

6150 TUITION INCOME

The Board of Education will charge and assess tuition for students attending this school district that are not entitled to receive a free public education in this district or from a student's sending district for the student attending this school district as provided for by State statute.

A receiving public school district Board and a sending public school district Board will establish a written contractual agreement for the ensuing school year with a tentative tuition charge multiplied by the estimated average daily enrollment in accordance with N.J.A.C. 6A:23A-17.1(f). The sending district is required in the contractual agreement to pay ten percent of the tentative tuition charge no later than the first of each month from September through June of the contract year. Adjustments will be made in accordance with N.J.A.C. 6A:23A-17.1(f).

The Board will, with the consent of the Board upon such terms, admit nonresident students on a tuition basis pursuant to N.J.S.A. 18A:38-3.

The School Business Administrator/Board Secretary shall be responsible for the assessment and collection of tuition.

The Executive County Superintendent in the county in which the receiving district is located should be consulted to mediate disputes that arise from tuition matters as defined in N.J.A.C. 6A:23A-17.1(f)5.

N.J.S.A. 18A:38-3; 18A:38-19; 18A:46-21

N.J.A.C. 6A:23A-17.1

N.J.A.C. 6A:14-7.8

Adopted:



6311 CONTRACTS FOR GOODS OR SERVICES FUNDED BY FEDERAL GRANTS

Any vendor providing goods or services to the school district to be funded by a Federal grant must be cleared for contract in accordance with the provisions of the Federal Acquisition Regulations (FAR) Subpart 9.4 – Debarment, Suspension, and Ineligibility.

The School Business Administrator/Board Secretary shall be responsible to check the web-based Excluded Parties Lists System (EPLS) maintained by the General Services Administration (GSA). The purpose of the EPLS is to provide a single comprehensive list of individuals and firms excluded by Federal government agencies from receiving Federal contracts or Federally approved contracts or Federally approved subcontracts and from certain types of Federal financial and nonfinancial assistance and benefits.

The School Business Administrator/Board Secretary, upon opening of bids or upon receipt of proposals for goods or services to be funded by a Federal grant shall review the EPLS to determine if the vendor has been disbarred, suspended, or proposed for disbarment. The School Business Administrator/Board Secretary shall also review the EPLS list immediately prior to the award of a bid or contract to ensure that no award is made to a vendor on the list.

In the event a vendor under consideration to be awarded a bid or contract for goods or services to be funded by a Federal grant is on the EPLS list or proposed for disbarment, the School Business Administrator/Board Secretary shall comply with the contracting restrictions as outlined in FAR Subpart 9.405.

Continuation of current contracts and restrictions on subcontracting with vendors who are on the EPLS list or proposed for disbarment shall be in accordance with the limitations as outlined in FAR Subparts 9.405.1 and 9.405.2.

Any rejection of a bid or disqualification of a vendor who has been disbarred, suspended, or proposed for disbarment shall be consistent with the requirements as outlined in N.J.S.A. 18A:18A – Public School Contracts Law and all applicable State laws.

Federal Acquisition Regulations (FAR) Subpart 9.4

Adopted:



POLICY

ENGLEWOOD BOARD OF EDUCATION

FINANCES
6320/page 1 of 2
Purchases Subject to Bid

6320 PURCHASES SUBJECT TO BID

The Board of Education directs the establishment and conduct of bidding procedures that serve the public interest and provide each qualified vendor an equal opportunity to furnish goods and services to the district.

Every contract for the performance of work or the purchase or lease of materials or supplies not exempted by law will be subject to public bidding whenever the aggregate value of such a contract within one contract year exceeds the bid threshold established by law and in accordance with N.J.S.A. 18A:18A-3.(a). Whenever possible, purchases will be aggregated; purchases may not intentionally be divided to avoid the requirements for competitive bidding as required in N.J.S.A. 18A:18A-8. The purchase of textbooks and materials that exceed the bid threshold and are approved by the Board pursuant to N.J.S.A. 18A:34-1 shall not require the further adoption of a resolution for purchase.

Bid specifications will be prepared and/or are coordinated by the School Business Administrator or his or her designee. Each bid specification will offer a common standard of competition and will assert the Board's right to accept reasonable equivalents and to reject all bids and readvertise. The School Business Administrator or his or her designee is authorized to advertise for bids in accordance with N.J.S.A. 18A:18A-21 without the prior approval of the Board, but shall inform the Board of any such advertisement at the Board meeting next following. Records of advertisements will be kept in detail sufficient to show that a reasonable number of qualified vendors were invited to bid.

Bids shall be opened publicly by the School Business Administrator or his or her designee before one or more witnesses at a previously designated time and place. Contracts will be awarded, on a resolution duly adopted by the Board, to the lowest responsible bidder who submits the lowest responsible bid, except that the Board may choose to reject all bids, to readvertise, or to purchase under a State contract. The Board may disqualify a bidder who would otherwise be determined to be the lowest responsible bidder in accordance with N.J.S.A. 18A:18A-4. Whenever two or more bids are the lowest bids submitted by responsible bidders, the Board shall determine to which bidder the contract will be awarded.

The bid of a vendor who claims, before bids are opened, a mistake or omission in its preparation will be returned unopened. A bidder who discovers a mistake or omission after bids have been opened may withdraw the erroneous bid provided he or she gives immediate written notice of the mistake or omission and certification, supported by clear evidence, that he or she exercised reasonable care in the examination of the specifications and preparation of the bid. Any bidder who withdraws an opened bid shall forfeit any bid security deposited with the bid in accordance with law.



POLICY

ENGLEWOOD BOARD OF EDUCATION

FINANCES

6320/page 2 of 2

Purchases Subject to Bid

In accordance with the provisions of N.J.A.C. 6A:23A-5.4, pursuant to the authority granted the Commissioner of Education under N.J.S.A. 18A:55-2 and N.J.S.A. 18A:7F-60, the Commissioner shall subject to review for the withholding of State funds any school district that fails to obey the provisions of the Public Contract law, N.J.S.A. 18A:18A-1 et seq. The amount of funds to be withheld shall equal the amount of the contract awarded in violation of the provisions of N.J.S.A. 18A:18A-1 et seq. except for violations related to the award of contracts under the extraordinary unspecifiable services (EUS) provision which shall be governed by the provisions of N.J.S.A. 18A:18A-46.1.

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

N.J.A.C. 6A:23A-5.4; 6A:27-9.1 et seq.

Adopted: 20 June 2002

Revised: 6 November 2007

Revised:



6340 MULTIPLE YEAR CONTRACTS

The Board of Education may enter a multiple year contract for goods and services permitted by law whenever the extended contract will serve the needs of the district and yield greater return for the expenditure.

The School Business Administrator or his or her designee is directed to investigate the advantage to the district of multiple year contracts. Investigation should include, but need not be limited to, a comparison of the costs of multiple year and single year contracts, an analysis of trends in the costs and availability of the goods or services to be provided, the projected needs of the district, and an inquiry into the reliability and stability of the vendor.

Except for those contracts exempted from the requirement by law, all multiple year contracts will contain a cancellation clause or a clause conditioning annual extension of the contract on the appropriation of sufficient funds to meet the Board's obligation.

All multiple year contracts must be approved by the Board. When the estimated annual cost of a multiple year contract exceeds the bid threshold established by law and the subject of the contract is not exempt from bidding, the contract shall be advertised in accordance with law and the bidding procedures of this district.

N.J.S.A. 18A:18A-5; 18A:18A-42

Adopted: 20 November 2003
Revised:



6421 PURCHASES BUDGETED

The Board of Education directs the establishment of procedures for the purchase of budgeted goods and services that will make prudent use of district resources and yield the maximum value for the school district. The School Business Administrator or his or her designee shall authorize all purchases that are within a budget line item and are consistent with the purpose for which the funds were appropriated.

No purchase order may be placed until the School Business Administrator or his or her designee has determined whether the proposed purchase is subject to bid, whether sufficient funds exist in the line item, and whether the goods are available elsewhere in the district.

Whenever the estimated value of a purchase or contract for goods or services other than professional services N.J.S.A. 18A:18A-5(1) and work by employees of the Board N.J.S.A. 18A:18A-5(3) is fifteen percent or more of the bid threshold established in accordance with N.J.S.A. 18A:18A-3 and N.J.S.A. 18A:18A-37 and is not made under a State contract, the purchasing agent shall, whenever practicable, solicit at least two quotations from independent vendors. All quotations received will be attached to and retained with a copy of the voucher used to pay the vendor.

The purchase or contract may be awarded on the basis of the lowest responsible quotation received or to the vendor who submits the quotation most advantageous to the Board on the basis of price and other factors. If it is determined that it is impractical to seek quotations for an extraordinary, unspecifiable service or that the purchase or contract for which quotations were sought should not be awarded on the basis of the lowest quotation received, the reasons for that determination will be set forth in writing and attached to the resulting purchase order or contract.

Supplies commonly used in the various schools will be standardized to the extent that it is educationally feasible to do so. Alternate suggestions will be made to a requisitioner if better service, delivery, economy, or utility can be achieved by a change in the proposed order.

When a purchase order is placed or a contract entered, the School Business Administrator or his or her designee shall commit the expenditure against a specific budget line item or project category in order to guard against the creation of liabilities in excess of appropriations.

N.J.S.A. 18A:18A-1 et seq.; 18A:18A-37; 18A:22-8
N.J.A.C. 5:34-2.1; 5:34-2.2

Adopted: 20 November 2003
Revised:



6440 COOPERATIVE PURCHASING

The Board of Education recognizes that centralized, cooperative purchasing tends to maximize the value received for each dollar spent. The Administration is encouraged to seek savings that may accrue to this district by means of joint agreements for the purchase of goods or services with the governing body of the municipality or the county within whose boundaries the school district is wholly or partly located, or by means of contracts entered into by the New Jersey State Treasury Department, Division of Purchase and Property.

A cooperative pricing system is a purchasing system in which the lead agency advertises for bids, awards a master contract to the vendor providing for its own needs and for the prices to be extended to registered members, and notifies them of the bid prices awarded. The registered members then contract directly with the vendor for their own needs, subject to the specifications in the master contract.

A joint purchasing system is a cooperative purchasing system in which the lead agency has complete purchasing responsibility for the registered members, and the only contractual relationship is between the lead agency and the vendor.

A cooperative purchasing system is either a joint purchasing or cooperative pricing system.

When the lead agency is a Board of Education or Educational Service Commission and the entire membership of the cooperative purchasing system established and properly registered with the New Jersey Division of Local Government Services are Boards of Education, the purchase of work, materials or supplies shall be conducted pursuant to the Public Schools Contract Law (N.J.S.A. 18A:18A-11 et seq.)

The Business Administration is hereby authorized to negotiate such joint agreements for goods and services which the Board may determine to be required and which the Board may otherwise lawfully purchase for itself with such approved contracting units as may be appropriate in accordance with State law, the policies of this Board, and the dictates of sound purchasing procedures.

No cooperative or joint purchase may be entered without Board approval of an agreement that specifies the categories of work, materials and supplies to be purchased; the manner of advertising for bids and the awarding of contracts; the method by which payment will be made by each participating Board of Education, municipality or county, and such other terms deemed necessary to carry out the purposes of the agreement. Agreements for cooperative and joint purchasing will be subject to all bidding requirements imposed by law. Purchases made through the State Treasury Department may be made without bid.

Each participant's share of expenditures for purchases under any such agreement shall be appropriated and paid in the manner set forth in the agreement and in the manner as for other expenses of the participant.



POLICY

ENGLEWOOD BOARD OF EDUCATION

FINANCES
6440/page 2 of 2
Cooperative Purchasing

The Board may by contract or lease provide electronic data processing services for the Board of Education of another school district; and may undertake with such other Board, the joint operation of electronic data processing of their official records and other information relative to their official activities, services and responsibilities. The records and other information originating with any Board participating in such contract or lease may be combined, compiled, and conjoined with the records and other information of any and all participating local units for the purposes of such electronic data processing; and any provisions of law requiring such records to be kept confidential or to be retained by any Board or any officer or agency thereof shall be deemed to be isolated thereby.

A contract or lease to provide electronic data processing services shall set forth the charge for all services provided, or in the case of a joint undertaking the proportion of the cost each party thereto shall assume and specify all the details of the management of the joint undertaking, and any other matters that may be deemed necessary for insertion therein, and may be amended from time to time by the contracting parties.

Any party to a contract for joint operation of electronic data processing services may act as agent for any or all parties in acquiring, by lease, purchase or otherwise, any property, facilities or services, in appointing such officers and employees as may be necessary and directing its activities, to the same extent as a Board of Education is authorized to do separately.

In the event that any controversy or dispute shall arise among the parties (except a municipality or a county) to any such agreement, the same shall be referred to the County Superintendent of the county in which the districts are situated for determination and the determination shall be binding, subject to appeal to the Commissioner of Education and the State Board pursuant to law. In the event the districts are in more than one county, the controversy or dispute shall be referred to the County Superintendents of the counties for joint determination, and if they shall be unable to agree upon a joint determination within thirty days, the controversy or dispute shall be referred to the Commissioner of Education for determination.

In a cooperative purchasing system established and properly registered with the New Jersey Division of Local Government Services where the lead agency is a Board of Education or Educational Service Commission and the membership of the system is Boards of Education and local contracting units as defined in N.J.S.A. 40A:11-2(1), the purchase of any work, materials or supplies shall be conducted pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and N.J.A.C. 5:34-7.

N.J.S.A. 18A:18A-10 through 14

N.J.S.A. 40A:11-1 et seq.

N.J.A.C. 5:34-7

N.J.A.C. 6A:23-7.4

Adopted: 20 November 2003

Revised:



6472 TUITION ASSISTANCE

The Board of Education recognizes the importance of advanced educational experience, coursework, and degrees for employees. The Board of Education may provide tuition assistance to an employee in accordance with contract provisions in a collective bargaining agreement, an individual employment contract, or as per any other employment agreement or contract approved by the Board.

In accordance with the provisions of N.J.S.A. 18A:6-8.5, in order for the Board of Education to provide tuition assistance to an employee for coursework taken at an institution of higher education or additional compensation upon the acquisition of additional academic credits or completion of a degree program at an institution of higher education, the institution shall be a duly authorized institution of higher education as defined in Section 3 of P.L.1986, c.87 (C.18A:3-15.3).

The employee shall be required to obtain approval from the Superintendent of Schools prior to enrollment in any course for which tuition assistance is sought. In the event the Superintendent denies the approval, the employee may appeal the denial to the Board of Education. In the case of tuition assistance for the Superintendent of Schools, the approval shall be obtained from the Board of Education.

In accordance with the provisions of N.J.S.A. 18A:6-8.5.c., tuition assistance or additional compensation shall be provided only for a course or degree related to the employee's current or future job responsibilities.

Nothing in N.J.S.A. 18A:6-8.5 shall be construed to limit the authority of the Board to establish more stringent requirements for the provision of tuition assistance or additional compensation. The provisions of this Policy and N.J.S.A. 18A:6-8.5 shall not be deemed to impair an obligation set forth in a collective negotiations agreement or an individual contract of employment in effect on May 6, 2010.

N.J.S.A. 18A:6-8.5

Adopted:



POLICY

ENGLEWOOD BOARD OF EDUCATION

FINANCES
6480/page 1 of 2
Purchase of Food Supplies
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6480 PURCHASE OF FOOD SUPPLIES

The Board of Education authorizes the purchase of certain food supplies without advertising for bids.

For the purpose of this policy, "food supplies" means only those supplies that are to be eaten or drunk and those substances that may enter into the composition of a food in the operation of a school cafeteria or in a home economics class.

The Board of Education authorizes the School Business Administrator/Board Secretary or designee to purchase all food supplies without advertising for bids in accordance with N.J.S.A. 18A:18A-5 and N.J.A.C. 6A:23A-16.5 et seq.

The School Business Administrator/Board Secretary or designee shall obtain price quotations for all food supplies purchased without advertising for bids in accordance with N.J.A.C. 6A:23A-16.5 et seq.

Vendors interested in providing food supplies to the school district shall submit a written request to the School Business Administrator/Board Secretary or designee to receive specifications for food supplies to be purchased by the school district. The School Business Administrator/Board Secretary or designee will maintain a list of interested vendors and will mail specifications for food supplies to those vendors who requested such specifications.

Each time a purchase of food supplies is to be made, the School Business Administrator/Board Secretary or designee shall solicit quotations from interested, eligible vendors. Quotations for fresh or frozen fruits, vegetables, and meats need not be solicited more than once in any two week period.

The School Business Administrator/Board Secretary or designee shall provide definite and uniform specifications governing standards of quality to each eligible vendor from whom quotations are solicited. Specifications for food supplies will indicate a time in which all quotations must be submitted to the school district for consideration.

All quotations from interested, eligible vendors will be evaluated by the School Business Administrator/Board Secretary or designee. Food supplies shall be purchased from the vendor who submits the lowest quotation, except that food supplies may be purchased from another vendor who submitted a quotation when the School Business Administrator/Board Secretary or designee can justify the purchase. Any such justification, together with all quotations received, shall be kept in permanent record form, attached to the purchase order and available to school officials, the Board, and the State Department of Education for a minimum of three years following the purchase.



POLICY

ENGLEWOOD BOARD OF EDUCATION

FINANCES
6480/page 2 of 2
Purchase of Food Supplies

The School Business Administrator/Board Secretary or designee may purchase food supplies for any school cafeteria or home economics class to the extent of not more than \$500.00 any month without soliciting quotations provided the School Business Administrator/Board Secretary provides a written signed statement filed with the invoice indicating the reason why quotations could not be obtained. The signed statement filed with the invoice shall be retained for review and audit.

Nothing in this Policy shall prevent the Board from purchasing food supplies by advertising for bids and awarding contracts in accordance with N.J.S.A. 18A:18A-4.

N.J.S.A. 18A:18A-4 et seq.; 18A:18A-5a.(6); 18A:18A-6
N.J.A.C. 6A:23A-16.5

Adopted: 28 August 2006
Revised:



6510 PAYROLL AUTHORIZATION

The most substantial allocation of public funds for the operation of the school district is that made to the employees of the Board of Education for their services. Compensation will be tendered only to persons duly employed by this Board and only for services rendered.

Each Board resolution to employ or reemploy a person will include the person's name, position, and tenure status; the salary or rate of pay the person is to receive, the method of payment, the wage guide from which wages are derived, and the budget category to which the wages are to be charged; the period of time for which employment is authorized; and the school, grade, class or special assignment, as appropriate.

No person may be assigned duties as a substitute employee whose employment has not been approved by the Board. The list to be approved by the Board will include the names of recommended substitutes, the duties to which each may be assigned, and the rate of pay. Substitute authorization will ordinarily be valid for one school year.

The minutes of Board meetings will record personnel actions of the Board, to include, but not be limited to, the appointment, promotion, resignation, retirement, death, discharge, compensation, or leave of absence for each employee. The minutes will also include effective dates for personnel action.

Certain categories of staff members designated by the Superintendent of Schools, shall be required to use a time clock or sign in and out of work daily in order to verify days and hours worked. The service of extra-duty personnel must be certified by the appropriate supervisor before payment can be made.

The Business Administrator is authorized to withhold salary or wages for services not rendered, in accordance with Board policy.

Staff members shall be paid in accordance with the provisions in their collective bargaining agreement and/or in accordance with a schedule provided to all employees prior to the beginning of the contract or school year.

In accordance with N.J.A.C. 6A:23A-5.7, beginning with the 2008-2009 school year, at least once every three years, between the months of September through May, the Superintendent of Schools shall require each district employee to report to a central location(s) and produce picture identification and sign for release of his or her paycheck or direct deposit voucher. The accepted picture identification shall be in the form of a district-issued identification card, valid drivers' license, official passport, or other picture identification issued by a State, county, or other local government agency.



POLICY

ENGLEWOOD BOARD OF EDUCATION

FINANCES
6510/page 2 of 2
Payroll Authorization

The Superintendent of Schools shall designate an appropriately qualified staff member to match the picture identification to the position control roster maintained by the office of personnel or human resources prior to release of the pay check or direct deposit voucher. If the district elects to conduct this payroll verification prior to the district's required implementation of the position control roster pursuant to N.J.A.C. 6A:23A-6.8, the district may use similar and suitable office of personnel or human resources generated listing of employees. Where no appropriate identification can be produced, the School Business Administrator/Board Secretary shall withhold paychecks or stop direct deposits until such time the payee/district employee can produce appropriate identification or until an investigation and corrective action is concluded, as appropriate to the circumstances.

Upon completion of the payroll check distribution verification procedures set forth in this Policy and N.J.A.C. 6A:23A-5.7, the Superintendent of Schools shall submit a certification of compliance, in a form prescribed by the Department of Education, to the Executive County Superintendent. Verification of the district's compliance with the provisions of N.J.A.C. 6A:23A-5.7 will be required as part of the annual audit.

The payroll journal will be certified by the Board Secretary, the President of the Board, and approved by the Superintendent.

N.J.S.A. 18A:17-35; 18A:19-9 et seq.
N.J.A.C. 6A:23A-5.7

Adopted: 20 November 2003
Revised: 15 January 2009
Revised:



6511 DIRECT DEPOSIT

The Board of Education may determine to have the net pay of all school district employees directly deposited in a specific banking institution in a checking account, savings account, or share account designated in writing by the employee in accordance with the provisions of N.J.S.A. 52:14-15h.

If the Board approves a direct deposit program, compliance by an employee shall be mandatory. However, the Board may grant an exemption from the mandatory requirements of N.J.S.A. 52:14-15h on such terms and conditions as the Board deems necessary. The Board may grant an exemption for seasonal and temporary employees as the Board deems necessary.

The Board shall make available for those employees required to have their net pay direct deposited in accordance with the provisions of N.J.S.A. 52:14-15h, all information concerning net pay, any accompanying information approved for distribution with net pay, and W-2 forms in accordance with applicable Federal law, only on the Internet with restricted access and policies and procedures to protect the integrity and confidentiality of the information. The Board will continue to complete the payroll check distribution verification process as required in N.J.A.C. 6A:23A-5.7 and Policy 6510.

In the event the Board of Education determines to implement a mandatory direct deposit program in accordance with N.J.S.A. 52:14-15h, the Board shall annually adopt a resolution to implement the direct deposit requirements of N.J.S.A. 52:14-15h. The Board approved resolution shall designate the school district's banking institution that shall be used to implement the direct deposit program and shall indicate any employee group or category that are exempt from the Board's direct deposit requirements.

N.J.S.A. 52:14-15h
N.J.A.C. 6A:23A-5.7

Adopted:



6810 FINANCIAL OBJECTIVES

The Board of Education recognizes its responsibility to the taxpayers of the district and the State to expend public moneys wisely and prudently for the maintenance of a thorough and efficient system of public education and to institute appropriate controls and accounting procedures.

The Board shall use accounting and reporting directives as prepared, published and distributed by the Commissioner of Education in addition to any books, materials or bulletins, for the guidance of school officials in establishing and maintaining the double entry bookkeeping and accounting system mandated in N.J.A.C. 6A:23-2.1.

The Board shall develop a system of accounting and reporting objectives that make it possible to present fairly and with full disclosure the funds and activities of the district and to determine and demonstrate compliance with finance-related legal and contractual matters. The Board shall develop an accounting system that is organized and operated on a fund basis and shall report governmental, proprietary and fiduciary funds in the fund financial statements to the extent they have activities that meet the criteria for using those funds. The Board shall establish and maintain those funds required by law and sound financial administration (only the minimum number of funds consistent with legal and operating requirements should be established) and use the modified accrual or accrual basis of accounting as appropriate in measuring financial position and operating results in accordance with GAAP and regulatory provisions. Transfers shall be recognized in the accounting period in which the interfund receivable and payable arise.

The Board shall adopt an annual budget and include the adopted annual budget in the minutes of the Board. A detailed budget statement, which includes the classification of expenditures by program and function shall be prepared on a fund basis in accordance with N.J.S.A. 18A:22-8 and on a form prescribed by the Commissioner. A detailed budget shall be prepared for each special project, capital project, and Federal or State grant. This budget shall be maintained, along with all authorized revisions, on file in the district Board of Education or Charter School Board of Trustees business office. The Board shall take appropriate action, as necessary, to maintain a balanced budget.

The Board shall ensure the accounting system provides the basis for appropriate budgetary control, and that budgetary comparison schedules are included in the appropriate financial statements and schedules for governmental funds in accordance with GAAP.



POLICY

ENGLEWOOD BOARD OF EDUCATION

FINANCES
6810/page 2 of 2
Financial Objectives

The Board shall use a common terminology and classification consistently throughout the budget, the accounts, and the financial reports of each fund, and shall adopt a chart of accounts prepared in conformity with N.J.A.C. 6A:23-2.2(g)1.

N.J.S.A. 18A:4-14; 18A:4-14.1; 18A:18A-1 et seq.;
18A:19-1 et seq.; 18A:22-7 et seq.
N.J.A.C. 6A:23-2.2 et seq.

Adopted: 20 November 2003
Revised



7101 EDUCATIONAL ADEQUACY OF CAPITAL PROJECTS

Capital projects that affect any of the criteria for educational adequacy shall be reviewed and approved by the Division of Administration and Finance (Division) in accordance with N.J.A.C. 6A:26-5 et seq. The criteria are the number, configuration, size, location, or use of educational spaces within a school facility. The review for educational adequacy shall take into consideration the suitability of the number, configuration, size, location, and use of educational spaces; built-in furniture and equipment; and provisions for the disabled.

Projects requiring approval for educational adequacy, as defined in N.J.A.C. 6A:26-5.1 are: new school facilities including pre-fabricated facilities; additions to existing school facilities; alterations to the total number, dimension in volume and/or area, configuration or location of educational spaces or the number of any one kind of educational space; and installation of temporary facilities.

New Jersey Schools Development Authority (Development Authority), Regular Operating District (ROD), along with other capital projects, are subject to educational adequacy reviews pursuant to N.J.A.C. 6A:26-5.1(b). The Executive County Superintendent shall approve any change of use of instructional space that is not a capital project.

Educational specifications for educational adequacy reviews shall be prepared and submitted in accordance with N.J.A.C. 6A:26-5.2. Educational specifications shall detail the educational program activities and requirements for each space proposed in the capital project, and shall refer to the New Jersey Student Learning Standards wherever appropriate. The educational specifications shall include an itemized list of furniture, equipment, and support spaces required to conduct the educational program specified for each space, together with their net areas in square feet, as well as the net of the total room area required for each space. The educational specifications shall also include specific technical and environmental criteria, adjacencies and other requirements for the educational program and a building-space program that indicates the number and net area in square feet of each instructional, specialized instructional, administrative, and support space in each existing or proposed building included in the capital project and/or temporary facility.

Schematic plans and other related project documents will be prepared and submitted in accordance with N.J.A.C. 6A:26-5.3.

A project cost estimate on a form provided by the Commissioner of Education, a project schedule, a copy of the dated transmittal letter to the Executive County Superintendent indicating project document submission to the Division, and a copy of the transmittal letter indicating the date of plan submission to the local planning board shall be submitted in accordance with N.J.A.C. 6A:26-5.3(b)4.



POLICY

ENGLEWOOD BOARD OF EDUCATION

PROPERTY
7101/page 2 of 2
Educational Adequacy of Capital Projects

In the case of a Development Authority school facilities project, upon completion of detailed plans and specifications, the Development Authority on behalf of the district shall apply, upon completion of detailed plans and specifications, for final approval of the project's educational adequacy of the project in accordance with N.J.A.C. 6A:26-5.4(a). In the case of a ROD school facilities project or another capital project, the school district shall apply upon the completion of final plans and specifications for final approval of the educational adequacy of the project in accordance with N.J.A.C. 6A:26-5.4(b). In the case of a temporary facility, the school district or the Development Authority on behalf of the school district for Development Authority school facilities projects, shall apply upon the completion of detailed plans and educational specifications for approval of the temporary facility's adequacy in accordance with N.J.A.C. 6A:26-5.4(c).

The Division shall collect fees for its reviews according to N.J.A.C. 6A:26-5.5.

For a Development Authority school facilities project not subject to educational adequacy review, the Division shall issue a preliminary project report and shall forward the report to the Department of Community Affairs in accordance with N.J.A.C. 6A:26-5.6(a). The review shall require the documentation required by the Uniform Construction Code (UCC) in accordance with N.J.A.C. 5:23-2.15.

For a ROD school facilities project or other capital project, not subject to educational-adequacy review, the Division shall make a determination of the project's final eligible costs and shall forward their determination to the Department of Community Affairs in accordance with N.J.A.C. 6A:26-5.6(b). The review shall include the documentation required by the UCC in accordance with N.J.A.C. 5:23-2.15.

N.J.A.C. 6A:26-5.1 et seq.; N.J.A.C. 5:23-2.15

Adopted:



7102 SITE SELECTION AND ACQUISITION

The Board of Education may need to select and acquire new sites for school district facilities. Site acquisition for school purposes and every acquisition of land will be made pursuant to N.J.A.C. 6A:26-3.12 and N.J.A.C. 6A:26-7.1 through 7.3.

Every acquisition of land, whether by purchase, condemnation, or by gift or grant, to be used as a school site shall comply with the requirements of N.J.A.C. 6A:26-7.1 et seq. The school district, or the New Jersey Schools Development Authority (Development Authority) on behalf of the district, shall submit information to the Division of Administration and Finance (Division) to obtain approval for land in connection with a school facilities project in accordance with the provisions of N.J.A.C. 6A:7.1(b).

In the event the school district intends to acquire land not in connection with a school facilities project, the district shall submit all of the information required under N.J.A.C. 6A:26-7.1(b) except N.J.A.C. 6A:26-7.1(b)1.ii and N.J.A.C. 6A:26-7.1(b)1.iii, and shall further be excepted from the requirements of N.J.A.C. 6A:26-7.1(d) and N.J.A.C. 6A:26-7.1(e). If the school district later intends to change the use of the land and use as a school site, the school district shall be required to submit all of the information required under N.J.A.C. 6A:26-7.1 and the exceptions outlined above shall no longer apply.

In accordance with the provisions of N.J.A.C. 6A:26-7.1(d), school site sizes shall be directly related to the acreage required for the structures and activities to be situated thereon. Except where specifically noted for multiple or shared use, the acreage shall be considered for single use.

All school sites shall have sufficient acreage for the placement of the school facility; expansion of the building to its maximum potential enrollment; the placement of all other structures such as greenhouses, storage buildings, school bus maintenance buildings or garages, and any other above or below ground structure, which is to be placed thereon; multi-purpose physical education fields and, for preschool through grade five school facilities, a playground required to support the achievement of the New Jersey Student Learning Standards as defined by the number of physical education teaching stations applicable to the school facility pursuant to the facilities efficiency standards and the approved programmatic model; disabled-accessible pedestrian walkways, roadways, and parking areas on which people and vehicles access the building; public and service access roads onto the site including, where warranted, a one-way school bus road of thirty foot width and a two-way road of thirty-six foot width; a school bus drop-off area; and eighteen foot wide posted fire lanes for fire apparatus; and a thirty-foot wide access around the entire building.



POLICY

ENGLEWOOD BOARD OF EDUCATION

PROPERTY
7102/page 2 of 2
Site Selection and Acquisition

Land owned by the Board of Education that does not meet the standards of N.J.A.C. 6A:26-7.1 may be supplemented pursuant to the requirements of N.J.A.C. 6A:26-7.1(f).

Pursuant to N.J.A.C. 6A:26-7.1(g), the Division's approval shall remain effective for three years, after which time Division approval shall again be required to be obtained prior to acquiring land.

The Development Authority may acquire land on behalf of a school district eligible for one hundred percent State support of final eligible costs for school facilities projects that are consistent with the school district's approved Long Range Facilities Plan (LRFP). For such school districts, the New Jersey Department of Education shall require submission of all information set forth in N.J.A.C. 6A:26-7.1(b) to demonstrate compliance with N.J.A.C. 6A:26-7. The Development Authority may submit the required information on behalf of such school districts.

In accordance with N.J.A.C. 6A:7.3, the Board of Education may acquire an existing facility through purchase, gift, lease, or otherwise provided the Board complies with all procedures and rules pertaining to the appropriation and use of capital funds as required by N.J.S.A. 18A:20-4 and 4.2 and the Board has the facility approved in accordance with N.J.A.C. 6A:26-3, which applies to the acquisition of a school site and for the construction of a new facility. Facilities to be procured for temporary use shall comply with N.J.A.C. 6A:26-8 if subject to educational-adequacy review pursuant to N.J.A.C. 6A:26-5.4(c) because the facilities will house students.

N.J.A.C. 6A:26-3.12; 6A:26-7.1; 6A:26-7.2; 6A:26-7.3

Adopted:



7130 SCHOOL CLOSING

The Board of Education recognizes its responsibility to provide a thorough and efficient program of free public education and appropriate facilities to house that program. The Board further recognizes that declining enrollments, diminished resources, district reorganization, and/or other good cause may require the use of one or more district facilities for educational purposes be abandoned.

To receive approval for the closing of a school the Board shall provide the Division of Administration and Finance (Division) and the Executive County Superintendent with the following assurances:

1. The proposed closing is consistent with the district's approved LRFP because:
 - a. The school district has demonstrated that sufficient school building capacity exists to house students for the five years following the closing;
or
 - b. The school district has demonstrated through a feasibility study that the benefits of undertaking new construction outweigh those of rehabilitating the school proposed for closure.
2. The use of temporary facilities in the remaining schools does not result or increase from an overall facilities shortage caused by the school closing; and
3. The re-assignment of students to other schools in the district does not produce, sustain nor contribute to unlawful segregation, separation, or isolation of student populations on the basis of race or national origin.

A request for approval from the Division for the school closing shall include the recommendation of the Executive County Superintendent. A letter of approval from the Division based on the information in N.J.A.C. 6A:26-7.5(a) and as listed above shall be required before the school's closing.

The Division shall notify the school district in writing of its determination with respect to the requested school closing, with a copy provided to the Executive County Superintendent.

N.J.S.A. 18A:20-36; 18A:33-1
N.J.A.C. 6A:26-7.5

Adopted:



POLICY

ENGLEWOOD BOARD OF EDUCATION

PROPERTY
7300/page 1 of 2
Disposition of Property

7300 DISPOSITION OF PROPERTY

The Board of Education believes the efficient administration of the district requires the disposition of property and goods no longer necessary for school purposes. The Board directs the periodic review of all district property and authorizes the disposition by sale, donation, or discard of any property no longer required for the maintenance of the educational program or the efficient management of the school district. The disposition of any school property will be in accordance with this Policy and applicable laws.

Real estate property will be disposed of by sale or otherwise, in accordance with N.J.S.A. 18A:20-5 through 18A:20-7 and N.J.A.C. 6A:26-7.4. If an approved site, or interest therein, is to be altered or disposed of through sale, transfer or exchange of all or part of the total acreage, including facilities, if applicable, a written request for approval of the disposal will be made to the Division of Administration and Finance (Division) in accordance with the requirements of N.J.A.C. 6A:26-7.4. The Division will notify the district of its approval or disapproval.

The Board may, by resolution and by sealed bid or public auction, authorize the sale of its personal property not needed for school purposes, and disposal of any property declared scrap or waste. If the estimated fair value of the property to be sold exceeds fifteen percent of the bid threshold in any one sale and it is neither livestock nor perishable goods, it shall be sold at public sale, together with a description of the items to be sold and the conditions of sale, shall be published once in an official newspaper. By resolution of the Board, the purchasing agent may include the sale of personal property no longer needed for school purposes as part of specifications to offset the price of a new purchase. In the event no bids are received for personal property or the personal property is not sold at private sale pursuant to, N.J.S.A. 18A:18A-45, the Board may declare the personal property as scrap or waste and dispose of it locally.

Personal property may be sold to the United States, the State of New Jersey, or to any body politic in the State of New Jersey, or any foreign nation which has diplomatic relations with these United States by private sale without advertising for bids.

Notwithstanding anything to the contrary in this Policy, property acquired with Federal funds for use in a Federally funded program will be disposed of in accordance with applicable law and guidelines.



POLICY

ENGLEWOOD BOARD OF EDUCATION

PROPERTY
7300/page 2 of 2
Disposition of Property

The Superintendent shall develop regulations for the disposition of district property that provide for the review of the continued usefulness of all property in conjunction with the periodic inventory of property; the recommendation for Board designation of property for sale, donation, or discard; and the disposition of property in a fair and open manner consistent with the public interest and applicable laws.

N.J.S.A. 18A:18A-5; 18A:18A-45; 18A:20-5 through 18A:20-7
N.J.A.C. 6A:26-7.4

Adopted: 16 August 2007
Revised:



7421 INDOOR AIR QUALITY STANDARDS

The Board of Education will provide air quality for school employees in school buildings that meet the standards established by the New Jersey Department of Labor pursuant to N.J.A.C. 12:100-13.

The Board will designate the Director of Facilities as the individual, who is responsible to assure compliance with New Jersey Department of Labor standards. The designated person will assure that preventative maintenance programs for heating, ventilating and air conditioning (HVAC) systems are implemented and documented and that general and local exhaust ventilation is used for employees working with equipment or products that could reasonably be expected to result in hazardous chemicals or particulate exposure. The designated person shall check to make sure HVAC systems are working properly when the building temperatures are outside of the range of 68 to 79 degrees Fahrenheit and make sure buildings without mechanical ventilation have operable windows, doors, vents, stacks and other portals designated or used for natural ventilation are operational. The designated person will also promptly investigate all employee complaints of signs or symptoms that may be associated with building-related illnesses.

The Board will make sure air quality will be maintained at acceptable standards during renovation and remodeling that results in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health. The designated person will notify employees at least twenty-four hours in advance, or promptly in emergency situations of work to be performed on the building that may induce air contaminants into their work area.

The designated person will respond to a complaint received by the Department of Labor within fifteen working days of receipt of the complaint.

N.J.A.C. 12:100-13.2 et seq.
N.J.A.C. 5:23

Adopted:



7433 HAZARDOUS SUBSTANCES

The Board of Education will enforce the law governing hazardous substances in the school district. Employees of this district shall be informed of the hazards related to the handling of certain substances and trained to work with hazardous substances.

Hazardous substance means any substance or substance in a mixture included on the hazardous substance list developed by the New Jersey Department of Health and Senior Services. Hazardous substances shall not include:

1. Any article containing a hazardous substance if the hazardous substance is present in a solid form which does not pose any acute or chronic health hazard to any person exposed to it;
2. Any hazardous substance constituting less than one percent of a mixture unless the hazardous substance is present in an aggregate amount of five hundred pounds or more in a container in a public or private school or child care center building;
3. Any hazardous substance which is a special health hazardous substance constituting less than the threshold percentage established by the Department of Health and Senior Services pursuant to P.L.1983, c.315 (C.34:5A-1 et seq.), for that special health hazardous substance when present in a mixture;
4. Any hazardous substance present in the same form and concentration as a product packaged for distribution and use by consumers and which is not a product intended primarily for commercial use;
5. Any fuel in a motor vehicle;
6. Tobacco or tobacco products;
7. Wood or wood products;
8. Foods, drugs, or cosmetics;
9. Hazardous substances which are an integral part of a building's structure or furnishings;
10. Products which are personal property and are intended for personal use; and



11. Any substance used in the routine maintenance of a public or private school or child care center building or its grounds, any substance used in a classroom science laboratory, any substance used in a school occupational training facility, including laboratories and shops, and any substance used in the normal operation of the classrooms or administrative offices of a public or private school or child care center, including any substance used in the heating or cooling of the school or child care center.

No person shall use or allow the use of any hazardous substance in or on any building or grounds used as a public school or child care center when children are expected to be present.

The Superintendent may delegate authority for the maintenance of hazardous substances and for the development of safety and training standards for the handling of such substances to a safety officer.

The Director of Facilities shall conduct periodic audits of hazardous substances in use in the district, ascertain that such substances are being handled in accordance with appropriate safety requirements, and determine that the employees who are required to handle hazardous substances are properly equipped to do so.

The Director of Facilities shall inform the Superintendent of all hazardous substances in use in the district, the purpose of each, and the precautions required for each. The Superintendent shall take such action as may be necessary and feasible to minimize the use of hazardous substances in the district.

The Superintendent shall report periodically to the Board on hazardous substances in district use and the purpose of each.

N.J.S.A. 34:5A-1 et seq.; 34:5A-10.1 et seq.
N.J.A.C. 6A:16-1.4; 6A:19-10.5
N.J.A.C. 8:59-1 et seq.

Adopted:



7435 ALCOHOLIC BEVERAGES ON SCHOOL PREMISES

The knowing possession, without legal authority, or knowing consumption of any alcoholic beverage by any person on school premises is a disorderly persons offense.

The Board of Education prohibits the possession and consumption of an alcoholic beverage, without the express written permission of the Superintendent, by any person in any school building and on school property or at any school sponsored activity.

The Board will report to law enforcement officials and prosecute as appropriate any person who violates law and this policy, except that any student who possesses or uses or is under the influence of alcohol on school premises or at any school sponsored activity will be treated in accordance with law and Policy Nos. 3218, 4218, and 5530.

School district employees who violate this policy or are present on school premises or at any school sponsored activity while under the influence of alcohol will be subject to discipline, which may include dismissal or certification of tenure charges, as appropriate.

N.J.S.A. 2C:33-15 et seq.

N.J.S.A. 18A:40A-12

N.J.S.A. 24:21-2 et seq.

Adopted:



7446 SCHOOL SECURITY PROGRAM

The safety of students, staff members, and visitors on school grounds is an important concern for the Board of Education.

School District Employed Security Officers – (Unarmed)

The Board of Education authorizes the employment of school district security officers. The district's security officers will be required to wear Board-approved uniforms and shall work in cooperation with the school administration to provide security services on school grounds. The security officers will be provided the necessary equipment to perform the security functions assigned by the administration. The district's security officers will not carry a gun. The Superintendent of Schools will ensure all school district security officers receive appropriate training for the responsibilities of the position.

This Policy will be reviewed and approved by the Board attorney for compliance with applicable statutes and administrative code provisions before initial adoption and subsequent re-adoptions by the Board.

N.J.S.A. 2C:39-4; 2C:39-5; 2C:39-6; 2C:58-4; 40A:14-146.10; 40A:14-146.11;
40A:14-146.14

Adopted:



7450 PROPERTY INVENTORY

As steward of this district's school property, the Board of Education recognizes that efficient management and the replacement of lost, damaged, or stolen property depend upon an accurate inventory and properly maintained property records.

The Board shall conduct a complete inventory by physical count of all district-owned equipment and supplies through a perpetual inventory.

For purposes of this policy, "equipment" means a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles that retains its shape and appearance with use, is nonconsumable, costs at least \$500 as a single unit, and does not lose its identity when incorporated into a more complex unit.

The Business Administrator/designee shall ensure that inventories are systematically and accurately recorded and that property records of equipment are adjusted annually. Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board. Property records of consumable supplies shall be maintained on a continuous inventory basis.

The Business Administrator/designee shall maintain a system of property records that show, as appropriate to the item recorded, description and identification, manufacturer, year of purchase, initial cost, location, condition and depreciation, and current evaluation in conformity with insurance requirements.

N.J.S.A. 18A:4-14

N.J.A.C. 6:20-4.3

Adopted:



POLICY

ENGLEWOOD BOARD OF EDUCATION

PROPERTY
7460/page 1 of 1
Energy Conservation

7460 ENERGY CONSERVATION

The Board of Education is committed to the conservation of natural as well as fiscal resources and directs the Superintendent to develop and implement regulations for the conservation of energy in the management of school buildings.

The Board further directs all employees of this district to cooperate in the program of energy conservation.

Adopted:



POLICY

ENGLEWOOD BOARD OF EDUCATION

PROPERTY
7490/page 1 of 1
Animals on School Property

7490 ANIMALS ON SCHOOL PROPERTY

The Board of Education will make every reasonable effort to maintain school grounds in a condition appropriate for the activities of school students.

Pet animals are not permitted on school district grounds, except by the express permission of the Building Principal. Without such permission, a pet owner who brings or permits his/her animal on school grounds has committed an act of trespass. If an animal is found running at large on school grounds, its owner will be deemed to have permitted the animal to enter school property.

The Board directs the Building Principal to give notice regarding the prohibition of pets by posting appropriate signs on school property. The Principal shall report to the appropriate municipal authorities any pet that runs at large on school property and any pet owner whose animal is present on school property is in violation of this policy.

Adopted:



7523 SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STUDENTS

The Board of Education may provide technology devices to students in the district for school district authorized use only. The purpose of this Policy is to establish general guidelines for the issuance and utilization of any school district technology device provided to students of this district. For the purposes of this Policy, "technology device" or "device" shall include, but not be limited to, portable devices such as computers, laptops, tablets, cellular telephones, or any other computing or electronic devices the school district provides to students to be used as part of their educational program.

A technology device made available to students will not be considered a textbook or supply, as defined in N.J.S.A. 18A:34-1, mandatory to a successful completion of the classroom curriculum. Therefore, because a technology device defined in this Policy is not mandatory to a successful completion of a student's classroom curriculum, a student will not be required to obtain a technology device provided by the school district as defined in this Policy. In the event the school district provides a technology device that is deemed mandatory to a successful completion of the classroom curriculum, the district will provide students with such a technology device consistent with its textbook or supply policies. Nothing in this Policy prohibits a student from using their personal technology device in accordance with school rules and regulations.

A technology device provided by the school district may include pre-loaded software. A student is prevented from downloading additional software onto the technology device or tampering with software installed on the technology device. Only school district authorized staff members may load or download software onto a school district provided technology device.

To receive a school district provided technology device, the parent and student must sign a School District Provided Technology Device Form requiring the parent and the student to comply with certain provisions. These provisions may include, but are not limited to:

1. A school district provided technology device must be used only by the student for school district authorized use;
2. A student shall comply with the school district's acceptable use of technology policies, which shall be attached to the School District Provided Technology Device Form, in their use of any school district provided technology device;
3. Any school district provided technology device loaned to a student must be returned to the school district in the condition it was initially provided to the student considering reasonable use and care by the student;



POLICY

ENGLEWOOD BOARD OF EDUCATION

PROPERTY
7523/page 2 of 3

School District Provided Technology Devices to Students

4. The parent or student shall be responsible to reimburse the school district the cost of any technology device that is lost, damaged beyond reasonable use or beyond its value, abandoned, missing, stolen, or cannot be returned to the district in accordance with the terms of the School District Provided Technology Device Form;
5. The district may require, or offer as an option, depending on the type of technology device provided to the student, an insurance policy to be purchased by the parent or student that would cover certain losses or damage to a technology device during the time period the student has possession of the device. The parent or the student shall pay any insurance policy required deductibles in the event of a loss;
6. In the event the school district does not require the purchase of an insurance policy for a technology device or the parent or student elects not to purchase optional insurance, the parent and/or student shall be responsible for any loss or damage to the technology device in accordance with the terms of the School District Provided Technology Device Form;
7. A student will be required to report any hardware or software problems in the operation of the device to the school district staff member, designated on the School District Provided Technology Device Form, within two school days of the commencement of the problem;
8. A student must report to the school district staff member designated on the School District Provided Technology Device Form within two school days in the event the technology device has been damaged or is missing;
9. A parent or student is required to immediately file a police report in the event it is believed the technology device has been stolen. Within one school day after filing a police report, a parent or student shall complete the School District Provided Technology Device Loss Form and submit the completed Loss Form and a copy of the police report to the Principal or designee;
10. A student shall be required to provide routine cleaning and care of the device in accordance with school district cleaning and care guidelines;
11. The student shall have the technology device in their possession in school as required; and



School District Provided Technology Devices to Students

12. Any other provisions the Superintendent of Schools determines should be included on the School District Provided Technology Device Form.

The school district will provide the student and parent with written or electronic notification that the technology device provided by the school district may record or collect information on the student's activity or the student's use of the technology device if the device is equipped with a camera, global positioning system, or other feature capable of recording or collecting information on the student's activity or use of the device. This notification shall also include a statement that the school district shall not use any of the capabilities in a manner that would violate the privacy rights of the student or any individual residing with the student. The parent shall be required to acknowledge receipt of this notification and the parent acknowledgement shall be retained by the Principal or designee for as long as the student retains the use of the school district provided technology device. The parent acknowledgement and a signed School District Provided Technology Device Form shall be required before the issuance of a technology device to a student. In accordance with the provisions of P.L. 2013, Chapter 44, a school district failing to provide this notification shall be subject to a fine of \$250 per student, per incident. The fine shall be remitted to the New Jersey Department of Education, and shall be deposited in a fund that shall be used to provide laptop or other portable computer equipment to at-risk students as defined in N.J.S.A. 18A:7F-45.

Students shall comply with all school district policies for the use of a school district provided technology device. A student shall be subject to consequences in the event the student violates any school district policy, including the district's acceptable use policies; student code of conduct; any provision of this Policy; or any provision of the School District Provided Technology Device Form.

N.J.S.A. 18A:34-1

P.L. 2013, Chapter 44 – "The Anti-Big Brother Act"

Adopted:



7610 VANDALISM

The Board of Education believes that all school district property should be respected and all persons who use or have access to school district property should respect such property and take pride in the institutions of this community and the schools of this district.

Any person who purposely or knowingly damages school district property or damages school district property recklessly or negligently in the employment of fire, explosives or another dangerous means listed in accordance with N.J.S.A. 2C:17-2 or purposely or recklessly tampers with the tangible property of the school district so as to endanger school district property shall be reported to the appropriate law enforcement agency. Where the damage to district property is more than minimal or has been caused by a student or a minor not a student of this district, the Board will hold liable for the amount of the damage the parent(s) or legal guardian(s) having legal custody and control of the minor responsible for the damage.

A person convicted of an offense that involves an act of graffiti will be required to reimburse the school district the cost of damages and may be required to perform community service, which may include removing the graffiti from the property, in accordance with the law. In addition, the courts may suspend or postpone driving privileges of any person, at least thirteen and under eighteen years of age, if convicted of an act of graffiti.

A person who purposely defaces or damages district property with any symbol that exposes persons to violence, contempt, or hatred on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability is guilty of a crime and shall be reported to appropriate law enforcement authorities. The Board may also report to the appropriate law enforcement agencies any person whose vandalism of school property is serious or chronic.

The Superintendent shall develop regulations to implement this policy and to protect textbooks, school equipment, and school facilities from undue wear, damage, or loss.

N.J.S.A. 2C:33-10 et seq.
N.J.S.A. 18A:34-2; 18A:37-3

Adopted:



8335 FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Board of Education policies and regulations will be in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA). FERPA affords parents and adult students certain rights with respect to the student's education records. FERPA requires the district to provide parents and adult students the right to inspect and review the student's education records within forty-five days of the day the school district receives a request for access, to request an amendment(s) of the student's education records the parent or adult student believes are inaccurate, and to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

FERPA permits disclosure of student records without consent if the disclosure is to school officials with legitimate educational interests. FERPA permits the school district to disclose education records without a parent's or adult student's consent to officials of another school district in which a student seeks or intends to enroll. FERPA requires a school district to make a reasonable attempt to notify the parent or adult student of the records request unless it states in its annual notification that it intends to forward records on request.

The parent or adult student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

The New Jersey Administrative Code 6A:32-7 – Pupil Records adopted by the New Jersey Department of Education incorporates the requirements of FERPA and Board of Education Policy 8330 ensures parents and adult students are afforded certain rights with respect to the student's education records as required by FERPA.

20 U.S.C. Sec. 1232g. – The Family Educational Rights and Privacy Act
N.J.A.C. 6A:32-7

Adopted:



8350 RECORDS RETENTION

The New Jersey Department of the Treasury - Records Management Services places all public records on Records Retention Schedules that list the minimum legal and fiscal time periods public records must be retained by State and local governmental and educational agencies. Records Management Services determines these retention periods in conformance with State and Federal codes, regulations, and statutes of limitation. Final approval of the schedules comes from the State Records Committee, which is comprised of representatives of the Attorney General, State Treasurer, State Auditor, Director of Local Government Services, and the director of the division.

Part and parcel to a good records management program is the timely destruction of records once their retention period has expired. This pertains to the destruction of paper records as well as those that are microfilmed, have been imaged, or are electronic. Unique records disposal request (such as the disposal of fire damaged records which have not yet outlived their retention period) require specific authorization from the State Records Committee.

As per the Destruction of Public Records Act of 1953 (P.L. 1953, c. 410), the Board of Education must receive prior written authorization from Records Management Services to dispose of their public records regardless of the medium in which the information is maintained. Authorization to dispose public records shall be submitted electronically by the school district custodian of such records to Records Management Services. Records must be retained in accordance with the Records Retention Schedules and shall not be disposed until approval for such disposal is obtained from Records Management Services.

Adopted:



8431 PREPAREDNESS FOR TOXIC HAZARD

The Board of Education is concerned for the safety of the students and staff members assigned to district schools and will take reasonable steps to protect students and staff members from hazards that may result from industrial accidents beyond the control of school officials.

The Board will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will, in accordance with procedures prepared by the Superintendent, identify potential sources of toxic hazard and develop a plan that includes preventive and remedial measures to be followed in the event students and staff members are exposed to a toxic hazard. The plan will also include a system for the periodic evaluation of school environments.

The THP Officer will enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard. The Board may, in its discretion, appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

The plan for toxic hazard preparedness developed by the THP Officer and approved by this Board will be disseminated to the public. Teaching staff members will be instructed in the specific measures to be taken when toxic hazard is present and in the recognition of toxic hazards in the environment. A teaching staff member who detects a toxic hazard in school shall immediately notify the school Principal and the school nurse or, in the absence of either, the person authorized to perform that office.

Nothing in this policy should be construed in any way as an assumption of liability by the Board of Education for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

N.J.S.A. 13:1K-19 et seq.

N.J.S.A. 34:5A-1 et seq.

N.J.A.C. 6A:16-1.4

N.J.A.C. 7:1G-2.1

N.J.A.C. 8:59-1.4

Adopted: 9 April 2003

Revised:



8451 CONTROL OF COMMUNICABLE DISEASE

The Board of Education recognizes that control of the spread of communicable disease is essential to the well-being of the school community and to the efficient operation of the schools.

The Board shall be bound by the statutes and by rules of the State Board of Education for the exclusion and readmission of students who have contracted a communicable disease and of teachers and students who have been exposed to a communicable disease and for the instruction of teachers in health and the prevention of disease. The Board shall comply with regulations of the New Jersey Department of Health and the Englewood Board of Health governing the prevention, control, and reporting of communicable disease.

The teacher may exclude from the classroom and the Principal may exclude from the school building any student who appears to be ill or has been exposed to a communicable disease. A student may be isolated in school to await the arrival of or instructions from an adult member of his/her family. If the school medical inspector or the school nurse is present in the building, his/her recommendation shall be sought before any such exclusion or isolation is ordered.

Any student retained at home or excluded from school by reason of having or being suspected of having a communicable disease shall not be readmitted to his/her classroom until he/she presents written evidence of being free of communicable disease. That evidence may be supplied by the school medical inspector or another qualified physician who has examined the student.

Any student or adult who has weeping skin lesions that cannot be covered shall be excluded from school.

The Superintendent shall develop procedures for the control of communicable disease that include the instruction of teaching staff members in the detection of disease and measures for its prevention and control; the removal from school premises to the care of a responsible adult for students identified and excluded in accordance with this policy; the preparation of standards for the readmission of students who have recovered from communicable disease; the provision of appropriate home instruction to excluded students in accordance with law; and the filing of reports as required by law.

N.J.S.A. 18A:40-3; 18A:40-7 et seq.

N.J.S.A. 26:4-4; 26:4-6

N.J.A.C. 6A:16-1.4

N.J.A.C. 8:57-1.3; 8:57-1.6; 8:57-2.1 et seq.

Adopted: 24 July 2003

Revised:



8453 HIV/AIDS

The Board of Education will comply with rules of the State Board of Education and the State Department of Health and Senior Services with regard to the admission and employment of persons who may be diagnosed with Acquired Immune Deficiency Syndrome (AIDS) or infected with Human Immunodeficiency Virus (HIV). "AIDS" means a condition affecting a person who has a reliably diagnosed disease that meets the criteria for AIDS specified by the Center for Disease Control of the United States Public Health Services. "HIV infection" means infection with the human immunodeficiency virus or any other related virus identified as a probable causative agent of AIDS. Laboratory results indicative of infection with HIV shall mean laboratory results showing the presence of HIV or components of HIV, or laboratory results showing the presence of antibodies to HIV, or results from laboratory tests conducted to measure the presence of HIV RNA (viral load tests), such as quantitative PCR tests.

AIDS or HIV infection shall not be considered a communicable disease for purposes of admission to or attendance in a school or for eligibility for educational transportation.

In accordance with N.J.A.C. 6A:16-1.4(a)8, no person, student or employee, will be excluded from school solely because he/she is infected with HIV or lives with or is related to a person infected with HIV. Students infected with HIV, including those who may be symptomatic or diagnosed with AIDS, may be excluded from school only as a student not infected with HIV or diagnosed with AIDS may be excluded from school. A school employee infected with HIV may be restricted in his/her employment only if the employee has another illness that would affect his/her employment.

Any student excluded from the regular school program will be provided with home instruction in accordance with rules of the State Board of Education and Policy No. 2412.

No student, staff member, or visitor may attend or visit school if he/she has an uncoverable and/or uncovered weeping skin lesion, whether or not the person has been screened for HIV.

It is not required that anyone in the school be especially notified that an HIV-infected student or employee is present. School employee physicals, student physicals and athletic physicals do not require disclosure of HIV status. Records of health and medical examinations should not include information about an individual's infection with HIV. Therefore, HIV/AIDS status is an exception to records required pursuant to student physical examinations, N.J.A.C. 6A:16-2.2, and school employee physical examinations, N.J.A.C. 6A:32-6.1 et seq. In the event the school nurse or a school official is apprised that a student or employee is HIV-infected, the fact of the infection will be held in strict confidence and will not be classified as a communicable disease for admission, local health reporting or educational transportation.



POLICY

ENGLEWOOD BOARD OF EDUCATION

OPERATIONS
8453/page 2 of 2
HIV/AIDS

Information that identifies a student as having an HIV infection or AIDS shall be shared only with prior written informed consent of the student age twelve or greater, or of the student's parent(s)/legal guardian(s) as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the student. The person who receives such information shall not reveal it to any other person without the express written consent of the minor student's parent(s) or legal guardian(s), or the adult student.

The Board shall annually provide students, parent(s) or legal guardian(s), staff members, school volunteers, and members of the community with information intended to increase awareness of HIV and AIDS, including information regarding the nature of the disease and its prevention. The Board will cooperate with other agencies to provide HIV/AIDS awareness information to the community.

N.J.S.A. 26:5C-5; 26:5C-6; 26:5C-7; 26:5C-8;
26:5C-9; 26:5C-10; 26:5C-11;
26:5C-12; 26:5C-13; 26:5C-14

N.J.A.C. 6A:16-1.3; 6A:16-1.4; 6A:16-1.5; 6A:16-3.2; 6A:32-9.1

N.J.A.C. 8:57-2.1 et seq.

Adopted: 24 July 2003
Revised:



8465 HATE CRIMES AND BIAS-RELATED ACTS

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

Definitions

A "hate crime" is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race, color, disability, religion, sexual orientation, or ethnicity.

A "bias-related act" is an act directed at a person, group of persons, private property, or public property that is motivated in whole or part by racial, gender, disability, religion or sexual orientation, or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense. All hate crimes are also bias-related acts, but not all bias-related acts will constitute a hate crime.

Required Actions

Whenever any school employee in the course of his/her employment develops reason to believe that (1) a hate crime has been committed or is about to be committed on school property, or has been or is about to be committed by any student, whether on or off school property and whether or not such offense was or is about to be committed during operating school hours, or (2) a student enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during operating school hours, the school employee shall immediately notify the Building Principal and Superintendent, who in turn shall notify the Englewood Police Department and Bias Investigation Officer for the county prosecutor's office. The Principal shall notify the Englewood Police Department and the county prosecutor's office immediately if there is reason to believe that a hate crime that involves an act of violence has been or is about to be physically committed against a student or there is otherwise reason to believe that a life has been or will be threatened.



POLICY

ENGLEWOOD BOARD OF EDUCATION

OPERATIONS

8465/page 2 of 2

Hate Crimes and Bias-Related Acts

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

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

It is understood a referral to the Englewood Police Department or county prosecutor's office is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge.

Unless the Englewood Police Department or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected hate crime or bias-related act occurring on school property and may take such actions as necessary and appropriate to redress and remediate any such acts.

School officials will secure and preserve any such graffiti or other evidence of a suspected hate crime or bias-related act pending the arrival of the Englewood Police Department or the county prosecutor's office. The school officials, when feasible, will cover or conceal such evidence until the arrival of the Englewood Police Department or county prosecutor's office.

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

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

Adopted: 27 March 2003

Revised:



8500 FOOD SERVICES

The Board of Education recognizes the midday meal as an important part of each student's school day. The Superintendent shall ensure a wholesome, nutritious food services program in the district and one which reinforces the concepts of nutrition education as taught in the classrooms of this district.

The Board shall provide food service facilities for the consumption of food on school premises. All students not expressly excused by the Building Principal shall be expected to remain at school for lunch.

The operation and supervision of the food services program shall be the responsibility of the School Business Administrator or his or her designee.

The district shall participate in the Federal Child Nutrition Program. The committee shall be informed by school based Administrator.

In order to ensure that the nutritional needs of district students are met, the Board directs the organization of a nutritional advisory committee composed of administrators, food service personnel, teachers, parent(s) or legal guardian(s), and students interested in the nutritional program of the district. The committee shall make its recommendations to the Superintendent.

The Food Service Program shall be operated on a nonprofit basis. All moneys derived from the operation, maintenance, or sponsorship of the food service facilities shall be deposited in the Food Service Account. The net cash resources of the food service account may not exceed three months' operating cost. A periodic review of the food service account shall be made by the School Business Administrator or his or her designee. Any surplus funds shall be used to reduce the cost of the service to students or to purchase cafeteria equipment.

The Superintendent shall ensure the maintenance of sanitary, neat premises, free from fire and health hazards, for the preparation and consumption of food and the safekeeping and storage of food and food equipment in strict compliance with regulations of the New Jersey State Department of Health.

N.J.S.A. 18A:18A-42.1; 18A:33-3 et seq.; 18A:58-7.1
N.J.A.C. 6A:23-2.6 et seq.
N.J.A.C. 8:24-2.1 through 7.5

Adopted: 23 January 2002
Revised:



8635 STUDENT TRANSPORTATION VEHICLES AND SCHOOL BUSES

All student transportation vehicles and school buses will be scheduled to maximize their use while ensuring all routes are scheduled in a safe manner for drivers and passengers.

Student transportation vehicles and school buses will have time periods during the day between scheduled bus routes when they are not in use. These time periods may vary from route to route and vehicle to vehicle depending on issues such as a school's opening and ending times and the location of students transported to and from the school. Based on scheduling issues and the amount of time between transportation routes, the school bus driver may be required to return the school vehicle/bus to the school district transportation facility during the school day. In the event the schedule does not provide adequate time or it is not practical for the vehicle/bus to be returned to the school district's transportation facility between routes during the school day, the school bus driver may be required to park the vehicle/bus at another school building or location in the school district designated by the Business Administrator.

If the transportation route is for student transportation to and from a school building out-of-district, the driver may be required to return the transportation vehicle/bus to the district's transportation facility or to a school building or location designated by the Business Administrator for the time period between routes. In the event there is not adequate time or it is not practical for a vehicle/bus to return to the school district between out-of-district transportation routes, the Business Administrator will authorize the vehicle/bus remain at an approved location between such routes. The Business Administrator, in consultation with the driver and the out-of-district school, will designate a location for the driver to maintain the vehicle/bus in between the scheduled routes.

The safety and security of the transportation staff and the school vehicle/bus will be the most important consideration in designating an out-of-district location for vehicles that may not return to the transportation facility during the school day.

Adopted:



POLICY

ENGLEWOOD BOARD OF EDUCATION

OPERATIONS

8690/page 1 of 1

Monitoring Devices on School Vehicles

8690 MONITORING DEVICES ON SCHOOL VEHICLES

The Board of Education recognizes that safe and secure conditions for all students transported in school owned or contracted school vehicles is paramount. Students transported in a school owned or contracted school vehicle must maintain proper discipline in the vehicle at all times.

To maintain the safe and secure conditions for all students transported on school owned or contracted school vehicles, the Board may use devices to monitor and/or observe student behavior, teacher and support staff behavior, school bus driver discipline procedures and/or school bus driver driving techniques. The device may be a sound video camera, a voice monitoring device or other appropriate devices. Each school vehicle will have a sign clearly posted in the school vehicle stating that:

“Video And/Or Audio Monitoring Devices Are Used On School Owned And Contracted Vehicles And This Vehicle May Be Monitored At Any Time.”

The recording may be used in student and staff discipline matters, driver evaluations or for driver discipline or training. Notice of this policy will be provided to parent(s) or legal guardian(s) and all transportation personnel each year in staff, student and/or parent handbooks.

N.J.S.A. 18A:11-1
20 USCA 1231g
30 CFR 300.571 Part 99, 300.572, 300.5773

Adopted:



POLICY

ENGLEWOOD BOARD OF EDUCATION

OPERATIONS
8740/page 1 of 1
Bonding

8740 BONDING

The Board of Education recognizes that the prudent trusteeship of the resources of this district dictates that employees responsible for the safekeeping of district moneys and property be bonded.

The Board directs the indemnification of the district against loss of money and property by the bonding of the Treasurer of School Moneys in accordance with the requirements of N.J.A.C. 6A:23A-16.4 and by the bonding of the Board Secretary in accordance with the requirements of N.J.S.A. 18A:17-6. If the district does not have a Treasurer of School Moneys, the Board will ensure surety bonds are obtained in accordance with the rules of the State Board of Education. All other employees may be covered under a blanket bond in an amount to be determined by the Board or as required by the rules of the State Board of Education.

The Board shall bear the cost of bonding each employee required to be bonded by law or by this policy.

N.J. Consti., Art. 7, §1, 4
N.J.S.A. 18A:6-58; 18A:17-6; 18A:17-26; 18A:17-32
N.J.A.C. 6A:23A-16.4

Adopted:



8750 EMPLOYEE INDEMNIFICATION

The Board of Education recognizes that officers and employees of this district are exposed to certain risks in the course of the performance of their duties and will provide insurance coverage against losses that may be incurred by such risks.

The Board shall in accordance with law, insure employees of the school district against injury and death arising out of or in the course of their employment.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for damages, losses, and costs incurred as a result of a civil or administrative action or other legal proceeding brought against any such persons for any acts or omissions arising out of and in the course of their employment, student teaching, or other assignment to professional field experience with this Board. This indemnification will include all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, and will hold harmless and protect such person from any financial loss resulting from such action. No employee will be held harmless or have his/her defense costs defrayed in a disciplinary proceeding instituted against him/her by the Board or when the employee is appealing an action taken by the Board. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in N.J.S.A. 59:10-4. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for the costs of defense against any criminal or quasi-criminal action for any such act or omission when such prosecution is dismissed or results in a final disposition favorable to the officer or employee. This indemnification will include the cost of defending such proceeding, including reasonable counsel fees and expenses of the original hearing or trial and all appeals. No employee will be held harmless or have his/her defense costs defrayed as a result of a criminal or quasi-criminal complaint filed against the employee by or on behalf of the Board. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall insure against any liability arising out of the use of motor vehicles in the course of the conduct of automobile driver training courses and against any liability arising from the use of a motor vehicle by a person duly appointed by the Board to transport students and while in the course of such transportation.



POLICY

ENGLEWOOD BOARD OF EDUCATION

OPERATIONS
8750/page 2 of 2
Employee Indemnification

The Board may insure against any major liability arising from the use of a motor vehicle by an employee or student of the district in the performance of district business.

The Board may, in accordance with law, enter a joint contract for the purchase of liability insurance.

N.J.S.A. 18A:16-6; 18A:16-6.1; 18A:18A-3.2;
18A:18A-42(e); 18A:18B-1; 18A:18B-2;
18A:39-6; 18A:39-6.1; 18A:39-20.1
N.J.S.A. 40A:10-52

Adopted:



9242 USE OF ELECTRONIC SIGNATURES

The New Jersey Uniform Electronic Transactions Act (UETA) authorizes a Board of Education to use electronic forms, filings, and signatures to conduct official business with the public. The use of electronic forms, filings, and signatures may save school district resources and will provide a convenient and cost-efficient option for parents to receive, review, and acknowledge receipt of information from the school district. Therefore, the Board of Education authorizes the use of electronic forms, filings, and signatures in communications between the school district and parents pursuant to the UETA.

For the purposes of this Policy, "electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

For the purposes of this Policy, "electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means.

For the purposes of this Policy, "electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

For the purposes of this Policy, "information processing system" means an electronic system for creating, generating, sending, receiving, storing, displaying, or processing information.

The school district may electronically send documents to parents of students enrolled in the school district. These documents may include, but are not limited to: informational notices; school or school related events or activities; periodic updates on a student's progress; school district forms; requests for information; and any other communications between the school district and home. Some documents electronically sent to parents may require the parent to: acknowledge receipt of a document; provide parental consent for such matters as student compliance with the district's acceptable use of school district computers and administration of surveys; and/or acknowledge receipt and acceptance of terms of a Board of Education policy, regulation, or practice. Any document sent to parents of students enrolled in the school district must be capable of retention by the recipient. To be capable of retention, the recipient at the time of receipt, must be able to retain and accurately reproduce the document for later reference by all persons who are entitled to retain the record. A record is not capable of retention by the recipient if the sender of its information processing system inhibits the ability of the recipient to print or store the electronic record.



POLICY

ENGLEWOOD BOARD OF EDUCATION

COMMUNITY
9242/page 2 of 2
Use of Electronic Signatures

The Board of Education authorizes documents may be electronically sent to parents of students enrolled in the school district only with the approval of the Superintendent of Schools. The Superintendent shall establish an information processing system to include a process for parents to electronically send, sign, and return documents to the school district. The school district shall make accommodations for a parent who is unable or unwilling to conduct business electronically. In addition, a parent may refuse to conduct business electronically for any reason and at any time. In this event, the school district shall make available a hard copy of the document(s) to the parent to review, maintain, and any document(s) requiring signatures to be returned to the district. The Superintendent will only implement an information processing system in accordance with the provisions of the UETA.

Documents that are electronically signed and returned to the school district may be maintained by the school district in electronic or non-electronic form. Documents returned to the district that are not electronically signed shall be maintained by the district in non-electronic form. However, nothing shall prevent the school district from converting a non-electronic document to an electronic document and for such document to be stored in electronic form. All electronic or non-electronic documents returned to the school district shall be maintained by the school district in accordance with the New Jersey Department of the Treasury - Records Management Services - Records Retention Schedules and in accordance with N.J.S.A. 12A:12-12.

N.J.S.A. 12A:12-1 et seq.

Adopted:



POLICY

ENGLEWOOD BOARD OF EDUCATION

COMMUNITY
9340/page 1 of 1
Cooperation with Public Library

9340 COOPERATION WITH PUBLIC LIBRARY

The public library can and should play an important role in the intellectual and educational development of children attending district schools, serving them as a resource that reinforces and augments the school library in many areas and by providing services and materials that may go beyond those that the school library alone can provide.

The Board of Education encourages the effective utilization of the public library by communication and cooperation between the school and library staff. School staff members should be kept informed of new materials and services available from the public library and library staff members should be kept advised of school projects and programs that call for student use of the public library.

N.J.A.C. 15:22-1.1 et seq.

Adopted: 26 August 2004
Revised:

