns a home or property in the State of New Jersey shall not by itself satisfy the requirement of principal residence.

Exemptions

- A. An employee hired on or after September 1, 2011 who is not a resident when hired shall receive one year to establish residency in New Jersey. If the employee fails to establish residency within that year, he/she shall be deemed unqualified for employment and shall be removed pursuant to N.J.S.A. 52:14-7(d);
- B. An existing employee who was not a resident of New Jersey on or prior to September 1, 2011 is exempted from this policy. However, if he/she has had a break in public service for a period of time greater than seven days this exemption shall not apply;
- C. An employee hired by the school who was a non-resident public employee prior to September 1, 2011 is exempted from this policy. However, if he/she has had a break in public service for a period of time greater than seven days this exemption shall not apply;
- D. A break in public service shall be defined as an actual separation from employment for more than seven calendar days due to such causes as resignation, retirement, layoff, or disciplinary removal. But a leave



RECRUITMENT, SELECTION AND HIRING (continued)

of absence shall not be considered a break in public service;

- E. An employee may request an exemption made to the State committee formed under N.J.S.A. 52:14-7 on a basis of critical need or hardship. The decision on whether to approve an application of the employee shall be made by a majority vote of this committee. If this committee fails to act within 30 days after receipt of the employee's application, no exemption shall be granted and the residency requirements set forth in this policy shall be in effect.

NJSBA Review/Update: April 2017

Adopted:

Key Words

Recruitment, Selection and Hiring; Hiring; Nondiscrimination; Affirmative Action, Background Check, Personnel Background Check, Domestic Partnership Act, Residency Requirements

<b><u>Legal References:</u></b>	<u>N.J.S.A. 10:5-1 et seq.</u>	Law Against Discrimination
	<u>See particularly:</u>	
	<u>N.J.S.A. 10:5-3</u>	
	<u>N.J.S.A. 18A:3-15. 1 et seq.</u>	Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
	<u>N.J.S.A. 18A:6-5</u>	Inquiry as to religion and religious tests prohibited
	<u>N.J.S.A. 18A:6-6</u>	No sex discrimination
	<u>N.J.S.A. 18A:6-7.1, -7.5</u>	Criminal history record; employee in regular contact with students; grounds for disqualification from employment; exception
	<u>N.J.S.A. 18A:6-76.1</u>	Deadline for notification to students of requirements of provisional certificate and induction program
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:13-40</u>	General powers and duties of board of newly created regional districts
	<u>N.J.S.A. 18A:16-1</u>	Officers and employees in general
	<u>N.J.S.A. 18A:26-1, -1.1, -2</u>	Citizenship of teachers, exceptions
	<u>N.J.S.A. 18A:27-1 et seq.</u>	Employment and Contracts
	<u>See particularly:</u>	
	<u>N.J.S.A. 18A:27-4.1</u>	
	<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)
	<u>N.J.S.A. 26:8A-1 et seq.</u>	<u>Domestic Partnership Act</u>
	<u>N.J.S.A. 52:14-7</u>	Residency Requirements
	<u>N.J.A.C. 6A:7-1.1 et seq.</u>	Managing for Equality and Equity in Education
	<u>See particularly:</u>	
	<u>N.J.A.C. 6A:7-1.4, -1.5, -1.6, -1.8</u>	
	<u>N.J.A.C. 6A:9B-5.8</u>	Endorsement requirements
	<u>N.J.A.C. 6A:9B-6.1 et seq.</u>	College courses and certification
	<u>N.J.A.C. 6A:9B-8.1 et seq.</u>	Requirements for Instructional Certification
	<u>N.J.A.C. 6A:9B-10.1 et seq.</u>	Exceptions for the Requirements for the Instructional Certificate
	<u>N.J.A.C. 6A:9B-11.1 et seq.</u>	Additional requirements or exceptions to requirements for instructional certification with special endorsements
	<u>N.J.A.C. 6A:9B-12.1 et seq.</u>	Requirements for administrative certification
	<u>N.J.A.C. 6A:32-4.1</u>	Employment of teaching staff
	<u>N.J.A.C. 6A:32-5.1</u>	Standards for determining seniority

RECRUITMENT, SELECTION AND HIRING (continued)

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

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

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

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

Every Student Succeeds Act, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

Old Bridge Education Association v. Old Bridge Township Bd. of Ed., 1986 S.L.D. 1917

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

The Comprehensive Equity Plan, New Jersey Department of Education

**Possible**

**Cross References:**

- 2130 Administrative staff
- \*2131 Chief school administrator
- 4000 Concepts and roles in personnel
- \*4111.1 Nondiscrimination/affirmative action
- \*4112.2 Certification
- \*4112.4 Employee health
- 4112.5 Criminal history check
- \*4112.6 Personnel records
- \*4112.8 Nepotism
- \*4121 Substitute teachers
- \*4222 Noninstructional aides
- \*5120 Assessment of individual needs
- \*6010 Goals and objectives

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

**NONDISCRIMINATION/AFFIRMATIVE ACTION**

The Camden's Promise Charter School Board of Trustees guarantees to all persons equal access to all categories of employment, assignment to a position, transfer, and promotion in this school. The board shall not assign, transfer, promote, or retain staff, or fail to assign, transfer, promote, or retain staff, on the sole basis of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, pregnancy, liability for service in the Armed Forces of the United States, disability, nationality, atypical hereditary cellular or blood trait of any individual, nonapplicable disability or because of genetic information or refusal to submit to or make available the results of a genetic test.

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

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

**Affirmative Action Officer and Team**

The board designated affirmative action officer shall:

- A. In collaboration with the affirmative action team coordinate the required professional development training for certificated and non-certificated staff;
- B. Notify all employees of school grievance procedures for handling discrimination complaints; and
- C. Ensure that the school grievance procedures, including investigative responsibilities and reporting information, are followed (see board policy 2224 Nondiscrimination/Affirmative Action).

**Harassment and Favoritism**

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

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

**Sexual Harassment**

The board of trustees shall maintain a working environment that is free from sexual harassment. Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited. No supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation,

NONDISCRIMINATION/AFFIRMATIVE ACTION (continued)

compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment of an employee. Sexually harassing conduct committed by nonsupervisory personnel is also prohibited.

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

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

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

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

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

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

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

Pregnancy

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

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

NONDISCRIMINATION/AFFIRMATIVE ACTION (continued)

transfers to less strenuous or hazardous work.

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

Employment and Contract Practices

The board shall ensure all persons, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, have equal and bias-free access to all categories of employment and equal pay for equal work among members of the school's staff.

The board shall not enter into any contract with a person, agency, or organization that discriminates on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, either in employment practices or in the provision of benefits or services to students or employees.

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

- A. Adhering to the administrative code in selection of vendors and suppliers; informing vendors and suppliers that their employees are bound by the school's affirmative action policies in their contacts with school staff and students (see board policy 3327 Relations with Vendors);
- B. Continuing implementation and refinement of existing practices and affirmative action plans, making certain that all recruitment, hiring, evaluation, training, promotion, personnel-management practices and collective bargaining agreements are structured and administered in a manner that furthers equal employment opportunity principles and eliminates discrimination on any basis protected by law, holding inservice programs on affirmative action for all staff in accordance with law.

Whistleblower Protection

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

- A. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the board that the employee reasonably believes is in violation of a law, or a rule or regulation established pursuant to law or is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity;
- B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation established pursuant to law by the board including any violation involving deception of, or misrepresentation; or
- C. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes is in violation of law, rule or regulation; is fraudulent or criminal; or is incompatible with public health, safety or welfare or protection of the environment.

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

Appeals

NONDISCRIMINATION/AFFIRMATIVE ACTION (continued)

Grievances related to equity in employment practices shall be submitted to the affirmative action officer. Any individual may petition the Commissioner in writing to resolve a dispute arising related to equity in employment practices.

Report on Implementation

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

NJSBA Review/Update: April 2017

Adopted:

Key Words

Affirmative Action, Nondiscrimination, Employee Nondiscrimination/Affirmative Action, Domestic Partnership Act

**Legal References:** N.J.S.A. 10:5-1 et seq. Law Against Discrimination  
See particularly:  
N.J.S.A. 10:5-3, -3.1, -4.1, -12, -27  
N.J.S.A. 18A:6-5 Inquiry as to religion and religious tests prohibited  
N.J.S.A. 18A:6-6 No sex discrimination  
N.J.S.A. 18A:18A-17 Facilities for handicapped persons  
N.J.S.A. 18A:26-1 Citizenship of teachers, etc.  
N.J.S.A. 18A:26-1.1 Residence requirements prohibited  
N.J.S.A. 18A:29-2 Equality of compensation for male and female teachers  
N.J.S.A. 18A:36-20 Discrimination Prohibition  
N.J.S.A. 26:8A-1 et seq. Domestic Partnership Act  
N.J.S.A. 34:19-1 et seq. Conscientious Employee Protection Act  
See particularly:  
N.J.S.A. 34:19-3  
N.J.A.C. 6A:7-1.1 et seq. Managing for Equality and Equity in Education  
See particularly:  
N.J.A.C. 6A:7-1.4, -1.5, -1.6, -1.8  
 Executive Order 11246 as amended  
 29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended  
 20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972  
 42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972  
 29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973  
 20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act  
 42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)  
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)

NONDISCRIMINATION/AFFIRMATIVE ACTION (continued)

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

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

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

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

The Comprehensive Equity Plan, New Jersey State Department of Education

**Possible**

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

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





### CERTIFICATION

The certification of teachers and other personnel in the public schools of New Jersey is a protective measure for the children, the community, and the staff members themselves. No teaching staff member shall be appointed, except by a recorded roll call majority vote of the full membership of the Camden's Promise Charter School Board of Trustees. All personnel hired shall have proper certification as required by the State Board of Education. All personnel hired shall at a minimum have a charter school certificate or regular teaching certificate as required by the State Board of Education. Charter school certificates of eligibility (CSCE) may be accepted for any position except preschool through grade three, English as a second language, swimming and water safety and supplemental instruction in reading and mathematics (grades K-8).

The chief school administrator will take appropriate steps to avoid employment of teachers with expired, revoked or suspended certificates. Where the chief school administrator receives formal notice from a state entity that an employee's certificate, as required by the employee's employment title is no longer valid, the employee's employment shall cease, notwithstanding the fact that the term of employment may not have expired. No teaching staff member shall be entitled to any salary unless he is the holder of an appropriate certificate. No teaching staff member, contracted by private agencies that provide educational services by means of public funds, shall provide educational services to students unless he or she is the holder of a valid certificate.

Validity of certification must be verified with the county office.

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

The chief school administrator shall ensure that each applicant hired to teach in the school shall have passed a satisfactory examination in physiology and hygiene; and substance abuse issues which includes material on the physiological, psychological, sociological and legal aspects of drug and alcohol abuse, methods of educating students on the negative effects of substance abuse, and intervention strategies for dealing with students engaged in substance abuse.

#### Reporting of Arrests, Charges and Indictments

All certificated staff members who are arrested or indicted for a crime or offense must report the arrest or indictment to the chief school administrator within fourteen days. This reporting requirement pertains to both in-state and out-of-state offenses and crimes and shall include the date of the arrest or indictment and the charges lodged. The certificated staff member shall also report the disposition of any charge within seven days of its disposition.

Failure to comply with these reporting requirements may be deemed "just cause" to revoke or suspend the certificate(s) of any certificate holder pursuant to N.J.A.C. 6A:9B-4.3.

The chief school administrator will make these requirements known to all new employees and to all employees on an annual basis.

#### School Reporting Requirements

CERTIFICATION (continued)

Pursuant to N.J.A.C. 6A:9B-4.3, the chief school administrator shall notify the board of trustees and the New Jersey Board of Examiners when:

- A. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
- B. Nontenured teaching staff members who are accused of criminal offenses or unbecoming conduct, resign, retire or are removed from their positions;
- C. A certificate holder fails to maintain any license, certificate or authorization that is mandated in order for the holder to serve in a position;
- D. He or she becomes aware that a certificate holder has been convicted of a crime while in the school's employ; or
- E. The chief school administrator has received a report from the Division of Child Protection and Permanency (DCP&P) substantiating allegations of abuse or neglect or establishing "concerns" regarding a certificated teaching staff member.

In the event the New Jersey State Board of Examiners issues an order to show cause based on the information that the school provided about the certificate holder, it shall be the responsibility of the school to cooperate with the Board of Examiners in any proceeding arising from the order to show cause.

Mentoring Novice Provisional Teachers

In order to enhance student achievement of the New Jersey Student Learning Standards the school shall develop a mentoring program for nontenured teachers, including novice provisional teachers who hold a certificate of eligibility (CE), certificate of eligibility with advanced standing (CEAS) or Charter School Certificate of Eligibility (CSCE). The mentoring program shall provide an induction to the teaching profession and to the school community through differentiated supports based on the teachers' individual needs and to help them become effective professionals.

For the purposes of this policy:

"Novice teacher" means any full-time or part-time teacher who has not completed one year of full-time teaching under a valid State teaching certificate.

"Provisional teacher" means a holder of a provisional two-year certificate issued to candidates who have met requirements for initial employment as part of a State-approved school training program or residency leading to standard certification.

"Novice provisional teacher" means a certificate holder (CEAS, CSCE or CE) who is also a novice teacher who has not completed one year of full-time teaching.

The goal of the school mentoring program shall be to enhance teacher knowledge of and strategies related to:

- A. Facilitating student growth and achievement in the New Jersey Student Learning Standards;
- B. Identifying exemplary teaching skills and educational practices necessary to acquire and maintain

excellence in teaching; and

CERTIFICATION (continued)

C. Assisting first-year teachers in performing their duties and adjusting to the challenges of teaching.

First Teaching Year's Supports

A. During a nontenured teacher's first year of employment, the school shall provide an induction program that shall include introduction to and training on:

1. Board policies and procedures;
2. The school curricula;
3. Board policies and procedures on student assessment; and
4. The school's evaluation rubric, including assessing student learning through student growth objectives

B. The school shall provide individualized supports and activities aligned with the Professional Standards for Teachers (N.J.A.C. 6A:9-3.3), the standards for professional learning (N.J.A.C. 6A:9C-3.3), and the school's Commissioner-approved teaching practice instrument. The individualized supports and activities shall be guided by the following:

1. The nontenured teacher's degree of preparation;
2. The nontenured teacher's individual professional development plan (see board policy 4131/4131.1 Staff Development). The professional development plan shall be developed within 30 instructional days of the beginning of the teaching assignment;
3. Areas of focus within the school mentoring plan;
4. The goals of the school and school plans for professional development; and

C. One-to-one mentoring for novice provisional teachers that includes:

1. The assignment of an individual mentor at the beginning of the contracted teaching assignment;
2. Observation and feedback from the mentor, confidential guidance and support, and the opportunity for the novice provisional teacher to observe effective teaching practices;
3. In-person contact time between the mentor teacher and the novice provisional teacher;
4. Meetings with the mentor at least once per week for the first four weeks of the teaching assignment.

All contact time between the mentor teacher and the novice provisional teacher shall be recorded in a log, developed as part of the school mentoring plan, submitted to the chief school administrator or designee, and maintained within the school.

Mentor Selection

The chief school administrator shall oversee the mentor selection process and ensure the individual mentor of a novice provisional teacher meets the following minimum requirements:

- A. Holds an instructional certificate and, when possible, is certified in the subject area in which the novice provisional teacher is working;
- B. Has at least three years of experience and has taught full-time for at least two years within the last five years;
- C. Does not serve as the mentee's direct supervisor nor conduct evaluations of teachers;
- D. Demonstrates a record of success in the classroom

CERTIFICATION (continued)School Mentoring Plan

The chief school administrator or designee shall develop a school mentoring plan as part of the school's professional development plan (PDP). The school mentoring plan shall include logistics for its implementation and describe the school's responsibilities:

- A. The chief school administrator shall submit the mentoring plan to the board for review of its fiscal impact;
- B. The chief school administrator or designee shall share the mentoring plan with each school improvement panel, which shall oversee the school-level implementation of the mentoring plan and shall communicate the plan to all nontenured teachers and their mentors;
- C. The chief school administrator or designee shall review the plan annually and revise it, as necessary, based on feedback from mentor logs, each school improvement panel, and data on teacher and student performance.

Special Education

All personnel serving students with disabilities shall be appropriately certified and licensed, where a license is required. Each member of the child study team shall perform only those functions that are within the scope of their professional license (where applicable) and certification issued by the New Jersey Department of Education. Where related services are provided by non-certified personnel because there is no certification required, such services shall be provided under the supervision of certified board of trustees personnel.

Adult High School (**Note:** only applies if the charter has an adult high school program)

The chief school administrator shall ensure that the adult high school has an adequate number of professional staff, properly certified for their respective assignments; and shall ensure that persons involved in adult advisement shall be certified as either a principal, supervisor, counselor, or teacher.

NJSBA Review/Update: April 2017

Adopted:

Key Words

Certificates, Certification

<b><u>Legal References:</u></b>	<u>N.J.S.A. 18A:6-38</u>	Powers and duties of the board; issuance and revocation of certificate; rules and regulations
	<u>N.J.S.A. 18A:6-39</u>	Issuance of certificates to non-citizens
	<u>N.J.S.A. 18A:6-76.1</u>	Deadlines for notification to students of requirements of provisional certificate and induction program; submission of induction program plan to school districts and Department of Education; coordination of mentor training program
	<u>N.J.S.A. 18A:6-127</u>	Researched-based mentoring program
	<u>N.J.S.A. 18A:26-1,-2,-8.1,-9</u>	Citizenship of teachers, etc.
	<u>N.J.S.A. 18A:26-2.1 et al.</u>	Supervisory certificate required for appointment as director of athletics

CERTIFICATION (continued)

<u>N.J.S.A.</u> 18A:27-1	Appointment of teaching staff members
<u>N.J.S.A.</u> 18A:27-2	Employment without certificate prohibited
<u>N.J.S.A.</u> 18A:29-1	Uncertified teacher denied salary
<u>N.J.S.A.</u> 18A:40A-4	Preservice training of future teachers; teaching certificate requirements
<u>N.J.S.A.</u> 18A:40A-18	Student Assistance Coordinators
<u>N.J.A.C.</u> 6A:9-1.1 <u>et seq.</u>	Professional Standards
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:9-3.3	Professional Standards for Teachers
<u>N.J.A.C.</u> 6A:9A-5.5	Completion of CE educator preparation program
<u>N.J.A.C.</u> 6A:9B-1.1 <u>et seq.</u>	Certificate Holders
<u>N.J.A.C.</u> 6A:9B-4.3	School district and candidate reporting responsibility
<u>N.J.A.C.</u> 6A:9B-5.1	Certificate required
<u>N.J.A.C.</u> 6A:9B-5.2	Types of certificates or credentials
<u>N.J.A.C.</u> 6A:9B-5.4	Certification responsibilities of the district board of education
<u>N.J.A.C.</u> 6A:9B-5.6	Fees
<u>N.J.A.C.</u> 6A:9B-5.9	Examination in physiology, hygiene, and substance abuse issues requirement
<u>N.J.A.C.</u> 6A:9B-11.12	Requirements for the charter school certificate of eligibility
<u>N.J.A.C.</u> 6A:9C-5.1 <u>et seq.</u>	District mentoring program
<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
<u>N.J.A.C.</u> 6A:20-2.8	Staffing for adult education
<u>N.J.A.C.</u> 6A:32-4.1(d)	Employment of teaching staff

Old Bridge Education Association v. Old Bridge Township Bd. of Ed., 1986 S.L.D. 1917

**Possible**

<b><u>Cross References:</u></b>	*2131	Chief school administrator
	4010	Goals and objectives
	*4111	Recruitment, selection and hiring
	6130	Organizational plan
	*6141	Curriculum design/development
	*6142.1	Family life education
	*6156	Instructional planning/scheduling
	*6163.1	Media center/library
	*6164.2	Guidance services
	*6171.4	Special education
	*6200	Adult/community education

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



**Policy**

<u>X</u>	<b>Monitored</b>
<u>X</u>	<b>Mandated</b>
<u>X</u>	<b>Other Reasons</b>

NOTE: Standards apply to both certified (4112.4) and noncertified (4212.4) staff

**EMPLOYEE HEALTH**

**Examinations**

When a candidate has been given a conditional offer of employment, he/she shall be required to submit to a medical evaluation and a physical examination. This physical examination may include testing for controlled dangerous substances as they are defined in the criminal code. Elements of the examination of newly employed staff shall include but not be limited to those physical exam elements listed in administrative code. Employees may be required to undergo an annual physical examination.

The results of all required employee medical examinations shall be made known to the chief school administrator on a confidential basis, discussed with the employee, and made a part of his/her confidential medical record. Records and reports of examinations shall be filed with the school medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

In the event an employee of the Camden's Promise Charter School Board of Trustees has been determined to have a mental abnormality or communicable disease or exhibits symptoms of substance abuse and, if in the opinion of the school medical inspector such condition makes the employee unfit for continued employment, the board may remove the employee from further service as provided by law or grant leave as provided by law during the period of unfitness. An employee determined to be unfit must provide the board with satisfactory proof of recovery before reinstatement will be allowed.

The results of all required employee medical examinations shall be made known to the chief school administrator on a confidential basis, discussed with the employee, and made a part of his/her confidential medical record. Records and reports of examinations shall be filed with the school medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

In the event an employee of the board shows evidence of deviation from normal physical or mental health, the school may require additional individual psychiatric or physical examinations of the employee. When an additional psychiatric or physical examination is required:

- A. The board shall provide the employee with a written statement of reasons for the required additional examination. The board shall provide the employee with a hearing, if requested;
- B. The determination of the board hearing if requested shall be appealable to the commissioner;
- C. The employee may, without reprisal, refuse to waive his or her right to protect the confidentiality of medical information.

The report of the required psychiatric or physical examination shall include a statement by the examining physician as to any physical or mental condition noted likely to prevent the person examined from performing all duties and responsibilities of the position sought or occupied, or a statement that no such condition exists.

In order to protect the students and staff in the school, all regulations of the State Department of

EMPLOYEE HEALTH (continued)

Education, the State Department of Health and the local board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases. Staff who have been identified as having a communicable disease shall not be permitted continued employment unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

When required examinations are performed by a physician designated by the board, the board shall bear the expense. Should an employee prefer to see his/her own physician, with board approval, the employee shall bear the expense.

Occupational Containment of Bloodborne Pathogens

The board is committed to provide a safe and healthful work environment for staff. In pursuit of this endeavor, an Exposure Control Plan (ECP) shall be provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with federal regulations.

The ECP is a key document to assist the school in implementing and ensuring compliance with the OSHA bloodborne pathogens standard, thereby protecting employees. This ECP includes:

- A. Identification of tasks, procedures and job classifications where occupational exposure to blood occurs;
- B. Procedures for evaluating the circumstances surrounding an exposure incident; and
- C. The schedule and method for implementing the specific sections of the standard, including:
  - 1. Methods of compliance;
  - 2. Hepatitis B vaccination;
  - 3. Post-exposure evaluation and follow-up;
  - 4. Hazard communication requirements;
  - 5. Effective employee training;
  - 6. Recordkeeping.

The ECP shall be reviewed annually to ensure that it reflects use of the most current medical technology.

Implementation and Dissemination

The chief school administrator in consultation with the school medical inspector shall prepare regulations to implement this policy in compliance with law and code. All employees shall receive this policy and be made aware of all requirements for health examinations.

NJSBA Review/Update: April 2017  
Adopted:

Key Words

Physical Examinations, Health Examinations, Employee Physicals, Nondiscrimination, Psychological Examinations, Bloodborne Pathogens

**Legal References:** N.J.S.A. 2C:35-1 et seq.  
N.J.S.A. 18A:16-2

Comprehensive Drug Reform Act of 1987  
Physical examinations; requirement



EMPLOYEE HEALTH (continued)

<u>N.J.S.A.</u> 18A:16-3	Character of examinations
<u>N.J.S.A.</u> 18A:16-4	Sick leave; dismissal
<u>N.J.S.A.</u> 18A:16-5	Records of examinations
<u>N.J.S.A.</u> 18A:40-10	Exclusion of teachers and students exposed to disease
<u>N.J.S.A.</u> 18A:66-39	Disability retirement
<u>N.J.S.A.</u> 26:4-1	"Communicable disease" defined
<u>N.J.S.A.</u> 26:4-6	Prohibiting attendance of teachers or students
<u>N.J.S.A.</u> 26:4-15	Reporting of communicable diseases by physicians
<u>N.J.S.A.</u> 26:5c-1 <u>et seq.</u>	AIDS Assistance Act
<u>N.J.A.C.</u> 6A:16-2.1	Health services policy and procedure requirements
<u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	School Employee Physical Examinations
<u>N.J.A.C.</u> 8:61-1.1 <u>et seq.</u>	Participation and Attendance at School by Individuals with HIV Infection
<u>N.J.A.C.</u> 12:100-4.2	Safety and Health Standards for Public Employees (Adoption by reference)

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

29 CFR 1910.1030 - Bloodborne Pathogen Standard

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

Elizabeth v. Elizabeth Fire Officers Association, 10 NJPER 15022

**Possible**

<b><u>Cross References:</u></b>	*4111	Recruitment, selection and hiring
	*4112.6	Personnel records
	4117.50	Standards for staff discipline
	4117.52	Dismissal/suspension
	*4119.23	Employee substance abuse
	4150	Leaves

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



### PERSONNEL RECORDS

Orderly administration of the school and compliance with state and federal law require the compilation of information about all employees of the school. The Camden's Promise Charter School Board of Trustees recognizes that there is a distinction between those personnel records that are clearly a matter of public concern, and those that must be considered privileged until such time as they are opened to the public by the commissioner of education or the courts.

The chief school administrator shall consult with the board attorney regarding which personnel records are mandated to be kept by law, and those to be kept for administrative purposes. The chief school administrator and the board attorney shall be responsible for limiting administrative records to those that are consistent with New Jersey and federal law.

In accordance with federal law, the chief school administrator shall establish procedures to release information upon request regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their children.

#### Public Record

The public file shall consist of an alphabetic index of all those presently employed by the school in whatever capacity. The information in this file shall be limited to name, title, position, salary, payroll record, length of service, and, if applicable, date of separation and rehire. The chief school administrator shall devise procedures for making this file available to the public in accordance with the Open Public Records Act;

#### Personnel File

The confidential file shall consist of an individual personnel folder for each current employee.

A. The information in this file shall include all records mandated by state and federal law including:

1. Evaluation of performance;
2. Written performance reports and supporting data for tenured staff, including but not limited to indicators of student progress and growth;
3. Record of attendance;
4. Original application filed by the employee;
5. Original salary and increments;
6. Date of tenure;
7. Notations of commendation and disciplinary actions consistent with law.

B. The personnel file is available for examination:

1. At any time, by the chief school administrator or the supervisory personnel he/she designates;
2. During regular business hours, by the employee or his/her personally authorized representative, in accordance with regulations;
3. During regular business hours, or at any meeting of the board or any committee thereof, by any member of the board when necessary to make an informed decision regarding any assigned board responsibility or duty.

PERSONNEL RECORDS (continued)Health Record

Employee health records shall be maintained separately from other personnel files and in strict confidentiality. Only the employee, the chief medical inspector and the chief school administrator shall have access to an employee's medical file. To assure ready access in a medical emergency, the section of the medical record that contains the health history may also be shared with the building principal and the school nurse with the consent of the employee.

Emergency Contact Information

Staff emergency contact cards for all employees shall be maintained by the chief school administrator and updated annually.

NJSBA Review/Update: April 2017

Adopted:

Key Words

Records, Personnel Records, Employee Records

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 18A:6-7	Oaths of persons employed in teaching capacities
	<u>N.J.S.A.</u> 18A:6-7a	Removal from personnel files of reference to complaint of child abuse or neglect determined to be unfounded
	<u>N.J.S.A.</u> 18A:6-11	Written charges; written statement of evidence; filing; statement of position by employee; certification of determination; notice
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> 47:1A <u>et seq.</u>	Examination and copies of public records ("Open Public Records Act")
	<u>N.J.S.A.</u> 47:3-15 <u>et seq.</u>	Destruction of Public Records Law
	<u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	School Employee Physical Examinations
	<u>N.J.A.C.</u> 12:100-4.2	Safety and health standards for public employees occupational exposure to bloodborne pathogens (Adoption by reference)

29 CFR 1910.1030 - Bloodborne Pathogen Standard

Every Student Succeeds Act of 2015 , Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

Executive Order No. 9, September 30, 1963; modified by Executive Order No. 11, November 15, 1974

Citizens for Better Education v. Camden Bd. of Ed., 124 N.J. Super. 523 (App. Div. 1973)

Trenton Times Corp. v. Trenton Bd. of Ed., 138 N.J. Super. 357 (App. Div. 1976)

Nero v. Hyland, 76 N.J. 213 (1978), rev'd 146 N.J. Super. 46 (App. Div. 1977), 136 N.J. Super. 537 (Law Div. 1975)

PERSONNEL RECORDS (continued)

111

Brick Township Education Association v. Brick Township Bd. of Ed., 1974 S.L.D.Sayreville Education Association v. Sayreville Bd. of Ed., S.L.D. 197White v. Galloway Township Bd. of Ed., 1977 S.L.D. 900, aff'd St. Bd. 1977 S.L.D. 903Witchel v. Cannici and the Passaic Bd. of Ed., 1966 S.L.D. 159Mendell v. Cimmino and the Kinnelon Bd. of Ed., 1970 S.L.D. 185Cordano v. Weehawken Bd. of Ed., 1974 S.L.D. 316, appeal dismissed St. Bd. 1974 S.L.D. 323Horner v. Kingsway Regional Board of Education, 1990 S.L.D. 752Lacey Township Board of Education v. Lacey Township Education Association, 130 N.J. 312 (1992)Beatty v. Chester 1999 S.L.D. August 31Ciambrone v. Bloomingdale 2000 S.L.D. May 7**Possible**

**Cross References:** \*3570 School records and reports  
 \*4111 Recruitment, selection and hiring  
 \*4112.4 Employee health  
 \*4115 Supervision  
 \*4116 Evaluation  
 \*5141.4 Child abuse and neglect

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



**Policy**

---

**NEPOTISM**

Definitions

For the purpose of this policy the following definitions shall apply:

"Nepotism" shall be defined as the showing of favoritism to an employee or candidate for employment based on the existence of a "conflicted relationship" with a board member or chief school administrator.

"Conflicted relationship" includes but is not limited to an immediate family member, a relative, and any other relationship that create a justifiable impression that the public trust may be violated.

"Conflicted board member/administrator" shall mean any board member or administrator with a conflict of interest, regardless of the source of conflict as identified in the definitions below.

"Relative" shall be defined as an individual's spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, of the individual or of the individual's spouse, civil union partner or domestic partner, whether the relative is related to the individual or the individual's spouse, civil union partner or domestic partner, by blood, marriage or adoption.

"Immediate family" shall be defined as board member or school administrator, their spouse, civil union partner, domestic partner, child, parent or sibling residing in the same household, whether related by blood, marriage or adoption.

"Other" when describing relationships between individuals and board members or the chief school administrator includes but is not limited to in-law, cousin, cohabitating partner, and step daughter-in-law and any other personal or professional relationship that creates the justifiable impression that the public trust is being violated.

Employment and Supervision of a Relative

The Camden's Promise Charter School Board of Trustees, in order to avoid both the reality and the appearance of conflict of interest in employment, will not initially appoint a relative of a board member or of the chief school administrator to any employment position in this school.

The chief school administrator shall not recommend to the board for initial hire any relative of a board member or of the chief school administrator, unless the person is subject to the exception below. Nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any relative. Where it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternate supervision/reporting mechanisms shall be put in place.

No conflicted administrator shall supervise, or exercise authority over personnel matters in which the administrator has a conflict. No board member shall deliberate or vote on a matter involving the member's conflicted relationship. Nor should the board member be present for any confidential discussion of employment matters in which they have a conflict. Neither should the board member receive confidential information pertaining to a matter in which they have a conflict.

Exceptions Regarding Employment

NEPOTISM (continued)

Persons who are employees of the board on the date that this policy initially becomes effective or the date a relative becomes a board member or chief school administrator shall not be prohibited from continuing to be employed in the school. This includes employees who must be renewed annually by the board. The chief school administrator may recommend those employees for reemployment, transfer, promotion or removal.

A relative of a school board member or chief school administrator may be initially employed by the school provided that the school has obtained the approval from the executive county superintendent of schools. Such approval shall be granted only upon demonstration by the school that it conducted a thorough search for candidates and that the proposed candidate is the only qualified and available person for the position. Per diem substitutes and student employees may be excluded from the initial hiring aspects of this nepotism policy.

Participation in Employment Related Matters

Conflicted board members may not participate in employment matters concerning the chief school administrator, principal or any administrator or supervisor(s) in the chain of command between the employee and chief school administrator.

Prohibited activities for conflicted board members include hiring of the selection agency, criteria, job description, voting to advertise for applicants, search committee, vote to hire and any evaluation and contract discussion post-hire.

Conflicted board members may not be present in closed session when discussions regarding the administrators take place and should not be privy to executive session materials until such time as the minutes are made available to the general public.

Doctrine of Necessity

When a quorum of the board has conflicted interests, the doctrine of necessity may be invoked in order to allow conflicted board members to participate in the negotiation process and vote. The doctrine of necessity may be invoked for the negotiation team or superintendent search committee only when the board of trustees has fewer non-conflicted board members than are required, pursuant to statute, to take action. The board shall only invoke the doctrine of necessity after consultation with the board attorney. When invoking the doctrine of necessity the board shall state publically that it is invoking the doctrine of necessity with the reasons for doing so and the specific nature of the conflicts of interest. The board shall read the resolution invoking the doctrine of necessity at a regularly scheduled public meeting, post the notice of the resolution for 30 days and provide the School Ethics Commission with a copy of the resolution.

Implementation

The connections and relationships that create a conflict of interest for an individual board member's participation in board decisions are subject to changes that result from commissioner rulings or changes in law. Therefore the board shall consult with the board attorney as necessary and appropriate for guidance and clarification related to the implementation of this policy.

NJSBA Review/Update: April 2017

Adopted:

---

Key words



NEPOTISM (continued)

## Nepotism, Hiring Relatives, Relatives, Doctrine of Necessity

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 18A:12-2	Inconsistent interests or office prohibited
	<u>N.J.S.A.</u> 18A:12-21 <u>et seq.</u>	School Ethics Act
	<u>N.J.S.A.</u> 18A:16-1	Officers and employees in general
	<u>N.J.S.A.</u> 18A:27-4.1	Appointment, transfer, removal or renewal of officers and employees; exceptions
	<u>N.J.S.A.</u> 18A:36A-6	Powers of charter school
	<u>N.J.S.A.</u> 52:13D-13 and 21.2	State conflict of interest law
	<u>N.J.A.C.</u> 6A:4-1.1 <u>et seq.</u>	Appealable decisions
	<u>N.J.A.C.</u> 6A:23A-2 <u>et seq.</u>	Fiscal accountability; definitions
	<u>N.J.A.C.</u> 6A:23A-22.10 <u>et seq.</u>	Fiscal accountability; nepotism
	<u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u>	School Ethics Commission

In the Matter of the Election of Dorothy Bayless to the Board of Education of the Lawrence Township School District, 1974 S.L.D. 603, reversing 1974 S.L.D. 595

Shirley Smiecinski v. Board of Education of the Township of Hanover, Morris County, 1975 S.L.D. 478

Scola v. Ringwood Bd. of Ed., 1978 S.L.D. 413

Salerno v. Old Bridge Board of Ed., 1984 S.L.D. (April 28)

Larsen v. Woodbridge Board of Ed., 1985 S.L.D. (March 18)

Scannella v. Scudillo, School Ethics Decision, Complaint No. C-14-93, (February 3, 1994)

In the Matter of Frank Pannucci, 2000 S.L.D. March 1, State Board Rev'g Commissioner 97 NJAR 2d (EDU) 339

School Ethics Commission, Advisory Opinion, A01-93

School Ethics Commission, Advisory Opinion, A021-93

School Ethics Commission, Advisory Opinion, A10-93

School Ethics Commission, Advisory Opinion, A07-94

School Ethics Commission, Advisory Opinion, A33-95

School Ethics Commission, Advisory Opinion, A03-98

School Ethics Commission, Advisory Opinion, A14-00

School Ethics Commission, Advisory Opinion, A03-13

School Ethics Commission, Advisory Opinion, A15-13

NEPOTISM (continued)

School Ethics Commission, Advisory Opinion, A22-13

School Ethics Commission, Advisory Opinion, A10-14

School Ethics Commission, Advisory Opinion, A11-14

School Ethics Commission, Advisory Opinion, A43-14

School Ethics Commission, Advisory Opinion, A03-15

School Ethics Commission, Advisory Opinion, A05-15

School Ethics Commission, Advisory Opinion, A03-13

School Ethics Commission, Advisory Opinion, A15-13

School Ethics Commission, Advisory Opinion, A22-13

School Ethics Commission, Advisory Opinion, A10-14

School Ethics Commission, Advisory Opinion, A11-14

School Ethics Commission, Advisory Opinion, A43-14

School Ethics Commission, Advisory Opinion, A03-15

School Ethics Commission, Advisory Opinion, A05-15

N.J. Department of Education 05-13-09 Broadcast # 1 "Nepotism Policy Clarification"

**Possible**

**Cross References:** \*4111 Recruitment, selection and hiring  
 \*4119.21/4212.21 Conflict of interest  
 \*4211 Recruitment, selection and hiring  
 \*9270 Conflict of interest

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

**Policy**

<input type="checkbox"/>	<b>Monitored</b>
<input checked="" type="checkbox"/>	<b>Mandated</b>
<input checked="" type="checkbox"/>	<b>Other Reasons</b>

NOTE: *Standards apply to both certified (4113) and noncertified (4213) staff*

**ASSIGNMENT AND TRANSFER**

The chief school administrator shall make certified staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program.

Teaching, supervisory, administrative and support personnel are subject to assignment and transfer after recommendation of the chief school administrator and approval by the board of trustees. Procedures for such transfers shall comply with provisions of current negotiated agreements and state and federal law. Disciplinary transfers are prohibited. Particular attention shall be paid to ensuring to the extent possible that there shall be equivalence of teachers and administrative staff among the schools. Discrimination in assignment, transfer and promotion shall not be tolerated (see 2224, 4111 and 4111.1/4211.1).

The chief school administrator or his or her designee shall monitor school promotion, assignment and transfer practices to ensure nondiscrimination.

NJSBA Review/Update: April 2017

Adopted:

**Key Words**

Personnel Assignment, Personnel Transfer, Assignment and Transfer

**Legal References:** N.J.S.A. 18A:25-1 Transfer of teaching staff members  
N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder  
N.J.S.A. 18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions  
N.J.S.A. 18A:59-1 through -3 Apportionment and distribution of federal funds; exceptions  
N.J.S.A. 34:13A-1 et seq. New Jersey Employer-Employee Relations Act  
See particularly:  
N.J.S.A. 34:13A-23, -25, -27, -29  
N.J.A.C. 6A:7-1.1 et seq. Managing for Equality and Equity in Education  
  
42 U.S.C.A. 2000d - 2000d4 - Title VI of the Civil Rights Act of 1964  
  
20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972  
  
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973  
  
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act  
  
Hawkins-Stafford Elementary and Secondary School Improvement Act of 1988, (Pub. L. No. 100-297) amending Elementary and Secondary Education Act of 1965.  
  
34 CFR 200.1 to 200.89 - Part 200

ASSIGNMENT; TRANSFER (continued)

34 CFR Part 204

Ridgefield Park Education Association v. Ridgefield Park Board of Education, 78 N.J. 144 (1978)

The Comprehensive Equity Plan, New Jersey State Department of Education Division

**Possible**

<b><u>Cross References:</u></b>	*2224	Nondiscrimination/affirmative action
	*3220/3230	State funds; federal funds
	*4111	Recruitment, selection and hiring
	*4111.1/4211.1	Nondiscrimination/affirmative action
	*4131/4131.1	Staff development; inservice education/visitations/conferences
	*5145.4	Equal educational opportunity
	*6121	Nondiscrimination/affirmative action
	*6141	Curriculum design/development
	*6145	Extracurricular activities
	*6160	Instructional services and resources
	*6171.3	At-risk and Title 1
	*6171.4	Special education

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

**Policy**

**SUPERVISION**

The Camden's Promise Charter School Board of Trustees acknowledges that the purpose of supervision is to improve teacher performance in the classroom so that all students have an opportunity to achieve the New Jersey Student Learning Standards.

Each teacher employed by this school as of the effective date specified in code shall be responsible for fulfilling requirements for continuing education and for making annual progress toward the goal of 20 clock hours of state-approved professional development annually. Each teacher's individual professional development plan (PDP) shall incorporate appropriate steps toward this goal and shall be designed to assist teachers in obtaining and maintaining the knowledge and skills essential to student achievement of the New Jersey Student Learning Standards. The professional development plan shall describe specific activities designed to provide guidance for that teacher in improving his/her performance. Such activities may include, but are not limited to, seminars, course work, day-long workshops, and classes on certain instructional approaches. Although supervisors shall develop professional development plans in collaboration with teachers, the chief school administrator shall maintain final authority in determining their appropriate content.

Supervisory assistance and support in achieving the 20 clock hours of state-approved continuing education shall be offered in the context of the school's evaluation process, negotiated agreements, other policies, student safety and well-being, continuity of instruction, and budgetary constraints.

The chief school administrator shall develop procedures for supervision of the teaching and administrative staff in performance of their duties that shall not be limited to the observations required for evaluation. Such supervision may include, but need not be limited to, review of lesson plans and teacher-made examinations; regularly scheduled curriculum conferences; and brief, informal classroom observations. The supervisor shall note the teacher's satisfactory fulfillment or non-fulfillment of continuing education requirements identified in the professional development plan.

This policy shall be distributed to each teaching staff member at the beginning of his/her employment.

NJSBA Review/Update: April 2017  
Adopted:

**Key Words**

Continuing Education, Professional Development Plans, Personnel Supervision, Supervision

<u><b>Legal References:</b></u>	<u>N.J.S.A.</u> 18A:4-15	General rule-making power
	<u>N.J.S.A.</u> 18A:4-16	Incidental powers conferred
	<u>N.J.S.A.</u> 18A:6-10 <u>et seq.</u>	Dismissal and reduction in compensation of persons under tenure in public school system ...
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:27-3.1 through -3.3	Non-tenured teaching staff; observation and evaluation;
	<u>N.J.S.A.</u> 18A:28-5	Tenure of teaching staff members
	<u>N.J.S.A.</u> 18A:29-14	Withholding increments; causes; notice of appeals
	<u>N.J.A.C.</u> 6A:9C-3.1 <u>et seq.</u>	Professional development for teachers and school leaders

SUPERVISION (continued)

See particularly:  
N.J.A.C. 6A:9C-3.9 (c-d)

**Possible**  
**Cross References:**

*2131	Chief school administrator
4000	Concepts and roles in personnel
4010	Goals and objectives
*4112.6	Personnel records
*4116	Evaluation
*4117.41	Nonrenewal
*4131/4131.1	Staff development; inservice education/visitations/conferences
*4215	Supervision
*4216	Evaluation
*6143.1	Lesson plans

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

**Policy**

---

**EVALUATION**

The Camden's Promise Charter School Board of Trustees believes that the effective evaluation of teaching staff is essential to the achievement of the educational goals of this school, including student achievement of the New Jersey Student Learning Standards. The purpose of this evaluation shall be to promote professional excellence and improve the skills of teaching staff members; improve student learning and growth; and provide a basis for the review of staff performance.

The board encourages a positive working environment in which the professional growth that results from staff participation in the evaluation process is considered of major importance. Therefore, the administration shall develop evaluation instruments flexible enough to identify the needs, strengths, and improvement objectives of each staff member.

The chief school administrator shall develop, in consultation with teaching staff members, job descriptions for each teaching staff member position and evaluation criteria for said positions based directly upon the job description. The job description shall be concise, stating major responsibilities as briefly as possible. All job descriptions shall be presented to the board for approval. For the purposes of this policy, a teaching staff member shall include any title with a job description that requires a certificate issued by the State Board of Education.

All teaching staff members shall be evaluated against criteria that evolve logically from the instructional priorities and program objectives of each staff member as specified in the job description for his/her position. The educator evaluation system shall be approved by the Department of Education Office of Charter Schools prior to use.

Evaluative criteria must include but need not be limited to consideration of student progress; instructional skills; subject knowledge; professional conduct and growth; human relations skills; classroom management skills. These criteria shall also apply to requirements for continuing education and shall be incorporated into each teacher's professional development plan. The individual professional development plans shall be aligned to professional development standards for teachers.

In order to accrue tenure, teaching staff members approved by the board after August 6, 2012 must:

- A. Complete a one-year mentoring program during the first year of employment;
- B. Receive an effective or highly effective rating on the annual summative rating in at least two of the following three years of employment;
- C. Complete a fourth year of employment within the charter school.

The evaluation procedures shall provide continuous, constructive, cooperative interaction and communication between the teaching staff member and his/her supervisor/evaluator, thus ensuring a valid basis for performance review. All procedures for the evaluation of teaching staff members shall be in compliance with law and regulation.

All evaluative procedures shall include review of each teaching staff member's progress toward achievement of the state-required goal of 20 clock hours of professional development annually. Evaluative procedures shall recognize that the purpose of this goal is to assist teaching staff members in obtaining and maintaining

EVALUATION (continued)

the knowledge and skills essential to student achievement of the New Jersey Student Learning Standards including the New Jersey Student Learning Standards in mathematics and language arts literacy. Annually, each teaching staff member shall demonstrate progress toward meeting the required 20-hours of professional development, as set forth in the teaching staff member's individual professional development plan. Unless waived due to the use of approved family or medical leave, failure to satisfy the 20-hour requirement may lead to appropriate remedial action.

The school administration shall recognize each teacher's fulfillment of the continuing education requirement. For evaluative purposes, a teacher has fulfilled his/her professional development plan (PDP) when his/her students have demonstrated satisfactory progress toward achievement of the curriculum standards, as well as the educational goals of this school.

The chief school administrator shall provide each teaching staff member with a copy of this policy statement, his/her job description, and his/her evaluation criteria annually, and shall distribute any amendments to those documents within 10 working days of their becoming effective.

The chief school administrator shall report at least annually on the effectiveness of the evaluation system and shall recommend means to improve it whenever desirable.

The chief school administrator in consultation with teaching staff members shall implement board policy and procedures for teacher evaluation. Procedures may include methods and toolkits from a research based evaluation format approved by the Department of Education and adopted by the board. At a minimum the evaluation system used shall include:

- A. The collection and reporting of data that are appropriate to the job description and minimally include the observation of classroom instruction;
- B. Observation conferences between the teaching staff member and the supervisor; the preparation of a written evaluation for each of the three observations for each teaching staff member;
- C. The preparation of individual professional development plans that include specific guidance to the teacher on activities that would contribute to his/her obtaining and maintaining the knowledge and skills essential to student achievement of the applicable New Jersey Student Learning Standards;
- D. The preparation by the supervisor of an annual written performance report which shall include the annual summative evaluation of the teaching staff member, an individual professional development plan developed by the teaching staff member and the supervisor, and a summary of the results of the formal and informal assessment of his/her students along with a statement of how these indicators relate to the effectiveness of the overall program and the performance of the staff member;
- E. The conduct of the annual summary conference;
- F. The signing of the annual written performance report by the properly certified supervisor/evaluator and the staff member.

All such procedures shall conform to law.

This policy and related procedures shall be reviewed at least yearly, and any necessary revisions made before readoption by the board.

NJSBA Review/Update: April 2017

Adopted.



EVALUATION (continued)Key Words

Evaluation, Teacher Evaluation, Personnel Evaluation

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 18A:4-15	General rule-making power
	<u>N.J.S.A.</u> 18A:4-16	Incidental powers conferred
	<u>N.J.S.A.</u> 18A:6-10 <u>et seq.</u>	Dismissal and reduction in compensation of persons under tenure in public school system
	<u>N.J.S.A.</u> 18A:27-3.1 through -3.3	Non-tenured teaching staff; observation and evaluation; conference; purpose
	<u>N.J.S.A.</u> 18A:27-10 <u>et seq.</u>	Nontenured teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
	<u>N.J.S.A.</u> 18A:28-5	Tenure of teaching staff members
	<u>N.J.S.A.</u> 18A:29-14	Withholding increments; causes; notice of appeals
	<u>N.J.S.A.</u> 18A:36A-6	Powers of charter school
	<u>N.J.S.A.</u> 18A:36A-14	Charter school employees; salary; tenure; leave of absence
	<u>N.J.S.A.</u> 18A:36A-18	Rules and regulations
	<u>N.J.A.C.</u> 6A:11-1.2	Definitions
	<u>N.J.A.C.</u> 6A:11-5 <u>et seq.</u>	Certification requirements for staff
	<u>N.J.A.C.</u> 6A:11-6 <u>et seq.</u>	Streamline tenure
	<u>N.J.A.C.</u> 6:30-2.1(a)8	Purpose and program descriptions
	<u>N.J.A.C.</u> 6A:9-1.1 <u>et seq.</u>	Professional standards for teachers
	<u>N.J.A.C.</u> 6A:9B-2 <u>et seq.</u>	State Board of Examiners and certification
	<u>N.J.A.C.</u> 6A:9C-2 <u>et seq.</u>	Professional development for teaching staff members and school leaders
	<u>N.J.A.C.</u> 6A:9C-3 <u>et seq.</u>	Required Professional Development for Teachers and School Leaders
	<u>N.J.A.C.</u> 6A:32-5.1 <u>et seq.</u>	Standards for determining seniority

Lacey Township Bd. of Ed. v. Lacey Township Education Association, 130 N.J. 312 (1992), affg 259 N.J. Super. 397 (App. Div. 1991)

**Possible**

<b><u>Cross References:</u></b>	*2131	Chief school administrator
	4000	Concepts and roles in personnel
	4010	Goals and objectives
	*4112.6	Personnel records
	*4115	Supervision
	*4117.41	Nonrenewal
	*4131/4131.1	Staff development; inservice education/visitations/conferences
	*4215	Supervision
	*4216	Evaluation
	*6143.1	Lesson plans

EVALUATION (continued)

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

NOTE: *Standards apply to both certified (4117.4) and noncertified (4217.4) staff*

**REDUCTION IN FORCE/ABOLISHING A POSITION**

The Camden's Promise Charter School Board of Trustees has the right under state law to abolish unilaterally any existing position in whole or in part and to reduce the number of employees in any category for reasons of economy, reduction in the number of students, change in the administrative or supervisory organization, change in the educational program or other good cause.

Should it become necessary to reduce the number of employees in the school, the laws and regulations of the state shall be the controlling guides. If, in the case of such reduction, candidates for termination are nontenured personnel only, the primary basis for selection for termination or reduction shall be the needs of the school's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

If, in the case of such reduction, candidates for termination or reduction in grade are tenured in this school, the state regulations regarding seniority shall be the primary basis for decision. In the event that there should be equal applicable seniority among staff members, the decision for reduction or termination shall be based on the needs of the school's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

In no case shall any choice be based on arbitrary, capricious or discriminatory reasons.

The chief school administrator shall prepare guidelines for restructuring positions and for determining objectively which employees are to be dismissed as a result, and shall present his/her recommendations to the board for action.

NJSBA Review/Update: April 2017

Adopted:

**Key Words**

RIF, Reduction in Force, Abolishing a Position, Nontenured Staff

**Legal References:** N.J.S.A. 18A:28-5 Tenure of teaching staff members  
N.J.S.A. 18A:28-9 Reduction of force; power to reduce and reasons for reduction  
N.J.S.A. 18A:28-10 Reasons for dismissals of persons under tenure on account of reduction  
N.J.S.A. 18A:28-11 Seniority; board to determine; notice and advisory opinion  
N.J.S.A. 18A:28-12 Dismissal of persons having tenure on reduction; reemployment  
N.J.A.C. 6A:9-5.5 Assignment of titles  
N.J.A.C. 6A:32-5.1 Standards for determining seniority

Denney v. Passaic County Regional High School District Bd. of Ed., 131N.J. 626 (1993)

Primka v. Edison, 93 NJAR 2d (EDU) 91 aff'd State Board 93 NJAR 2d (EDU) 94 aff'd App. Div. unpub. Op. Dkt. No. A-2427-92T3 Jan. 18, 1994

REDUCTION IN FORCE/ABOLISHING A POSITION

Impey v. Board of Education of Shrewsbury, 142 N.J. 388 (1995)

Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1542 (3d Cir. 1996)

**Possible**

**Cross References:** \*2131 Chief school administrator  
\*4116 Evaluation  
\*4117.41 Nonrenewal

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

**Policy**

---

**NONRENEWAL**

The Camden's Promise Charter School Board of Trustees shall renew the employment contract of a nontenured teaching staff member by a recorded roll call majority vote of the full board only upon the recommendation of the chief school administrator. A nontenured teaching staff member who is not recommended for renewal by the chief school administrator shall be deemed nonrenewed. Written notice of nonrenewal of employment will be sent to the employee by the board secretary. This notice will be given by the date specified by law.

A written request from a nontenured teaching staff member for a written statement of reasons for nonreemployment will be honored by the board of trustees.

An informal appearance before the board may be requested in writing within 10 calendar days and shall be scheduled within 30 days of receipt of the board's statement of reasons.

It is the board of trustee's prerogative to determine the date, starting time and length of an informal appearance, the purpose of which shall be to permit the staff member a final opportunity to convince the board of trustees to offer reemployment. Written notice of date and time will be provided to the staff member at least five days prior to the informal appearance.

The nontenured teaching staff member may be represented by counsel or one individual of his/her choosing and may present witnesses on his/her behalf. Those witnesses are not subject to cross-examination by the board of trustees and will be excused from the hearing after making their statements.

Within three days following the informal appearance, the board of trustees or its designee will notify the teaching staff member, in writing, of the board's final decision.

NJSBA Review/Update: April 2017  
Adopted:

**Key Words**

Nonrenewal, Nontenured Teachers

<u><b>Legal References:</b></u> <u>N.J.S.A. 18A:27-3.1</u>	Non-tenured teaching staff; observation and evaluation; conference; purpose
<u>N.J.S.A. 18A:27-3.2</u>	Teaching staff member; notice of termination; statement of reasons; request; written answer
<u>N.J.S.A. 18A:27-4.1</u>	Appointment, transfer, removal, or renewal of officers and employees; exceptions
<u>N.J.S.A. 18A:27-10 et seq.</u>	Nontenure teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
<u>N.J.A.C. 6A:32-4.1 et seq.</u>	Employment of teaching staff
<u>Donaldson v. North Wildwood Bd. of Ed.</u> , 65 N.J. 236 (1974)	
<u>Hicks v. Pemberton Township Board of Education</u> , 1975 S.L.D. 332	

NONRENEWAL (continued)

Velasquez v. Brielle Board of Education, 97 N.J.A.R. 2d (EDU) (August 6), aff'g on different grounds Comm'r 96 N.J.A.R. 2d (EDU) (April 4)

**Possible**

**Cross References:** \*4115 Supervision  
\*4116 Evaluation  
\*4117.4 Reduction in force/abolishing a position

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

**Policy**

☐ **Monitored**  
☐ **Mandated**  
☒ **Other Reasons**

NOTE: Standards apply to both certified (4119.21) and noncertified (4219.21) staff

**CONFLICT OF INTEREST**

An employee of the Camden's Promise Charter School Board of Trustees shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of his/her duties.

An employee of the board shall not use or attempt to use his/her position to secure unwarranted privileges or advantages for himself/herself or others.

An employee of the board shall not act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest such as selection or purchase of any textbook or other materials on which he/she receives a royalty.

An employee of the board shall not accept any benefit, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such benefit, service or other thing of value was given or offered for the purpose of influencing him/her in the discharge of his/her duties.

Bribery and corrupt practices by employees as described in the criminal justice code are forbidden and shall be prosecuted to the full extent of the law.

**Political Activities of Staff**

All employees are prohibited from engaging in campaign activities on school property that potentially present a conflict of interest.

All employees are prohibited from engaging in any activity in the presence of students during performance of the employees' duties, which activity is intended or designed to promote, further or assert a position on any voting issue, board issue, or collective bargaining issue.

**Disciplinary Action**

Violations of this policy may result in disciplinary action.

NJSBA Review/Update: April 2017

Adopted:

**Key Words**

Royalties, Conflict of Interest, Political Activity of Staff

**Legal References:** N.J.S.A. 2C:27-1 et seq.

See particularly:

N.J.S.A. 2C:27-5, -10, -11

N.J.S.A. 18A:6-8

N.J.S.A. 18A:6-8.4

Bribery and Corrupt Influence

Interest of school officers, etc., in sale of textbooks or supplies; royalties

Right to hold elective or appointive state, county or

CONFLICT OF INTEREST (continued)

<u>N.J.S.A.</u> 18A:11-1	municipal office
<u>N.J.S.A.</u> 18A:12-21 <u>et seq.</u>	General mandatory powers and duties
<u>See particularly:</u>	School Ethics Act
<u>N.J.S.A.</u> 18A:12-24	
<u>N.J.S.A.</u> 19:34-15	Electioneering within or about polling place; misdemeanor
<u>N.J.A.C.</u> 6A:4-1.1 <u>et seq.</u>	Appeals
<u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u>	School Ethics Commission

Green Township Education Association v. Rowe, et al., 328 N.J. Super 525  
(App. Div. 2000)

Possible

<u>Cross References:</u>	*1140	Distribution of materials by students and staff
	1313	Gifts to school employees
	*4112.8	Nepotism
	4117.50	Standards for staff discipline
	4118.2	Freedom of speech
	*4119.22	Conduct and dress
	*4119.23	Employee substance abuse
	*4138	Nonschool employment
	*4212.8	Nepotism
	*9270	Conflict of interest

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



**Policy**

☐ **Monitored**  
☐ **Mandated**  
☒ **Other Reasons**

NOTE: Standards apply to both certified (4119.22) and noncertified (4219.22) staff

**CONDUCT AND DRESS**

The Camden's Promise Charter School Board of Trustees expects staff conduct to be that of appropriate role models for students.

The board expects all staff members to be neatly groomed and dressed in clothing suitable for the subject of instruction, the work being performed, or the occasion.

The board retains the authority to specify the following dress and grooming guidelines for staff, within law, that will prevent such matters from having an adverse impact on the educational process. All staff members shall, when assigned to school duty:

- A. Be physically clean, neat and well groomed;
- B. Dress in a manner reflecting their assignments;
- C. Dress in a manner that does not cause damage to school property;
- D. Dress and be groomed in such a way so as not to cause a health or safety hazard.

If a staff member feels that an exception to this policy would enable him/her to carry out assigned duties more effectively, a request shall be made to the chief school administrator.

**Unbecoming Conduct**

When an employee, either within the school or outside normal duties, creates conditions under which the proper operation of the schools is affected, the board upon recommendation of the chief school administrator and in accordance with statute shall determine whether such acts or lack of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant board review may result from a single flagrant incident or from a series of incidents.

NJSBA Review/Update: April 2017

Adopted:

**Key Words**

Employee Conduct, Employee Dress

**Legal References:** N.J.S.A. 18A:6-10 Dismissal and reduction in compensation of persons under tenure in public school system  
N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc., employment thereunder

CONDUCT AND DRESS (continued)

Hicks v. Pemberton Bd. of Ed., 1975 S.L.D. 332

Quiroli v. Linwood Bd. of Ed., 1974 S.L.D. 1035

Carlstadt Teachers Ass'n v. Carlstadt Bd. of Ed., App. Div., unreported decision (docket no. A-1469-80-T4, decided March 26, 1982), 1982 S.L.D. 1448

**Possible**

**Cross References:** 4117.50 Standards for staff discipline  
4119.2 Responsibilities  
\*4119.21 Conflict of interest  
\*4119.23 Employee substance abuse  
4119.24 Staff/student relations  
\*4138 Nonschool employment  
\*4138.2 Private tutoring  
\*6144 Controversial issues

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

**Policy**

---

**EMPLOYEE SUBSTANCE ABUSE**

**General - All Employees**

The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action which may include but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to nonrenewal, suspension, or termination at the discretion of the board of trustees.

For the purposes of this policy "worksite" shall include any school building, or any school premises and any school-owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off-school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school.

The Camden's Promise Charter School Board of Trustees, as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite, may discipline said employee. Disciplinary action may include, but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

Illegal gambling is not permitted in or on the school worksite.

Smoking by employees in school buildings or on school grounds is prohibited.

The chief school administrator shall establish a drug-free awareness program which includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this policy to all employees annually. New employees shall be provided with a copy of this policy prior to beginning work assignments.

**Work Performance in Connection with a Federal Grant**

In order for the school to qualify for any direct federal grant, the school must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant moneys shall in addition to complying with requirements of the programs shall also be in strict compliance with this policy.

The chief school administrator shall notify all employees whose work performance is done in connection with a federal grant that they are to notify their respective supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the school must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

EMPLOYEE SUBSTANCE ABUSE (continued)

Adopted:

Key Words

Smoking; Drinking; Drugs; Smoking Prohibition; Employee Smoking, Drinking, Use of Drugs on School Premises

<b><u>Legal References:</u></b>	<u>N.J.S.A. 2C:33-16</u>	Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
	<u>N.J.S.A. 2C:35-1 et seq.</u>	Comprehensive Drug Reform Act of 1987
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:16-2</u>	Physical examinations; requirement
	<u>N.J.S.A. 18A:27-4</u>	Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
	<u>N.J.S.A. 18A:36-32</u>	Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
	<u>N.J.S.A. 26:3D-55 et seq.</u>	New Jersey Smoke-Free Air Act
	<u>N.J.A.C. 6A:16-6.3</u>	Reporting students or staff members to law enforcement authorities
	<u>N.J.A.C. 6A:16-6.5</u>	Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
	<u>N.J.A.C. 6A:26-12.2(a)4</u>	Policies and procedures for school facility operation
	<u>New Jersey Constitution</u> , Art. IV, § VII, <u>par. 2</u>	
	<u>Anti-Drug Abuse Act of 1988</u>	
	<u>Drug-Free Workplace Act of 1988</u>	
	<u>A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials</u>	
	<u>Every Student Succeeds Act of 2015</u> , Pub. L. 114-95, 20 <u>U.S.C.A. 6301 et seq.</u>	

**Possible**

<b><u>Cross References:</u></b>	*1330	Use of school facilities
	*1410	Local units
	*3220/3230	State funds; federal funds
	*3515	Smoking prohibition
	*4112.4	Employee health
	4117.50	Standards for staff discipline
	*4219.23	Employee substance abuse
	*5131.6	Drugs, alcohol, tobacco (substance abuse)

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

**ELECTRONIC COMMUNICATION BY SCHOOL STAFF**

"Electronic communications," for the purpose of this policy, means a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular phone, computer, computer network, personal data assistant, or pager. Electronic communications include, but are not limited to, e-mails, instant messages, and communications made by means of an Internet website, including social media and social networking websites. The chief school administrator/principals will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process.

The annual orientation and reminder will give special emphasis to improper fraternization with students using electronic communications:

- A. School employees may not list current students as "friends" on networking sites without written approval of the school principal;
- B. All electronic contacts with students should be through the school's computer and telephone systems;
- C. All electronic contacts by coaches and extracurricular advisors with team members and members of extracurricular activities shall, as a general rule, be sent to all team members and activity participants;
- D. School employees will not give out their private cell phone or home phone numbers to students without prior approval of the principal;
- E. Electronic communications that are inappropriate and therefore prohibited include but are not limited to:
  - 1. Items with sexual content;
  - 2. Items exhibiting or advocating use of drugs, alcohol or other illegal activities;
  - 3. Items that pertain to confidential student information;
  - 4. Any content that significantly affects the employee's ability to perform his/her job or disrupts the educational environment;
  - 5. Any content that would violate school policies and procedures;
- F. Examples of inappropriate behavior from other districts and schools shall be covered and discussed, including behavior to avoid and the need for staff to use common sense in avoiding inappropriate and unprofessional behavior;
- G. Staff shall have no expectation of privacy when using school technology, the school network and/or public social media venues;
- H. The administration shall monitor for improper staff electronic communications on school computers, other school issued technology, and the school computer network;
- I. Staff shall be informed of the consequences that may result from inappropriate electronic communications up to and including dismissal from employment.

The chief school administrator or designees may periodically conduct internet searches to see if staff members have posted inappropriate materials on-line. When inappropriate use of computers and internet websites is discovered, the school principals and chief school administrator will seek to preserve the problematic or offensive material and will seek to maintain storage and chain of custody of the evidence. The chief school administrator/principal shall promptly bring that alleged misconduct to the attention of the board

ELECTRONIC COMMUNICATION BY SCHOOL STAFF (continued)

president.

Cell Phones

As a general rule, school staff shall not contact students' cell phones unless directed to do so by the parent/guardian or student. School personnel shall limit cell phone interaction with students to contact that pertains to legitimate school business. Legitimate school business includes (but is not limited to):

- A. Answering academic inquiries regarding homework, other classroom work or assignments;
- B. Scheduling appointments for school related conferences and/or extra help;
- C. Clarifying classroom expectations and/or assignments;
- D. Notifications related to classroom, club or sports schedules, events, trips, assignments, and deadlines.

Cell phone contact with students shall be as brief and direct as possible. When brief contact is not sufficient and/or feasible to resolve the matter, where appropriate, teachers shall schedule face-to-face conferences during regular classroom and extra-help periods to confer with the student. No cell phone contact shall exceed three replies.

Text Messages

Any text messages by staff members, coaches and volunteers shall, as a general rule, be sent to the entire class, team, club or organization and not to any student individually. Exceptions may include situations involving confidential medical issues, emergencies or individual issues not involving the entire group. Staff shall not send messages containing material that:

- A. May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
- B. Violates the school's affirmative action policies (2224, 4111.1, 4211.1, and 6121);
- C. Is personal in nature and not related to the business of the school;
- D. Can be interpreted as provocative, flirtatious or sexual in nature;
- E. Is confidential information and not authorized for distribution;
- F. Violates board policy 5131.1 Harassment, Intimidation and Bullying.

Electronic Communication

School personnel shall adhere to the following guidelines when sending or receiving messages via school owned or issued devices and the school network:

- A. All messages shall pertain to legitimate school business;
- B. Personnel shall not reveal school issued passwords to others. If a staff member believes that a password has been lost or stolen, or that email has been accessed by someone without authorization, he/she must contact the supervisor for technology or the principal;
- C. School administrators shall have access to the employee's password or passwords for all school owned or issued devices and the use of the school network;
- D. Electronic messages on school owned or issued electronic devices and the school network shall be retained for the period of time specified by the Destruction of Public Records Law and board policy 5570

ELECTRONIC COMMUNICATION BY SCHOOL STAFF (continued)

Records (retained three (3) years for external correspondence and one (1) year for internal correspondence);

E. Federal copyright laws shall be observed;

F. Staff shall not send messages that contain material that:

1. May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
2. Violates the school's affirmative action policies (2224, 4111.1, 4211.1, 6121);
3. Is personal in nature and not related to the business of the school;
4. Can be interpreted as provocative, flirtatious or sexual in nature;
5. Is confidential and not authorized for distribution;
6. Violates board policy 5131.1 Harassment, Intimidation and Bullying.

G. Personnel shall become familiar with the school's policies and regulation on staff and student access to networked information resources and acceptable use of technology (6142.10 Internet Safety and Technology) before initiating email use;

H. Employees learning of any misuse of the email systems shall notify the supervisor for technology, principal or chief school administrator immediately.

Online Education

An online classroom is still a classroom. Though courses and/or assigned programs of home instruction may be online, appropriate classroom behavior is still mandatory. Respect for the participants is essential for learning and student achievement.

Staff communications with students during online education will be limited to legitimate school business as set forth under cell phones, text messages and electronic communication, above. Professional standards and etiquette shall be observed at all times.

Implementation

This policy shall be made available electronically or otherwise disseminated to all staff members, annually or as needed.

NJSBA Review/Update: April 2017

Adopted:

Key Words

Employee Conduct, Cell Phones, Text Messaging, E-Mail, Electronic Communication

<b><u>Legal References:</u></b>	<u>N.J.S.A. 2A:38A-1 et seq.</u>	Computer System
	<u>N.J.S.A. 18A:6-10</u>	Dismissal and reduction in compensation of persons under tenure in public school system
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:27-4</u>	Power of boards of education to make rules governing employment of teacher, etc.
	<u>N.J.S.A. 18A:36-35</u>	Disclosure of certain student information on Internet prohibited without parental consent
	<u>N.J.S.A. 18A:36-40</u>	Written policy concerning electronic communications between school employees and students
	<u>N.J.S.A. 18A:37-13 et seq.</u>	Anti-Bullying Bill of Rights Act
	<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)
	<u>N.J.S.A. 47:3-15 et seq.</u>	Destruction of Public Records Law

ELECTRONIC COMMUNICATION BY SCHOOL STAFF (continued)

N.J.A.C. 6A:9-3.3  
 N.J.A.C. 6A:9B-4.5

Professional standards for teachers  
 Grounds for revocation and suspension of certification

In the Matter of Certificate of Weidemoyer, Exam 2010 April 29.

In the Matter of Certificates of Stenz, Exam 2010: March 25.

In the Matter of the Certificates of Alan Chadrijan, Exam 2011: July 28.

In the Matter of Rhaney, Exam 2011: June 16.

In the Matter of Young, Exam: 2011: Sept 22.

In Re Cluggish, Exam 2011, Dec 16.

**Possible**

<b><u>Cross References:</u></b> *2224	Nondiscrimination/affirmative action
*3570	School records
*4111.1	Nondiscrimination/affirmative action
4117.50	Standards for staff discipline
*4119.21	Conflict of interest
*4119.22	Conduct and dress
*4119.23	Employee substance abuse
4119.24	Staff/student relations
*4131/4131.1	Staff development, inservice education, visitation, conferences
*4211.1	Nondiscrimination/affirmative action
*4219.21	Conflict of interest
*4219.22	Conduct and dress
*4219.23	Employee substance abuse
4219.24	Staff/student relations
*4231/4231.1	Staff development, inservice education, visitation, conferences
*5125	Student records
*5131	Conduct and discipline
*5131.1	Harassment, intimidation and bullying
*6121	Nondiscrimination/affirmative action
*6142.10	Internet safety and technology
*6144	Controversial issues
*6173	Home instruction

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



**Policy**

**SUBSTITUTE TEACHERS**

The chief school administrator shall make provision to employ the services of substitute teachers in order to maintain the effective operation of the educational program.

The Camden's Promise Charter School Board of Trustees shall approve potential substitute personnel and the positions in which they may substitute.

Teacher substitutes must have at least a valid substitute teaching credential issued by the Executive County Superintendent, and preferably hold a degree.

Any substitute teacher shall be entitled only to the wages approved by the board on a per diem basis, and to no other benefits.

Persons employed as aides may not perform as substitutes for professional employees unless they are board-approved substitute teachers.

The chief school administrator shall recruit, screen and recommend to the board candidates for employment as instructional substitutes. He/she shall:

- A. Develop procedures for the assignment of substitutes;
- B. Develop methods of evaluating substitute teachers and recommend the retention on the board's approved substitute list of those substitutes who have performed their duties satisfactorily.

**Vacant Positions and Use of Substitutes**

It is the goal of the school to provide continuity in the educational program by employing permanent qualified teaching staff. When a position in the school is vacant, the school shall observe the limits as provided for in law, in the employment of substitute teachers.

**Definitions**

- A. A *Substitute Credential* allows the holder to temporarily perform the duties of a fully licensed and regularly employed teacher.
- B. A *Certificate of Eligibility (CE)* is a credential with lifetime validity issued to persons who have completed a degree program of academic study and the applicable test requirements for certification. The CE permits the applicant to seek and accept employment in positions requiring certification through the State Alternate Route Program.
- C. A *Certificate of Eligibility with Advanced Standing (CEAS)* is a credential with lifetime validity issued to persons who have completed a degree program of academic study and the applicable test requirements and traditional professional preparation programs for certification. The CEAS permits the applicant to seek and accept employment in positions requiring certification.
- D. A *Charter School Certificate of Eligibility (CSCE)* is a three-tiered certification program, including qualification for a certificate of eligibility, issuance of a provisional certificate upon employment, and final

SUBSTITUTE TEACHERS (continued)

recommendation by the principal upon one year of successful completion of teaching at the charter school. Charter school certificates may be accepted for any position except preschool through grade three, English as a second language, swimming and water safety and supplemental instruction in reading and mathematics (grades K-8). Charter school certificates may only be used for employment in charter schools and do not satisfy the requirements for employment in traditional public schools.

Limits on Filling Vacant Teaching Positions with Substitutes

A vacant teaching position shall not be filled in any school year by one or more individuals:

- A. Holding a substitute credential issued by the State Board of Education for a total amount of time exceeding 20 school days (N.J.S.A. 18A:16-1.1a);
- B. Employed as a substitute teacher, holding a certificate of eligibility (CE or CSCE) or a certificate of eligibility with advanced standing (CEAS) issued by the State Board of Examiners and *working in an area authorized by their credentials* for a total amount of time exceeding 60 school days (N.J.S.A. 18A:16-1.1b). If the substitute is employed more than 60 days, compensation shall be adjusted on a pro-rata basis, consistent with the salary provided to a teacher with similar credentials employed by the school;
- C. Employed as a substitute teacher, holding a certificate of eligibility (CE or CSCE) or a certificate of eligibility with advanced standing (CEAS) issued by the State Board of Examiners and *working in an area not authorized by their credentials* for a total amount of time exceeding 20 school days (N.J.S.A. 18A:16-1.1c);
- D. Employed as a substitute teacher and holding a standard instructional certificate issued by the State Board of Examiners and *working in an area not authorized by their credentials* for a total amount of time exceeding 40 school days (N.J.S.A. 18A:16-1.1d).

The executive county superintendent of schools may grant an extension of time in accordance with law, upon written application from the school demonstrating the school's inability to hire an appropriately certified teacher for the vacant position within the original time limit.

NJSBA Review/Update: April 2017

Adopted:

Key Words

Substitute Teachers, Vacant Position, Vacancy, Long Term Substitute

<b><u>Legal References:</u></b> <u>N.J.S.A. 18A:6-7.1</u> through -7.5	Criminal history record; employee in regular contact with students; grounds for disqualification from employment; exception ...
<u>N.J.S.A. 18A:16-1.1</u> <u>See Particularly:</u> <u>N.J.S.A. 18A:16-1.1a</u> through -1.1d	May appoint temporary officers and employees
<u>N.J.S.A. 18A:27-4</u>	Power of boards of education to make rules governing employment of teacher, etc.
<u>N.J.S.A. 18A:27-4.1</u>	Appointment, transfer, removal, or renewal of officers and employees; exceptions
<u>N.J.S.A. 18A:29-16</u>	Emergency certificates; day-by-day basis substitute

SUBSTITUTE TEACHERS (continued)

N.J.A.C. 6A:9A-1.1 et seq. Educator preparation programs  
N.J.A.C. 6A:9B-7.1 Substitute credential  
N.J.A.C. 6A:9B-11.12 Requirements for the charter school certificate of eligibility  
N.J.A.C. 6A:32-6.1 et seq. School Employee Physical Examinations

P.L. 2010, c. 97, (N.J.S.A. 18A:16-1.1a) limits long term (over 20 days) employment of substitutes.

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

Sayreville Education Assoc. on behalf of Rucki et. al. v. Board of Education of the Borough of Sayreville, 193 N.J. Super. 390 (App.Div. 1984)

Lammers v. Board of Education of Borough of Point Pleasant, 260 N.J. Super. 390 (App.Div. 1992)

**Possible**

**Cross References:** \*4111 Recruitment, selection and hiring  
\*4112.2 Certification  
\*4112.4 Employee health

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



**Policy**

**STUDENT TEACHERS/INTERNS**

The Camden's Promise Charter School Board of Trustees encourages the chief school administrator to cooperate with colleges and universities in the placement of student teachers/administrative interns in the school. Student teachers/administrative interns shall be placed with experienced staff members who agree to perform the necessary training and supervision.

The chief school administrator shall recommend and the board approves the selection and placement of student teachers and administrative interns. Student teachers/interns shall comply with the requirements of law regarding health examinations and criminal history checks.

The supervising teacher and building principal shall be responsible for the conduct of student teachers while serving in the school. The chief school administrator shall be responsible for administrative interns.

Student teachers/interns shall be allowed to participate in school activities where their contributions would be appropriate to the educational program of the school.

The chief school administrator shall endeavor to ensure the equitable distribution of student teachers/interns throughout the school.

No remuneration will be provided to student teachers or administrative interns.

NJSBA Review/Update: April 2017  
Adopted:

**Key Words**

Student Teachers, Administrative Interns

<u><b>Legal References:</b></u>	<u>N.J.S.A.</u> 18A:6-7.1 Through -7.5	Criminal history record; employee in regular contact with students; grounds for disqualification from employment; exception
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:16-2 through -5	Physical examinations; requirement
	<u>N.J.S.A.</u> 18A:16-6	Indemnity of officers and employees against civil actions
	<u>N.J.S.A.</u> 18A:16-6.1	Indemnity of officers and employees in certain criminal actions
	<u>N.J.A.C.</u> 6A:9A-1.1 <u>et seq.</u>	Educator preparation programs
	<u>N.J.A.C.</u> 6A:9A-4.2	Admission to CEAS education preparation program
	<u>N.J.A.C.</u> 6A:9A-4.4	Clinical components, supervision of practicum students
	<u>N.J.A.C.</u> 6A:32-4.1(d)(e)	Employment of teaching staff
	<u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	School Employee Physical Examinations

**Possible**

<u><b>Cross References:</b></u>	*4111	Recruitment, selection and hiring
	*4112.4	Employee health
	*4121	Substitute teachers

STUDENT TEACHERS/INTERNS (continued)

- \*4123 Classroom aides
- \*6162.4 Community resources

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

**Policy**

---

**CLASSROOM AIDES (PARAPROFESSIONALS)**

The Camden's Promise Charter School Board of Trustees, within its financial means, may hire aides (paraprofessionals) as recommended by the chief school administrator.

It is the responsibility of the classroom teacher to plan for any teacher aide's (paraprofessional's) constructive involvement with the class. The primary benefit must be to the students.

Classroom aides (paraprofessionals) shall be under the supervision of the classroom teacher.

The chief school administrator shall submit statements of assurance affirming that all paraprofessional staff hired, were employed as instructional or health and safety personnel or in accordance with the requirements of individualized education programs. The statements of assurance shall be submitted biannually to the executive county superintendent no later than September 30 and January 31. All aides (paraprofessionals) shall be required to comply with the provisions of the law regarding health examinations and criminal history checks.

In accordance with federal law, the chief school administrator shall establish procedures to release information, upon request, regarding the qualifications of classroom aides (paraprofessionals) to parents/guardians for any classroom aide (paraprofessional) who is employed by a school receiving Title I funds and who provides instructional assistance to their children.

On or before May 15 in each year, a paraprofessional continuously employed since the preceding September 30 in a school that receives funding under Title I of the federal Elementary and Secondary Education Act of 1965 shall receive either:

- A. A written offer of a contract for employment for the next succeeding year providing for at least the same terms and conditions of employment but with such increases in salary as may be required by law or policies of the board of education; or
- B. A written notice that such employment will not be offered.

**Qualification of Classroom Aides (Paraprofessionals) In Title I Schools**

All classroom aides (paraprofessionals) paid in whole or in part with Title 1 funds shall be qualified in accord with federal law. All such paraprofessional (classroom aides) must have a high school diploma or its equivalent. All such classroom aides (paraprofessionals), except those working as translators or solely in conducting parent involvement activities, also must meet one of the following criteria:

- A. Completed at least two years of study at an institution of higher education;
- B. Obtained an associate's (or higher) degree; or
- C. Passed a formal state or local assessment demonstrating ability to assist in instructing reading, writing and mathematics or reading readiness, writing readiness and mathematics readiness, as appropriate.

CLASSROOM AIDE (PARAPROFESSIONALS (continued)Key Words

Aides; Classroom Aides; Teacher Aides; Background Check; Paraprofessionals; Personnel  
Background Check

**Legal References:** N.J.S.A. 18A:6-7.1 Criminal history record; employee in regular contact with  
through -7.5 students; grounds for disqualification from employment;  
exception  
N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:16-2  
through -5 Physical examinations; requirement ...  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)  
N.J.A.C. 6A:32-4.2 Approval of paraprofessional staff  
N.J.A.C. 6A:32-6.1 et seq. School employee physical examinations

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

Every Student Succeeds Act of 2015, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

Possible

**Cross References:** \*3541.1 Transportation routes and services  
\*3542 Food service  
\*4212.4 Employee health  
\*4215 Supervision  
\*4216 Evaluation  
4221 Noninstructional substitutes  
\*5131 Conduct/discipline  
\*6162.4 Community resources

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



**STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES**

The Camden's Promise Charter School Board of Trustees recognizes its legal obligation to provide inservice activities that are aligned with student learning and educator development needs and school and/or State improvement goals. It is the board's priority that continuing education for teaching staff focus on the improvement of teachers' and school leaders' effectiveness in assisting students in the achievement of the New Jersey Student Learning Standards.

The chief school administrator shall develop a comprehensive management system for staff professional improvement and shall assist staff members in the area of professional improvement by providing relevant information regarding workshops, professional meetings and course offerings. Professional learning shall incorporate coherent, sustained, and evidence-based strategies that improve educator effectiveness and student achievement, including job-embedded coaching or other forms of assistance to support educators' transfer of new knowledge and skills to their work.

The chief school administrator or his or her designee shall oversee the development and implementation of a plan to address staff professional development needs. The professional development plan shall be reviewed on an annual basis to assess its effectiveness and revise it, as necessary, to meet the school's learning goals for students, teachers, and school leaders. When overseeing and annually reviewing the professional development plan, the chief school administrator or designee shall:

- A. Assess the learning needs of students, teachers, and school leaders based on educator evaluation data and data from school-level performances;
- B. Plan, support, and implement professional learning that addresses the New Jersey Student Learning Standards, and that align with the standards for professional learning in N.J.A.C. 6A:9C-3.3 and the Professional Standards for Teachers and the Professional Standards for School Leaders in N.J.A.C. 6A:9-3;
- C. Develop and update, as necessary, the school mentoring plan for nontenured teachers, including novice provisional teachers who hold a certificate of eligibility (CE), a charter school certificate of eligibility (CSCE) or a certificate of eligibility with advanced standing (CEAS);
- D. Present the plan to the board of trustees to review for fiscal impact; and
- E. Certify annually to the New Jersey Department of Education, through a statement of assurance, that the school is meeting the requirements for the school plan and that it includes requirements of the mentoring plan.

The school may collaborate with other district schools that send to the same middle and/or high school in forming a regional consortium to develop one districtwide plan based on the sending schools' plans.

**Professional Development Plans**

- A. The professional development plan shall include:
  - 1. A description of school and team-based professional learning aligned with identified school goals; and

STAFF DEVELOPMENT; INSERVICE EDUCATION (continued)

2. Teacher and student learning needs; and
- B. The provision that all teachers receive the necessary opportunities, support, and resources to complete individual professional development requirements of N.J.A.C. 6A:9C-4.4(s) that at least 20 hours per year of qualifying professional development experiences are provided. The 20-hour annual requirement shall be based on the length of full-time employment and reduced by a pro rata share reflecting part-time employment, or an absence, including the use of family or medical leave.

Professional Development for School Leaders

"School leader" means an administrator whose position requires possession of a school administrator, principal, or supervisor endorsement.

All active school leaders serving on a permanent or interim basis shall complete training on issues of school law, ethics, governance, and harassment, intimidation and bullying (N.J.S.A. 18A:26-8.2); and other statutory requirements related to student safety and well-being. To meet this ongoing requirement, the specific training needs of each school leader will be reviewed annually as part of the professional development planning process.

## A. School Leaders

Each school leader shall create, implement, and complete an individual professional development plan (PDP) that:

1. Aligns with the Professional Standards for School Leaders (N.J.A.C. 6A:9-3.4) and the Standards for Professional Learning;
2. Derives from the results of observations, evidence, and recommendations included in the annual performance evaluation of the chief school administrator, principals, or supervisors;
3. Identifies professional goals that address specific individual, or school goals; and
4. Grounds professional development activities in objectives related to improving teaching, learning, and student achievement, and in support of the professional development plan;
5. Includes training on: school law, ethics, and governance pursuant to N.J.S.A. 18A:26-8.2; and other statutory requirements related to student safety, bullying and harassment, and well-being.

## B. Professional Development for the Chief school administrator

Each chief school administrator shall develop an individual PDP for review by his or her board of trustees. In developing the individual PDP, the following process shall be followed:

1. The board of trustees shall review the chief school administrator individual PDP, including the individual training needs and shall ensure the individual PDP aligns to school goals and to the school professional development plan;
2. The chief school administrator shall submit annually to the board evidence of progress toward completion of the individual PDP. The chief school administrator also shall submit every three to five years, depending on the length of his or her contract with the board, summative evidence of plan completion;
3. The chief school administrator may appeal to the executive county superintendent if he or she disagrees with the board of trustees regarding PDP contents or progress toward completion. The executive county superintendent shall have final decision-making authority on all such matters.

## C. Professional Development for School Leaders

~~Leaders whose positions require a principal or supervisor endorsement or whose positions require a~~  
chief school administrator endorsement but who do not serve as a chief school administrator of the

STAFF DEVELOPMENT; INSERVICE EDUCATION (continued)

school, shall develop an individual PDP in collaboration with the chief school administrator or designee. Leaders shall provide evidence of progress toward fulfillment of his or her plan. The chief school administrator or designee shall:

1. Review each principal's, supervisor's, or other school leader's individual PDP, including individual training needs and shall ensure it aligns to school and school goals and the school plan for professional development;
2. Meet with the principal, supervisor, or other school leader at mid-year to assess progress toward his or her PDP's completion or modification; and
3. Review the individual PDP's status as part of the principal's, supervisor's, or other school leader's annual performance evaluation.

## D. Evidence of Progress and Maintaining Record

The school leader's designated supervisor, or the board in the case of the chief school administrator, shall:

1. Use the performance evaluation process and professional development planning process to monitor the school leader's progress in meeting the professional development requirements. If a school leader's progress is found to be inadequate, the school leader's designated supervisor or the board in the case of the chief school administrator shall take appropriate remedial action by applying sound and accepted principles of progressive supervision and other appropriate means; and
2. Maintain accurate records of each school leader's progress in meeting the individual professional development requirements. Such records shall include a copy of each school leader's current PDP and timeline, as well as any documentation and evidence showing the school leader's progress toward meeting the plan's requirements.

- E. If a school leader leaves the employ of one New Jersey public school and is hired by another, the school leader's designated supervisor, or the board in the case of the chief school administrator, shall ensure a revised individual PDP appropriate to the new assignment is developed in collaboration with the school leader.

Professional Development for Teachers

Each teacher shall be guided by an individualized professional development plan (PDP), which shall include at least 20 hours per year of qualifying activities. The 20-hour annual requirement shall be based on the length of full-time employment and reduced by a pro rata share reflecting part-time employment, or an absence, including the use of family or medical leave.

The content of each PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers in N.J.A.C. 6A:9-3 and the Standards for Professional Learning in N.J.A.C. 6A:9C-3.3. The individual PDP shall be effective for one year and shall specify, at a minimum:

- A. One area for development of professional practice derived from the results of observations and evidence accumulated through the teacher's annual performance evaluation;
- B. One area for development of professional practice derived from individual, collaborative team or school improvement goals.

Progress on the individual PDP shall be discussed at the annual summary conference as detailed in board policy 4116 Evaluation of Teaching Staff Members and law (N.J.A.C. 6A:10-2.4). Evidence of progress toward meeting the requirements of the teacher's individual PDP may be provided by the teacher and/or his or her supervisor, and shall be reviewed as part of each annual summary conference.

STAFF DEVELOPMENT; INSERVICE EDUCATION (continued)

All teachers governed by the professional development requirements shall have an individual PDP within 30 instructional days of the beginning of their respective teaching assignments. A teacher's individual PDP goals may necessitate more than the recommended minimum requirements of 20 hours of professional development annually. Additional hours of qualifying experiences may be required for teachers in low-performing schools, as determined by the Commissioner.

A teacher's individual PDP goals may necessitate more than the recommended minimum requirements. The PDP shall accommodate additional professional development as necessary. Additional hours of qualifying activities may be required for teachers placed on a corrective action plan or teachers in low-performing schools, as determined by the commissioner.

The board of trustees shall ensure that all teachers receive the necessary opportunities, support, and resources to engage in ongoing professional learning and to complete the requirements of their respective PDPs.

Supervisor Responsibilities in the Development of Profession Development Plans (PDP)

The teacher's designated supervisor shall:

- A. Use the teacher performance evaluation process and the professional development planning process to monitor each teacher's progress in meeting the professional development requirements. The designated supervisor shall take appropriate steps to assure such progress. If a teacher's progress is found to be inadequate, the teacher's designated supervisor shall take appropriate remedial action by applying sound and accepted principles of progressive supervision and other appropriate means; and
- B. Maintain accurate records of each teacher's progress in meeting the individual professional development requirements. Such records shall include a copy of each teacher's current PDP and timeline, as well as any documentation and evidence showing the teacher's progress toward meeting the plan's requirements.

If a teacher leaves the employ of one New Jersey public school and is hired by another, the former public school of employment shall share the teacher's individual PDP and all supporting documentation with the new employing school. If the current individual PDP is found to be unsuitable to the teacher's new assignment, the new employing school shall ensure a revised individual PDP and timeline is created within 30 days of hire by the employee's new supervisor in collaboration with the new teacher.

Achievement Gap and Inequity

The board shall on a continuing basis, provide professional development training for all school personnel (certified and noncertified) to identify and resolve problems associated with the student achievement gap and other inequities arising from prejudice on the basis of protected status. Parents/guardians and other community members shall be invited to participate in the professional development training. Newly hired certified and noncertified staff shall be provided professional development training on educational equity issues within the first year of employment.

Mandated Inservice Programs

The chief school administrator shall arrange development of appropriate inservice presentations, seminars and/or workshops on equity issues, special education, child abuse and neglect, drug/alcohol abuse awareness, handling blood and body fluids, possible hazardous substances in the workplace, crises response, school violence and other topics specifically required by federal or New Jersey law. These required presentations, seminars and/or workshops shall not count automatically toward the required 20 hours of continuing education annually.

STAFF DEVELOPMENT; INSERVICE EDUCATION (continued)

NJSBA Review/Update: April 2017  
Adopted:

Key Words

Staff Development, Professional Inservice, Visitations, Conferences, Continuing Education

<b><u>Legal References:</u></b> <u>N.J.S.A. 18A:6-111 et seq.</u>	Instruction in Suicide Prevention
<u>See particularly:</u>	
<u>N.J.S.A. 18A:6-112</u>	Instruction in suicide prevention for public school teaching staff
<u>N.J.S.A. 18A:6-117 et seq.</u>	Teacher Effectiveness and Accountability for the Children
<u>N.J.S.A. 18A:6-128</u>	Ongoing professional development; corrective action plan
<u>N.J.S.A. 18A:6-130 et seq.</u>	Professional development
<u>N.J.S.A. 18A:7A-11</u>	Reports to school districts, commissioner; interim review
<u>N.J.S.A. 18A:17-46</u>	Act of violence; report by school employee; notice of action taken; annual report
<u>N.J.S.A. 18A:26-8.2</u>	"School leader" defined; training as part of professional development
<u>N.J.S.A. 18A:27-4</u>	Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
<u>N.J.S.A. 18A:30-7</u>	Power of boards of education to pay salaries
<u>N.J.S.A. 18A:31-2</u>	Attendance at conventions of New Jersey Education Association
<u>N.J.S.A. 18A:37-17</u>	Establishment of Bullying Prevention Programs and Approaches
<u>N.J.S.A. 18A:37-21</u>	School Safety Team
<u>N.J.S.A. 18A:40A-3</u>	Initial inservice training programs; curriculum; availability
<u>See particularly:</u>	
<u>N.J.S.A. 18A:40A-3(a), -18(c)</u>	
<u>N.J.S.A. 34:5A-10</u>	Retention of workplace surveys
<u>N.J.S.A. 34:5A-13</u>	Employee education and training program; certification of instructors
<u>N.J.A.C. 6A:7-1.4</u>	Responsibilities of the district board of education
<u>N.J.A.C. 6A:7-1.6</u>	Professional development
<u>N.J.A.C. 6A:9B-5.1</u>	Certificate required
<u>N.J.A.C. 6A:9B-5.2</u>	Types of certificates or credentials
<u>N.J.A.C. 6A:9B-11.12</u>	Requirements for the charter school certificate of eligibility
<u>N.J.A.C. 6A:9C-1.1 et seq.</u>	Required professional development for teachers and school leaders
<u>See particularly:</u>	
<u>N.J.A.C. 6A:9C-4.1 through -4.4</u>	
<u>N.J.A.C. 6A:14-1.2(b)14</u>	District eligibility for assistance under IDEA Part B (regarding highly qualified teachers)
<u>N.J.A.C. 6A:15-1.8</u>	Inservice training (Bilingual Education)
<u>N.J.A.C. 6A:16-1.1 et seq.</u>	Programs to Support Student Development
<u>See particularly:</u>	
<u>N.J.A.C. 6A:16-3.1(a)4, -5.1(d), -6.2(b)12</u>	Inservice training, alcohol, tobacco, drug prevention: safety and security, cooperation with law

STAFF DEVELOPMENT; INSERVICE EDUCATION (continued)

<u>N.J.A.C.</u> 6A:16-7.7	Enforcement
<u>N.J.A.C.</u> 6A:16-11.1	Harassment, Intimidation and Bullying
	Reporting potentially missing, abused or neglected children or attempted or completed suicide
<u>N.J.A.C.</u> 6A:32-4.1	Employment of teaching staff

Every Student Succeeds Act, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

The Comprehensive Equity Plan, New Jersey State Department of Education

**Possible****Cross References:**

*4115	Supervision
*4116	Evaluation
4133	Travel/reimbursement
*4231/4231.1	Staff development; inservice education/visitations/conferences
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141	Health
*5141.4	Child abuse and neglect
*6142.2	English as a second language; bilingual/bicultural
*6171.3	At-risk and Title 1
*6171.4	Special education

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

**Policy**

☐ **Monitored**  
☐ **Mandated**  
☒ **Other Reasons**

NOTE: *Standards apply to both certified (4138) and noncertified (4238) staff*

**NONSCHOOL EMPLOYMENT**

School employees shall not engage in outside activities or perform any services other than those assigned by the school during the hours of the prescribed school day.

No outside work by a staff member shall prevent him/her from properly performing assigned functions during duty hours or be prejudicial to his/her work effectiveness.

NJSBA Review/Update: April 2017

Adopted:

**Key Words**

Nonschool Employment; Employee Outside Activities

<u><b>Legal References:</b></u>	<u>N.J.S.A.</u> 18A:6-8.1	Leave of certain employees to serve in legislature
	<u>N.J.S.A.</u> 18A:6-8.2	Leave of certain employees to serve on board of chosen freeholders
	<u>N.J.S.A.</u> 18A:6-8.4	Right to hold elective or appointive state, county or municipal office
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:12-24	School officials; prohibited conduct
	<u>N.J.S.A.</u> 18A:17-18	Full time required of superintendents; when
	<u>N.J.S.A.</u> 18A:27-4	Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
	<u>N.J.S.A.</u> 52:13D-12 <u>et seq.</u>	New Jersey Conflicts of Interest Law
	<u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u>	School Ethics Commission

**Possible**

<u><b>Cross References:</b></u>	*3514	Equipment
	*4119.21	Conflict of interest
	*4138.2	Private tutoring

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





**Policy**

---

**PRIVATE TUTORING**

The Camden's Promise Charter School Board of Trustees recognizes that the discharge of its responsibility to provide a thorough and efficient system of education for each child in the school may require special help for some students beyond the regular classroom program. Tutorial instruction shall be interpreted to mean individualized instruction additional to, and in support of, regular classroom instruction.

Wherever possible within the working day, each teaching staff member shall assist assigned students in the remediation of individual learning difficulties.

In certain cases where extra help is desirable and the parents/guardians request such assistance, a teacher or administrator may recommend that the parents/guardians secure tutorial services for the student.

To avoid placing a teacher in a position where he/she may have a conflict of interest, teachers shall not tutor, for a fee, students enrolled in their classes or upon whose evaluation or assignment they may be called upon to pass. Nor shall any employee of the board make a commitment to perform services for extra pay when he/she has been instrumental in recommending the need for those services.

Teachers shall not tutor any student for pay during regular working hours or on school premises.

NJSBA Review/Update: April 2017  
Adopted:

**Key Words**

Tutoring, Conflict of Interest

**Legal References:** N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teachers, etc ;employment thereunder

**Possible**

**Cross References:** \*4119.21 Conflict of interest  
\*4138 Nonschool employment  
\*4219.21 Conflict of interest  
\*4238 Nonschool employment  
6164.6 Tutoring  
\*6173 Home instruction

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



**CAMDEN'S PROMISE CHARTER SCHOOL**  
Camden, New Jersey

**FILE CODE: 4147/4247**

**Policy**

☐ **Monitored**  
☐ **Mandated**  
☒ **Other Reasons**

NOTE: Standards apply to both certified (4147) and noncertified (4247) staff

**EMPLOYEE SAFETY**

Through its overall safety program, the Camden's Promise Charter School Board of Trustees shall seek to ensure the safety of employees during working hours.

The board shall be diligent in maintaining safe working conditions for employees. It shall provide an Exposure Control Plan for the occupational containment of bloodborne pathogens as described in file code 4112.4 Employee Health. The board shall also provide information on possible hazardous substances in the workplace, in accordance with law.

The board shall expect employees to follow all established safety rules and regulations, such as those pertaining to the use of safety equipment, the wearing of safety clothing and protective eye devices where appropriate, and the lifting or shifting of heavy weights.

Employees shall report all accidents to their supervisor immediately.

NJSBA Review/Update: April 2017

Adopted:

**Key Words**

Insurance Management, Accidents, Employee Safety

<u><b>Legal References:</b></u>	<u>N.J.S.A. 2C:7-1 et seq.</u>	Registration of sex offenders; definition; requirements
	<u>N.J.S.A. 18A:16-2</u>	Physical examinations; requirement
	<u>N.J.S.A. 18A:40-12.1</u>	Protective eye devices required for teachers, students and visitors in certain cases
	<u>N.J.S.A. 18A:40-12.2</u>	Rules prescribing kinds, types and quality of devices
	<u>N.J.S.A. 34:5A-1 et seq.</u>	Worker and Community Right to Know Act
	<u>N.J.S.A. 34:6A-25 et seq.</u>	New Jersey Public Employees' Occupational Safety and Health Act
	<u>N.J.S.A. 34:19-1 et seq.</u>	Conscientious Employee Protection Act
	<u>N.J.A.C. 6A:26-12.5</u>	Eye protection in schools
	<u>N.J.A.C. 6A:32-12.1(a)</u>	Reporting requirements
	<u>N.J.A.C. 12:100-4.2</u>	Safety and Health Standards for Public Employees (Adoption by reference)

29 CFR 1910.1030 - Bloodborne Pathogen Standard

**Possible**

<u><b>Cross References:</b></u>	*3510	Operation and maintenance of plant
	*3516	Safety
	*4111.1	Nondiscrimination/affirmative action
	*4112.4	Employee health
	*5142	Student safety

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



NOTE: *Standards apply to both certified (4151) and noncertified (4251) staff*

**ATTENDANCE PATTERNS**

The Camden's Promise Charter School Board of Trustees believes that the regular presence of assigned personnel is vital to the success of the school's educational program. Consistent absenteeism or tardiness is unacceptable and subject to disciplinary action.

The chief school administrator shall develop and the board shall adopt a plan to encourage all staff to strive for excellent attendance and punctuality records. These procedures should include a requirement that the staff member personally report all illnesses and request all leave at the earliest possible time. Procedures shall be in accordance with New Jersey statutes.

The chief school administrator shall report on staff attendance and punctuality at every regular monthly board meeting.

Provisions shall be made for public acknowledgment of outstanding staff attendance records.

NJSBA Review/Update: April 2017

Adopted:

**Key Words**

Employee Attendance, Attendance Patterns, Attendance

**Legal References:** N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder  
N.J.S.A. 18A:29-14 Withholding increments; causes; notice of appeals  
N.J.S.A. 18A:30-1 et seq. Sick Leave

Montville Education Ass'n v. Montville Bd. of Ed., 1984 S.L.D. 550, rev'd St. Bd. 1984 S.L.D. 559, rev'd App. Div., unreported decision (docket no. A-1178-84T7, decided December 6, 1985) 1985 S.L.D. 1972, decision on remand, St. Bd., 1986 S.L.D. 3113

Burlington Educational Ass'n v. Burlington Bd. of Ed., 1985 S.L.D. 889, aff'd St. Bd. 1985 S.L.D. 912

Scotch Plains-Fanwood Board of Education v. Scotch Plains-Fanwood Education Association, 270 NJ Super 444 (App. Div. 1994); rev'd. 139 NJ 141 (1995)

**Possible**

**Cross References:** 4150 Leaves  
\*4151.1 Personal illness and injury/health and hardship  
4151.6 Religious observance  
4151.7 Emergency/personal  
\*4251 Attendance patterns

ATTENDANCE PATTERNS (continued)

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

**CAMDEN'S PROMISE CHARTER SCHOOL**  
Camden, New Jersey

FILE CODE: 4151.1/4251.1

**Policy**

☐ Monitored  
☐ Mandated  
☒ Other Reasons

NOTE: Standards apply to both certified (4151.1) and noncertified (4251.1) staff

PERSONAL ILLNESS AND INJURY/HEALTH AND HARDSHIP

The Camden's Promise Charter School Board of Trustees will consider requests for extension of sick leave benefits on a case-by-case basis.

NJSBA Review/Update: April 2017

Adopted:

Key Words

Leaves, Sick Leave, Attendance, Attendance Patterns, Employee Attendance

**Legal References:** N.J.S.A. 18A:6-6 No sex discrimination  
N.J.S.A. 18A:6-66 Rights and benefits of personnel (educational services commission)  
N.J.S.A. 18A:16-2 through -5 Physical examinations; requirement ...  
N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder  
N.J.S.A. 18A:30-1 Definition of sick leave  
N.J.S.A. 18A:30-2 Sick leave allowable  
N.J.S.A. 18A:30-6 Prolonged absence beyond sick leave period  
N.J.A.C. 6A:32-6.1 et seq. School Employee Physical Examinations

Ramsey Teachers Ass'n v. Ramsey Bd. of Ed., 1979 S.L.D. 862, St. Bd. rev'g 1978 S.L.D. 518, aff'd App. Div., 1980 S.L.D. 1528

Cole v. Essex County Vocational School District Bd. of Ed., 1986 S.L.D. 1855

Possible

**Cross References:** 4150 Leaves  
\*4151 Attendance patterns

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





**Policy**

---

**RECRUITMENT, SELECTION AND HIRING**

The Camden's Promise Charter School Board of Trustees guarantees equal employment, advancement opportunity and equal pay for equal work for all people regardless of race, creed, color, national origin, nationality, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, pregnancy or other conditions not related to the duties and responsibilities of the job.

The chief school administrator shall have the responsibility of locating and recruiting the best qualified candidates to provide for the identified needs of the school. Recruiting practices shall include measures for targeting underrepresented populations in every category of employment.

The chief school administrator or his or her designee shall ensure that the school's employment application process and pre-employment inquiry and interview process conform to the guidelines of the New Jersey Division on Civil Rights and the Law Against Discrimination.

The board of trustees shall appoint all staff members only from nominations made by the chief school administrator. All appointments shall be by recorded roll call majority vote of the full membership of the board. The chief school administrator shall adhere to the following in recruiting and interviewing candidates:

- A. There will be no discrimination in the employment process in regard to race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, pregnancy, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, nationality, disability, or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job;
- B. All candidates must have training and/or actual work experience in the vacant position, and an acceptable level of proficiency; and
- C. It shall be the duty of the chief school administrator to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the completion of a criminal history check and proof of citizenship or eligible alien status.

The chief school administrator is responsible for the preparation and maintenance of job descriptions that define the duties, responsibilities and qualifications required for each support position. The board shall adopt those job descriptions required by law or code and others as appropriate.

The employment of any candidate is not official until the contract is approved by the board of trustees and signed by the candidate. It shall be the responsibility of the chief school administrator to communicate this fact to all candidates.

**Residency Requirements**

Every employee hired by the board shall have their principal residence within the State of New Jersey. For the purposes of this policy an employee may have only one principal residence which shall be defined as:

RECRUITMENT, SELECTION AND HIRING (continued)

- A. Where the employee spends the majority of their nonworking time;
- B. Is most clearly the center of the employee's domestic life; and
- C. The employee's designated legal address and legal residence for voting.

The fact that an employee is either domiciled or owns a home or property in the State of New Jersey shall not by itself satisfy the requirement of principal residence.

Exemptions

- A. An employee hired on or after September 1, 2011 who is not a resident when hired shall receive one year to establish residency in New Jersey. If the employee fails to establish residency within that year, he/she shall be deemed unqualified for employment and shall be removed pursuant to N.J.S.A. 52:14-7(d);
- B. An existing employee who was not a resident of New Jersey on or prior to September 1, 2011 is exempted from this policy. However if he/she has had a break in public service for a period of time greater than seven days this exemption shall not apply;
- C. A break in public service shall be defined as an actual separation from employment for more than seven calendar days due to such causes as resignation, retirement, layoff, or disciplinary removal. But a leave of absence caused by accepting a new appointment within the school shall not be considered a break in public service;
- D. An employee may request an exemption to the State committee formed under N.J.S.A. 52:14-7 on a basis of critical need or hardship. The decision on whether to approve an application of the employee shall be made by a majority vote of this committee. If this committee fails to act within 30 days after receipt of the employee's application, no exemption shall be granted and the residency requirements set forth in this policy shall be in effect.

Reporting of Arrests, Charges and Indictments

All staff members who are charged, arrested or indicted for a crime or offense must submit a report to the superintendent of the charge, arrest or indictment, including (but not limited to) disorderly persons offenses and drunk driving arrests. This reporting requirement pertains to both in-state and out-of-state offenses and crimes. The employee will make the report within fourteen (14) days. The staff member shall also report the disposition of any charges within seven (7) days of the disposition. Failure to report arrests, charges and indictment may result in disciplinary action up to and including termination of employment.

The chief school administrator will make these requirements known to all new employees and to all employees on an annual basis.

NJSBA Review/Update: April 2017  
Adopted:

Key Words

Recruitment, Selection and Hiring; Hiring; Nondiscrimination; Affirmative Action; Background Check, Personnel Background Check, Domestic Partnership Act, Residency Requirements

RECRUITMENT, SELECTION AND HIRING (continued)

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 10:5-1 <u>et seq.</u>	Law Against Discrimination
	<u>N.J.S.A.</u> 18A:3-15.2	Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
	<u>N.J.S.A.</u> 18A:6-5	Inquiry as to religion and religious tests prohibited
	<u>N.J.S.A.</u> 18A:6-6	No sex discrimination
	<u>N.J.S.A.</u> 18A:6-7.1, -7.5	Criminal history record; employee in regular contact with students; grounds for disqualification from employment; exception
	<u>N.J.S.A.</u> 18A:6-76.1	Deadline for notification to students of requirements of provisional certificate and induction program ...
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:13-40	General powers and duties of board of newly created regional districts
	<u>N.J.S.A.</u> 18A:16-1	Officers and employees in general
	<u>N.J.S.A.</u> 18A:26-1, -1.1, -2	Citizenship of teachers, etc. ...
	<u>N.J.S.A.</u> 18A:27-1 <u>et seq.</u>	Employment and Contracts
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:27-4.1	
	<u>N.J.S.A.</u> 26:8A-1 <u>et seq.</u>	<u>Domestic Partnership Act</u>
	<u>N.J.S.A.</u> 52:14-7	Residency Requirements
	<u>N.J.A.C.</u> 6A:7-1.1 <u>et seq.</u>	Managing for Equality and Equity in Education
	<u>See particularly:</u>	
	<u>N.J.A.C.</u> 6A:7-1.4, -1.8	
	<u>N.J.A.C.</u> 6A:9B-6.1 <u>et seq.</u>	Types of Certificates
	<u>N.J.A.C.</u> 6A:9B-8.1 <u>et seq.</u>	Requirements for Instructional Certification
	<u>N.J.A.C.</u> 6A:9B-10.1 <u>et seq.</u>	Exceptions for the Requirements for the Instructional Certificate
	<u>N.J.A.C.</u> 6A:9B-12.1 <u>et seq.</u>	Requirements for Administrative Certification

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

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

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

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

Every Student Succeeds Act, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

Old Bridge Education Association v. Old Bridge Township Bd. of Ed., 1986 S.L.D. 1917

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

The Comprehensive Equity Plan, New Jersey Department of Education

**Possible**

<b><u>Cross References:</u></b>	*2131	Chief school administrator
	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives

RECRUITMENT, SELECTION AND HIRING (continued)

4000	Concepts and roles in personnel
4010	Goals and objectives
*4123	Classroom aides/paraprofessionals
*4211.1	Nondiscrimination/affirmative action
*4212.4	Employee health
4212.5	Criminal history check
*4212.6	Personnel records
*4212.8	Nepotism
*4219.23	Employee substance abuse
*4222	Noninstructional aides
*6010	Goals and objectives

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

**Policy**

**SUPERVISION**

The chief school administrator shall ensure development of procedures for observation and supervision of all employees so that optimum support is provided for the educational program.

Such observation and supervision shall not be limited to that which is required for effective performance evaluation.

This policy shall be distributed to each support staff member at the beginning of his/her employment.

NJSBA Review/Update: April 2017

Adopted:

**Key Words**

Support Staff Supervision, Supervision

**Legal References:** N.J.S.A. 18A:11-1      General mandatory powers and duties

**Possible**

**Cross References:** \*4216                      Evaluation  
                                 \*4231/4231.1      Staff development; inservice education/visitations/conferences

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



**Policy**

---

**EVALUATION**

The chief school administrator shall maintain factual personnel records on all support employees and shall direct evaluation procedures.

Before increments for support staff members are approved for succeeding years, administrative and supervisory personnel in the school shall submit to the chief school administrator a report on the work and attitude of each employee under their jurisdiction.

The employee's supervisor has the responsibility for seeing that each employee knows the basis upon which he/she is to be evaluated in advance of the evaluation.

NJSBA Review/Update: April 2017  
Adopted:

**Key Words**

Evaluation, Personnel Evaluation

**Legal References:**    N.J.S.A. 18A:11-1    General mandatory powers and duties  
                              N.J.S.A. 18A:17-2    Tenure of secretaries, assistant secretaries, school business administrators, business managers and secretarial and clerical employees  
                              N.J.S.A. 18A:17-3    Tenure of janitorial employees  
                              N.J.S.A. 18A:38-33    Tenure of attendance officers in city districts

**Possible**

**Cross References:**    \*3510        Operation and maintenance of plant  
                              \*3541.33    Transportation safety  
                              \*4212.6     Personnel records  
                              4217.51    Withholding increment  
                              4217.52    Dismissal/suspension

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





**EMPLOYEE SUBSTANCE ABUSE**

**General - All Employees**

The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action which may include but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to nonrenewal, suspension, or termination at the discretion of the Camden's Promise Charter School Board of Trustees.

For the purposes of this policy "worksites" shall include any school building, or any school premises and any school-owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off-school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school.

The board of trustees, as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite, may discipline said employee. Disciplinary action may include, but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

Illegal gambling is not permitted in or on the school worksite.

Smoking by employees in school buildings or on school grounds is prohibited.

The chief school administrator shall establish a drug-free awareness program which includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this policy to all employees annually. New employees shall be provided with a copy of this policy prior to beginning work assignments.

**Work Performance in Connection with a Federal Grant**

In order for the school to qualify for any direct federal grant, the school must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant moneys shall in addition to complying with requirements of the programs shall also be in strict compliance with this policy.

The chief school administrator shall notify all employees whose work performance is done in connection with a federal grant that they are to notify their respective supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the school must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

**Drug and Alcohol Testing**

EMPLOYEE SUBSTANCE ABUSE (continued)

The school is committed to the establishment of a drug and alcohol misuse prevention program among school bus drivers that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991. The purpose of the testing program shall be to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by employees performing safety-sensitive functions.

In addition to all prohibitions in the first sections of this policy, all employees with commercial drivers' licenses shall be prohibited from:

- A. The use of any controlled substance on or off duty, unless a written prescription from a licensed doctor or osteopath is provided along with a written statement from the doctor or osteopath that the substance does not adversely affect the employee's ability to safely operate a motor vehicle or perform other safety-sensitive functions;
- B. The misuse of alcohol that could affect performance on the job including use on the job, use during the four hours before performing a safety-sensitive function, having prohibited concentrations of alcohol in their systems while performing a safety-sensitive function and use during eight hours following an accident.

"Controlled substance" in this policy refers to those covered by the Omnibus Act, including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

All covered applicants and employees shall be subjected to pre-employment or pre-duty, reasonable suspicion, random, post-accident, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. These procedures use an evidential breath testing device for alcohol testing. For controlled substances testing, urine specimen collection and testing by a laboratory certified by the U.S. Department of Health and Human Services shall be required.

Pre-employment testing shall be administered to an applicant offered a position in the school prior to the first time the employee performs any safety-sensitive function for the school. An applicant who tests positive will not be hired for any safety-sensitive position.

Random alcohol testing shall be limited to the time period surrounding the performance of safety-related functions which includes just before or just after the employee performs the safety-related function. Controlled substances testing may be performed at anytime while the employee is at work.

An employee covered by the federal regulations may not refuse to take a required test. Consequences for an employee's refusal shall be the same as for a positive result of the test.

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-related functions in accordance with the federal regulations. Before an employee is reinstated, if at all, the employee shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with verified test results.

The board retains the authority consistent with federal law to discipline or discharge any employee who is an alcoholic or chemically dependent and whose current use of alcohol or drugs affects the employee's qualifications for and performance of the job.

The school is not required under federal law requiring drug and alcohol testing to provide rehabilitation, pay for substance abuse treatment or to reinstate the employee. All employment decisions involving reinstatement, termination or dismissal shall be made in accordance with applicable state law, board

**EMPLOYEE SUBSTANCE ABUSE** (continued)

policies and negotiated agreements.

The school shall maintain records in compliance with the federal regulations in a secure location with controlled access. With the employee's consent, the school may obtain any of the information concerning drug and alcohol testing from the employee's previous employer. An employee shall be entitled upon written request to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances including information pertaining to alcohol or drug tests. Statistical records and reports shall be maintained and made available to the Federal Highway Administration for inspection or audit in accordance with federal regulations.

Records shall be made available to a subsequent employer upon receipt of a written request from an employee, and only on the expressly authorized terms of the employee.

The chief school administrator shall ensure that supervisors receive proper training to administer the drug and alcohol testing program and those employees receive the notifications required by federal regulations.

Transportation contracts approved by the board shall contain assurance that the contractor will establish a drug and alcohol testing program that meets the requirements of federal regulations and this policy and will actively enforce the regulations of this policy as well as federal requirements.

NJSBA Review/Update: April 2017

Adopted:

**Key Words**

Smoking; Drinking; Drugs; Smoking Prohibition; Employee Smoking, Drinking, Use of Drugs on School Premises; Drug Testing; Alcohol Testing

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 2C:33-16	Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
	<u>N.J.S.A.</u> 2C:35-1 <u>et seq.</u>	Comprehensive Drug Reform Act 1987
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:16-2	Physical examinations; requirement
	<u>N.J.S.A.</u> 18A:27-4	Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
	<u>N.J.S.A.</u> 18A:36-32	Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
	<u>N.J.S.A.</u> 26:3D-55 <u>et seq.</u>	New Jersey Smoke-Free Air Act
	<u>N.J.A.C.</u> 6A:16-6.3	Reporting students or staff members to law enforcement authorities
	<u>N.J.A.C.</u> 6A:16-6.5	Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
	<u>N.J.A.C.</u> 6A:26-12.2(a)4	Policies and procedures for school facility operation
	<u>Owner-Operator Indep. Drivers Assoc., Inc. v. Pena</u> , No. 93-1427, November 1, 1993, U.S.D.C. Dist. of Columbia	
	<u>New Jersey Constitution</u> , Art. IV, § VII, <u>par. 2</u>	

EMPLOYEE SUBSTANCE ABUSE (continued)

Anti-Drug Abuse Act of 1988

Drug-Free Workplace Act of 1988

34 CFR Part 85.100, Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

42 U.S.C.A. § 31306 et seq. - Alcohol and Controlled Substances Testing

49 C.F.R. Part 40 - Procedures for Transportation Workplace Drug and Alcohol Testing Programs

49 C.F.R. Part 382 - Controlled Substance and Alcohol Use and Testing

49 C.F.R. Part 391 - Qualification of drivers

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Every Student Succeeds Act of 2015, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

**Possible**

<b><u>Cross References:</u></b>	*1330	Use of school facilities
	*1410	Local units
	*3220/3230	State funds; federal funds
	*3515	Smoking prohibition
	*3541.33	Transportation safety
	*4119.23	Employee substance abuse
	*4212.4	Employee health
	*4212.6	Personnel records
	4217.50	Standards for staff discipline
	*5131.6	Drugs, alcohol, tobacco (substance abuse)

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

**Policy**

**NONINSTRUCTIONAL AIDES**

The Camden's Promise Charter School Board of Trustees, within its financial means, may hire aides as recommended by the chief school administrator.

It is the responsibility of the classroom teacher to plan for any teacher aide's constructive involvement with the class. The primary benefit must be to the students.

Lunchroom and playground aides shall be under the supervision of appropriate certified personnel.

The chief school administrator shall submit statements of assurance affirming that all paraprofessional staff hired, were employed as instructional or health and safety personnel or in accordance with the requirements of individualized education programs. The statements of assurance shall be submitted biannually to the executive county superintendent no later than September 30 and January 31. All aides (paraprofessionals) shall be required to comply with the provisions of the law regarding health examinations and criminal history checks.

On or before May 15 in each year, a paraprofessional continuously employed since the preceding September 30 in a school that receives funding under Title I of the federal Elementary and Secondary Education Act of 1965 shall receive either:

- A. A written offer of a contract for employment for the next succeeding year providing for at least the same terms and conditions of employment but with such increases in salary as may be required by law or policies of the board of education; or
- B. A written notice that such employment will not be offered.

NJSBA Review/Update: April 2017  
Adopted:

**Key Words**

Aides, Noninstructional Aides, Background Check, Personnel Background Check

**Legal References:** N.J.S.A. 18A:6-7.1 through -7.5 Criminal history record; employee in regular contact with students; grounds for disqualification from employment; exception ...  
N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:16-2 through -5 Physical examinations; requirement  
N.J.S.A. 18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)  
N.J.A.C. 6A:32-4.2 Approval of paraprofessional staff  
N.J.A.C. 6A:32-6.1 et seq. School employee physical examinations  
  
8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986

NONINSTRUCTIONAL AIDES (continued)**Possible**

**Cross References:** \*3541 Transportation  
\*3542 Food service  
\*4212.4 Employee health  
\*4215 Supervision  
\*4216 Evaluation  
4221 Noninstructional substitutes  
\*6162.4 Community resources

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

STAFF DEVELOPMENT; INSERVICE EDUCATION/VISITATIONS/CONFERENCES

The Camden's Promise Charter School Board of Trustees recognizes that the skills required of support staff members change with changing technology. In order to ensure both optimum efficiency in school operations, and the continued growth in expertise of the staff, the chief school administrator shall ensure that appropriate programs of inservice training shall be developed for support staff as necessary.

The chief school administrator may recommend to the board the granting of leave for attendance of personnel at state, regional, and national job-related meetings without pay deduction and with expenses paid by the school system according to established allowances.

Achievement Gap and Inequity

The board shall on a continuing basis, provide professional development training for all school personnel (certified and noncertified) to identify and resolve problems associated with the student achievement gap and other inequities arising from prejudice. Parents/guardians and other community members shall be invited to participate in the professional development training. Newly hired certified and noncertified staff shall be provided professional development training on educational equity issues within the first year of employment.

Mandated Inservice Programs

The chief school administrator shall arrange development of appropriate inservice presentations, seminars and/or workshops on equity issues, special education, child abuse and neglect, drug/alcohol abuse awareness, harassment, intimidation and bullying, handling blood and body fluids, possible hazardous substances in the workplace, crises response, school violence and other topics specifically required by federal or New Jersey law.

NJSBA Review/Update: April 2017

Adopted:

Key Words

Staff Development; Inservice; Visitations; Conferences

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:17-46	Act of violence; report by school employee; notice of action taken; annual report
	<u>N.J.S.A.</u> 18A:30-7	Power of boards of education to pay salaries
	<u>N.J.S.A.</u> 18A:31-2	Attendance at conventions of New Jersey Education Association
	<u>N.J.S.A.</u> 18A:40A-3	Initial inservice training programs; curriculum; availability
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:40A-3a, -18c	
	<u>N.J.S.A.</u> 34:5A-10	Retention or workplace surveys
	<u>N.J.S.A.</u> 34:5A-13	Employee education and training program; certification of instructors
	<u>N.J.A.C.</u> 6A:7-1.6	Professional development

STAFF DEVELOPMENT; INSERVICE EDUCATION/  
VISITATIONS/CONFERENCES (continued)

N.J.A.C. 6A:16-1.1 et seq. Programs to Support Student Development

See particularly:

N.J.A.C. 6A:16-3.1(a)4,  
-5.1(d), -6.2(b)12

N.J.A.C. 6A:16-11.1 et seq. Reporting Allegations of Child Abuse and Neglect

Comprehensive Equity Plan, New Jersey State Department of Education

**Possible**

**Cross References:** \*2224 Nondiscrimination/affirmative action  
\*4215 Supervision  
\*4216 Evaluation  
4233 Travel/reimbursement  
\*5141 Health  
\*5141.4 Child abuse and neglect

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