

Policy

CONCEPTS AND ROLES IN BUSINESS AND NONINSTRUCTIONAL OPERATIONS;
GOALS AND OBJECTIVES

Fiscal Management

The Camden City Board of Education recognizes that money and money management are a necessary support of the whole school program. To make that support as effective as possible, the board intends:

- A. To encourage financial planning through the best possible budget procedures;
- B. To explore all practical sources of dollar income;
- C. To guide the expenditure of funds so as to extract the greatest educational returns;
- D. To expect top-quality accounting and reporting procedures; to adopt and implement sound fiscal procedures. The school business administrator shall prepare a manual of procedures to ensure that all business operations of the district are carried out uniformly, efficiently and in accordance with law and board policy;
- E. To maintain a level of per student expenditure sufficient to provide high quality education.

Internal Controls/Standard Operating Procedures

The board of education is committed to financial integrity and directs the superintendent to establish specific regulations and standard operating procedures for business functions which are designed to provide district administrators with reasonable assurance that the district's goals and objectives will be met and that meet the requirements of N.J.A.C. 6A:23A-6.5 through 6.13. Internal controls shall promote operational efficiency and effectiveness, provide reliable financial information, safeguard assets and records, encourage adherence to prescribed policies and comply with law and regulation.

The district may submit a written request to the Commissioner to approve an alternative system, approach or process for implementing the internal controls required in this subchapter. The application must include documented evidence that includes but is not limited to, an independent, third-party written assessment that the alternative system, approach or process will achieve the same safeguards, efficiency and other purposes as the specified internal control requirement(s).

Personnel Tracking and Accounting

The district shall maintain an accurate, complete, and up-to-date automated position control roster to track the actual number and category of employees and the detailed information for each in accordance with N.J.A.C. 6A:23A-6.8.

Support Services

The board of education expects operation and maintenance of the school plant and equipment to set high standards of safety, to maintain the health of students and staff, to reflect the aspirations of the community, to support environmentally the efforts of the staff to provide a good education and to preserve the community's major investment.

In order to provide services that sufficiently support the educational program, the board establishes as broad goals:

CONCEPTS AND ROLES IN BUSINESS AND NONINSTRUCTIONAL OPERATIONS; GOALS AND OBJECTIVES (continued)

- A. To provide a physical environment for teaching and learning that is safe and pleasant for students, staff, and public;
- B. To provide safe transportation for eligible students;
- C. To make nutritious meals available to students;
- D. To provide resources, facilities and assistance to meet the needs of the educational program as they develop.

Long-Range Plans

In compliance with law, the superintendent will develop a five-year comprehensive maintenance plan. The board will review this plan and the district's long-range facilities plan annually, and will revise them as necessary with the advice of the superintendent.

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 Revised: August 23, 1995
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(SE file code: 1570, 6210, 6810)

Key Words

Concepts and Roles in Business, Noninstructional Operations, Goals and Objectives in Business and Noninstructional Operations, Planning, Business

Legal References: N.J.S.A. 2C:30-4 Disbursement of public moneys, incurrence of obligations in excess of appropriation
N.J.S.A. 18A:4-14 Uniform system of bookkeeping for school districts
N.J.S.A. 18A:17-14.1 Appointment of school business administrator; duties; subcontracting; tenure acquisition
 through -14.3
N.J.S.A. 18A:17-24.1 Sharing of superintendent, school business administrator; procedure
N.J.S.A. 18A:18A-1 et seq. Public School Contracts Law
N.J.S.A. 18A:20-1 et seq. Title in board of education
N.J.S.A. 18A:33-1 et seq. Facilities in general
N.J.S.A. 18A:39-1 et seq. Transportation to and from schools
N.J.S.A. 40A:65-1 et seq. Uniform Shared Service and Consolidation Act
N.J.A.C. 2:36-1.1 et seq. Child Nutrition Programs
N.J.A.C. 6A:9B-12.1 et. seq. Requirements for administrative certification
See particularly:
N.J.A.C. 6A:9B-12.1, -12.2, -12.3(d), -12.7
N.J.A.C. 6A:23A-1.1 et seq. Fiscal accountability, efficiency and budgeting procedures
N.J.A.C. 6A:23A-6.5 Segregation of duties; organization structure
 through 6.13
See particularly:
N.J.A.C. 6A:23A-6.7, -6.8

CONCEPTS AND ROLES IN BUSINESS AND NONINSTRUCTIONAL OPERATIONS; GOALS AND OBJECTIVES (continued)

N.J.A.C. 6A:26-1.1et seq. Educational Facilities
N.J.A.C. 6A:27-1.1et seq. Student Transportation

Possible

Cross References: *3100 Budget planning, preparation and adoption
 3200 Income
 3300 Expenditures/expending authority
 3400 Accounts
 3500 Noninstructional operations
 *3510 Operation and maintenance of plant
 3530 Insurance management
 3541 Transportation
 3542 Food service
 3452.1 Local Wellness
 3543 Office services
 3570 District records and reports
 3600 Evaluation of business and noninstructional operations
 *7110 Long-range facilities planning
 9123/9124 Appointment of board secretary; appointment of business official

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

BUDGET PLANNING, PREPARATION AND ADOPTION

The budget is the financial reflection of the educational plan for the Camden City School District. The budget shall be designed to carry out that plan in a thorough and efficient manner and to maintain the facilities and honor the obligations of the district. The budget shall be in accord with statutory and regulatory mandates of the federal government, the state legislature, the state board of education and the board of education.

The budget shall provide sufficient resources for the designed curriculum and instruction. The budget shall be delivered in such a way that all students have the opportunity to achieve the knowledge and skills defined by the New Jersey Student Learning Standards and local standards.

In reviewing budget proposals, the board will consider priorities to be accomplished during the subsequent year, based on the needs identified through the district's planning process. The budget shall be prepared on forms prescribed by the Commissioner of Education and should be considered critically by each board member during its preparation.

In order to ensure adequate time for the preparation and review of the proposed budget, the board directs the superintendent to develop a schedule of events associated with the development, presentation and adoption of the budget by the board. This calendar of events shall conform to all dates set out in statute and shall be reviewed and adopted by the board annually. The superintendent shall prepare a tentative budget and shall confer with the principals, department heads, board committees and other district personnel, as necessary, to make the tentative budget realistic.

The board may call upon key personnel to discuss those portions of the budget that concern their areas of district operations.

The budget should evolve primarily from the district's goals and schools' current needs, but shall also consider the data collected in long-range budget planning. The district's operating budget, when presented to the board for review, shall contain:

- A. The total expenditure for each item for the preceding school year;
- B. The amount appropriated for the current school year adjusted for transfers as of February 1 of the current school year;
- C. The amount estimated to be necessary to be appropriated for the ensuing school year;
- D. The amount of the surplus account available at the beginning of the preceding school year, at the beginning of the current school year and the amount anticipated to be available for the ensuing school year;
- E. The amount of revenue available for budget purposes for the preceding school year, the amount available for the current school year as of February 1 of the current school year and the amount anticipated to be available for the ensuing school year in the following categories:
 1. Total to be raised by local property taxes;
 2. Total State aid;
 3. Total federal aid;
 4. Other sources;
- F. The proposed expenditure for each line item requested for the ensuing year;

BUDGET PLANNING, PREPARATION AND ADOPTION (continued)

- G. The anticipated expenditure for each existing line item in the current school year;
- H. The actual expenditure for each then-existing line item from the immediately completed school year;
- I. A description of each line item;
- J. An estimate of the student population for the coming school year by grade;
- K. The current student population by grade;
- L. An estimate of the staff needed for the coming school year by grade and/or by subject;
- M. Actual staff for the current year;
- N. Anticipated revenue by sources and amounts;
- O. Amount of surplus anticipated at the end of the current school year including accumulated surplus;
- P. All other expenses projected for the coming year, anticipated for the present year, and incurred in the preceding year, on the district level; and
- Q. Projected impact on tax rate.

Budget Adoption and Submission

Annually, on or before March 20, the board shall adopt and submit to the executive county superintendent for approval, together with such supporting documentation as prescribed by the commissioner, a budget that provides for a thorough and efficient (T&E) education. The board shall submit at the commissioner's request supplemental information such as documents, contracts, reports, and financial records and statements required by law or regulation, or other information necessary to conduct a review of the school district's annual spending plan. Additional information may include, but need not be limited to:

- A. Contracted services;
- B. Health benefits;
- C. Operation and maintenance of plant services;
- D. Utilities and where applicable, an analysis of savings by not using the Alliance for Competitive Energy Services (ACES) or Alliance for Competitive Telecommunications (ACT);
- E. Purchased professional services;
- F. Textbook adoptions;
- G. Equipment purchases;
- H. A detailed list of efforts to improve administrative efficiency and realize other potential or real cost savings;
- I. An accounting and analysis of:
 - 1. Actual salary breakage in the year prior to the prebudget year for replacement of staff that retired or left district employment before or during the year;

BUDGET PLANNING, PREPARATION AND ADOPTION (continued)

2. Actual or estimated salary breakage, as available, for the prebudget year for replacement of staff that retired or left district employment or are known to be retiring or leaving district employment before the end of the prebudget year; and
 3. Estimated salary breakage for the budget year for replacement of staff known to be retiring or leaving district employment at the end of the prebudget year;
- J. A list of budgeted positions and salaries that have been vacant for more than one year;
- K. A list of aides and salaries that are not mandated for preschool and kindergarten or required by IEP for special education;
- L. A list of appropriations to fund deficits in any of the school district's enterprise fund activities; and
- M. Supporting documentation in regard to the employment contracts of the superintendent, any assistant superintendent, the school business administrator, and any employee with an annual salary that exceeds \$75,000 who is not a member of a collective bargaining unit.

The annual budget proposal must be adopted by a roll call majority vote of the full membership of the board. Once adopted, the proposal represents the position of the board, and all reasonable means shall be employed by the board to present and explain that position to all community residents and taxpayers.

Budget Hearing

The date of the public hearing shall be advertised in at least one newspaper published in the district not less than 4 days prior to the fixed date. If there is no newspaper published in the district it shall be advertised in at least one newspaper circulated in the district. The notice shall include the hours and place the budget will be on file and open to the examination of the public. The budget shall be open to examination from the date of the notice publication until the date of the holding of the public hearing.

The board of education shall hold such public hearing on the date and at the time and place, fixed annually by the board (see: the Department of Education School Election and Budget Procedures Calendar posted by the Office of School Finance at <http://www.state.nj.us/education/finance/>). The date of the hearing shall be fixed between April 24 and May 7 . At the public hearing the taxpayers and other interested persons shall have an opportunity to present objections and to be heard with respect to said budget and the amounts of money necessary to be appropriated and the various items and purposes for which the same are to be appropriated for the use of the schools in the district for the ensuing school year.

The budget shall be maintained on the district website and made available in print within 48 hours after the public hearing.

All board members are expected to attend the public hearing on the budget.

Public Notification of the Budget

Since the budget is the legal basis on which the school tax rate is established, the annual school budget process is an important means of communication within the school organization and with district residents. The community shall be notified of and encouraged to attend all board meetings at which preliminary budget discussions will be held. The legally required public hearing on the proposed budget shall be held after the budget has been approved by the executive county superintendent and within the statutorily prescribed timelines.

The budget as adopted for the school year shall be provided for public inspection on the district's Internet site, if one exists, and made available in print in a "user-friendly," plain language budget summary format within 48

BUDGET PLANNING, PREPARATION AND ADOPTION (continued)

hours after the public hearing on the budget.

- A. The budget shall be maintained on the district's website, if one exists, with a visible link off the main page, for the entire budget year and revised, as applicable, when changed as follows:
1. Prior to adoption of a separate proposal(s);
 2. Upon voter rejection of a separate proposal(s);
 3. Upon municipal action on a voter rejected base budget question; and
 4. For any subsequent determination on an application for restoration to the Commissioner.
- B. The user-friendly budget shall include:
1. All appropriation line items aggregated by item type;
 2. The school tax rate;
 3. The equalized school tax rate;
 4. Revenues by major category;
 5. The amount of available surplus;
 6. A description of unusual revenues or appropriations, with a description of the circumstances of the revenues and appropriations; and
 7. A list of shared services agreements in which the district is participating.

Appropriation of Funds

The board shall fix and determine by a recorded roll call majority vote of the full board, at or after the public hearing on the budget but not later than May 14, the amount of money to be raised pursuant to the School Funding Reform Act of 2008 and any additional funds to be voted upon by the voters at the November school election. The sum or sums shall be designated in the notice calling the election as required by law.

The board may submit a separate budget proposal or proposals to the voters for additional general fund tax levies which may be in excess to that which has been determined necessary for all students to have an opportunity to achieve the New Jersey Student Learning Standards and a thorough and efficient education.

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Key Words

Budget Planning, Preparation and Adoption; Planning; Budget

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:7F-43 et seq.	<u>School Funding Reform Act of 2008</u>
	<u>N.J.S.A.</u> 18A:13-17, -19, -23	Submission of budget; annual regional school election
	<u>N.J.S.A.</u> 18A:22-7, -8	Preparation of budgets
	through -8.2 and -9 through -13	
	<u>N.J.S.A.</u> 18A:22-14	Fixing appropriations to be made; notice of intent to appeal (Type I districts)
	<u>N.J.S.A.</u> 18A:22-25	Borrowing against appropriations on notes (Type I

BUDGET PLANNING, PREPARATION AND ADOPTION (continued)

<u>N.J.S.A.</u> 18A:22-26 through -31	districts) Type II district with board of school estimate; determination; certification and raising of appropriations; notice of intent to appeal amount of appropriation ...
<u>N.J.S.A.</u> 18A:22-32, -33	Type II districts without board of school estimate; determination of appropriation
<u>N.J.S.A.</u> 18A:39-1.5	Adoption of policy regarding transportation of students along hazardous routes
<u>N.J.S.A.</u> 19:60-1	School elections, adjustments, ballots
<u>N.J.A.C.</u> 6A:8-1.1 <u>et seq.</u>	Standards and Assessment
<u>N.J.A.C.</u> 6A:23A-8.1 <u>et seq.</u>	Budget Submission, support documentation, website publication
<u>N.J.A.C.</u> 6A:23A-15.2	Per student calculation, notification and caps (charter schools)
<u>N.J.A.C.</u> 6A:23A-15.3	Enrollment counts payments process and aid adjustment (charter schools)
<u>N.J.A.C.</u> 6A:23A-22.4	Financial requirements (charter schools)
<u>N.J.A.C.</u> 6A:26-10.1 <u>et seq.</u>	Purchase and lease Agreements
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
 <u>Abbott v. Burke</u> , 149 NJ 195 (1999)	
 <u>Budget Guidelines and Electronic Data Collection Manual 2016-17</u> , New Jersey Department of Education	

Possible

Cross References:

*3160	Transfer of funds between line items/amendments/purchases not budgeted
*3220/3230	State funds; federal funds
*3326	Payment for goods and services

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

Policy

TRANSFER OF FUNDS BETWEEN LINE ITEMS/AMENDMENTS/
PURCHASES NOT BUDGETED

Appropriate fiscal controls shall ensure that the board does not spend more than authorized funds. The board secretary shall keep the superintendent and the board informed of the district's financial status according to law.

Except in the case of federal basic skills improvement funds, the board designates the superintendent to approve such transfers among line items and programs as are necessary between meetings of the board. Transfers approved by the superintendent shall be reported to the board, ratified, and recorded in the minutes at a subsequent meeting of the board, but not less than monthly.

When the necessity arises for an unbudgeted expenditure, and there are no available funds in other line items in the same category, the procedures required by administrative code shall be initiated.

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Key Words

Transfer of Funds, Budget, Budget Amendment

Legal References: N.J.S.A. 2C:30-4 Disbursing moneys, incurring obligations in excess of appropriations
N.J.S.A. 18A:17-9 Secretary; report of appropriations, etc.; custodial duties, etc.
N.J.S.A. 18A:18A-7 Emergency purchases and contracts
N.J.S.A. 18A:22-8.1 Transfer of amounts among line items and program categories
N.J.S.A. 18A:22-8.2 Prohibited transfers
N.J.S.A. 18A:24-48 through -54 Application of proceeds to new purpose; in districts having boards of school estimate; certification by boards of education
N.J.A.C. 6A:23A-13.3 Transfers during the budget year
N.J.A.C. 6A:23A-16.1 Prescribed system of double-entry bookkeeping and GAAP accounting
See particularly:
N.J.A.C. 6A:23A-16.2, -16.10
N.J.A.C. 6A:30-1.1et seq. Evaluation of the Performance of School Districts
Hawkins-Stafford Elementary and Secondary School Improvement Act of 1988, (Pub. L. No. 100-297) amending Elementary and Secondary Education Act of 1965.

TRANSFER OF FUNDS BETWEEN LINE ITEMS/
AMENDMENTS/PURCHASES NOT BUDGETED (continued)

Guidelines for Development of Program Plan--Bilingual/ELL Education Programs--New Jersey State Department of Education, revised annually

Possible

<u>Cross References:</u>	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
	*3100	Budget planning, preparation and adoption
	3170	Budget administration
	3300	Expenditures/expending authority
	*3320	Purchasing procedures
	*3570	District records and reports
	3571	Financial reports
	*6142.2	English as a second language; bilingual/bicultural
	*6171.3	At-risk and Title 1
	9127	Appointment of auditor
	*9325.4	Voting method
	*9326	Minutes

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

Policy

LOCAL FUNDS

The Camden City Board of Education believes that the interests of district taxpayers as well as the interests of the educational program are best served by the orderly, planned transfer of tax revenues to the school district as such funds are required to pay the debts of the district.

The board secretary shall request the municipal treasurer to transfer tax revenues in anticipation of district expenditures in accordance with law and as approved by the board of education.

Local Funds

The board of education shall not request any more money at any one time than shall be required for its expenditures for a period of thirty days in advance. Ten percent of the annual total may be requested and granted by August 10 of each year.

The board of education must be informed of the financial condition of the district each month and of the funds needed from district taxes to pay all expenses, including debt service requirements.

The board shall move to request the necessary funds in accordance with law.

If at any time, the governing body of the municipality shall not have on hand sufficient money to pay the amount requested, the municipality is required to borrow the money and forward it to the treasurer of school moneys. All funds due to the board shall have been forwarded on or before June 30 annually.

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Key Words

Local Funds

Legal References: N.J.S.A.18A:17-34 Receipt and Disposition of Moneys
N.J.S.A.18A:22-45 Unappropriated Moneys Transferred from Municipality

Possible

Cross References: *3100 Budget planning, preparation and adoption
*3160 Transfer of funds between line items/amendments/purchases not budgeted
*3220/3230 State/Federal funds
3500.1 Energy
*3541.1 Transportation routes and services
*3542.31 Free or reduced-price lunches/milk
*3570 District records and reports
*4119.23 Employee substance abuse

*4219.23 Employee substance abuse
*6171.3 At-risk and Title 1
*6171.4 Special education
*9326 Minutes

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

STATE FUNDS; FEDERAL FUNDS

Each year, when it is believed that the school district is eligible for federal and/or state assistance under the provisions of public laws, application for said assistance may be submitted so long as acceptance of the funds does not include conditions contrary to the policies of the board of education. The superintendent shall inform the board about specific assurances which may be required in addition to those addressed in this policy, and will provide the required language for board adoption.

When the law requires the development and implementation of administrative procedures for submitting state and federal financial reports, with specified time schedules, the superintendent and board secretary shall ensure that the staff has properly completed the reports and that in each instance the reports have been submitted within the specified time. In particular, the superintendent is responsible for assuring that the district is in compliance with Education Department General Administrative Regulations (EDGAR) and all persons responsible for following those administrative regulations shall be held accountable.

The regular operating budget must include amounts anticipated to be received from state and/or federal sources, and a listing of projects describing how this money will be spent. These recommendations for expenditures will be approved by the board before projects are submitted.

If additional amounts become available during the year, additional projects will be recommended to the board and, with its approval, added to the budget.

Maintenance of Effort

The board of education will maintain a combined fiscal effort per student or aggregate expenditures of state and local funds with respect to the provision of the public education for the preceding fiscal year that is not less than the required amount of the combined fiscal effort per student or the aggregate expenditures for the second preceding fiscal year.

Equivalence

To be in compliance with the requirements of federal law, the board of education directs the superintendent to assign staff and distribute curriculum materials and instructional supplies to the schools in such a way that equivalence of personnel and materials is ensured among the schools.

Supplement not Supplant

Federal funds shall be used for supplementary services only and shall not be used to replace services that the district would supply eligible students, if state and federal funds were not available.

Parent/Guardian Participation

The district shall implement parent/guardian consultation and participation, advisory councils, etc., as mandated for the specific program.

Control of Equipment

Title to and control over equipment and/or property purchased with federal funds shall be maintained in accordance with the pertinent federal regulations. The superintendent shall develop written procedures outlining federal ownership and district use, loan, loss and disposal of such equipment/property.

STATE FUNDS; FEDERAL FUNDS (continued)

Special Education Medicaid Initiative (SEMI) Program

The superintendent or designee shall ensure that the district follows all required procedures to maximize its revenue from reimbursements under the Special Education Medicaid Initiative (SEMI) Program. This program allows the district to recover a portion of the cost of certain health-related services considered medically necessary in a student's Individualized Education Program (IEP), including evaluation services, physical, occupational and speech therapy, and specialized transportation services.

Procedures to be followed are included in the SEMI Provider Handbook, found at <http://www.state.nj.us/treasury/administration/semi-mac/semi-mac.htm>. These procedures include maximizing the return rate of parental consent forms for all SEMI eligible students.

In accord with the Family Education Rights and Privacy Act (FERPA), the district shall obtain the parent/guardian's informed written consent prior to any disclosures of personally identifiable information from education records, including health information, to the Medicaid program for Medicaid claim submission.

All supporting documentation for Medicaid claims shall be maintained on file and available for state or federal audit for at least seven years from the date of service. Records shall fully document the basis upon which claims for reimbursement are made.

Reimbursement Requests

When the district is a subgrantee of grants awarded by the Federal government to the State of New Jersey, the district shall submit reimbursement requests using the Electronic Web-Enabled Grant (EWEG) System. Expenditures must be supported by documentation at the subgrantee level. Documentation for salary expenditures will be according to the applicable federal circular. Expenditures must be for allowable costs. Expenditures must be related to the subgrantee's cost objectives. Expenditures will be reviewed to determine that:

- A. Adequate description of expenditures is provided;
- B. No new budget category is created; and
- C. Reimbursement does not exceed the allowable threshold for an amendment as a result of cumulative transfers among expenditure categories.

Reimbursement requests will be certified by the board as being in accordance with approved grant applications. EWEG reimbursement requests will meet NJDOE timelines and deadlines. The district shall assume all responsibility for assuring that all funds requested through the EWEG system either have already been expended, or will be expended according the requirements of the Cash Management Improvement Act of 1990 (CMIA) and other applicable federal regulations.

Financial Fraud and Theft Prevention

All employees, board members, consultants, vendors, contractors and other parties maintaining a business relationship with the district shall act with integrity and due diligence in matters involving state grants, federal grants, and other fiscal resources.

The superintendent shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety or fiscal irregularities within the district. Every member of the district's administrative team shall be alert for any indication of fraud, financial impropriety or irregularity within his/her areas of responsibility.

STATE FUNDS; FEDERAL FUNDS (continued)

As used in this policy, "fraud" refers to intentionally misrepresenting, concealing or misusing information in an attempt to commit fiscal wrongdoing. Fraudulent actions include, but are not limited to:

- A. Behaving in a dishonest or false manner in relation to district assets, including theft of funds, securities, supplies or other properties;
- B. Forging or altering financial documents or accounts illegally or without proper authorization;
- C. Improper handling or reporting of financial transactions;
- D. Personally profiting as a result of insider knowledge;
- E. Disregarding confidentiality safeguards concerning financial information;
- F. Violating board conflict of interest policies;
- G. Mishandling financial records of district assets (destroying, removing or misusing).

The superintendent shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential.

In the event the concern or complaint involves the superintendent, the concern shall be brought to the attention of the board president who is hereby empowered to contact the board's legal counsel, auditing firm and any other agency to investigate the concern or complaint.

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Key Words

State Funds, Federal Funds, Disposal of Equipment, State/Federal Funds

<u>Legal References:</u>	<u>N.J.S.A. 18A:7F-43 et seq.</u> <u>N.J.S.A. 18A:7G-1</u> through -44 et al. <u>N.J.S.A. 18A:11-1</u> <u>N.J.S.A. 18A:34-1</u> <u>N.J.S.A. 18A:38-7.7</u> through -7.14 <u>N.J.S.A. 18A:54-20</u>	<u>School Funding Reform Act of 2008</u> Educational Facilities Construction and Financing Act General mandatory powers and duties Textbooks; selection; furnished free with supplies; appropriations Legislative findings and declarations (regarding impact aid) Powers of board (county vocational schools)
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STATE FUNDS; FEDERAL FUNDS (continued)

<u>N.J.S.A.</u> 18A:58-7.1	School lunch program
<u>N.J.S.A.</u> 18A:58-7.2	School lunch program; additional state aid
<u>N.J.S.A.</u> 18A:58-11	Emergency aid
<u>N.J.S.A.</u> 18A:58-11.1	Loss of tuition to district due to establishment of regional district; state aid for one year
<u>N.J.S.A.</u> 18A:58-33.6 through -33.21	Additional State School Building Aid Act of 1970
<u>N.J.S.A.</u> 18A:58-37.1 through -37.7	Textbook Aid to Public and Nonpublic Schools
<u>N.J.S.A.</u> 18A:59-1 through -3	Federal aid
<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
<u>N.J.A.C.</u> 6A:23A-5.3	Failure to maximize SEMI
<u>N.J.A.C.</u> 6A:23A-8.1	Budget submission, support documentation, website publication
<u>N.J.A.C.</u> 6A:23A-19.1	Emergency aid
<u>N.J.A.C.</u> 6A:26-1.1 <u>et seq.</u>	Educational Facilities
<u>N.J.A.C.</u> 6A:27-8.1 <u>et seq.</u>	State Transportation Aid
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts

Abbott v. Burke, 149 N.J. 145 (1997)

Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (Pub. L. 100-97)

20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act

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

Drug-Free Workplace Act of 1988

34 CFR Part 85, Governmentwide Debarment and Suspension (nonprocurement) and Government wide Requirements for Drug-Free Workplace (Grants)

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

2 CFR 200 uniform requirements for federal awards

Education Department General Administrative Regulations (EDGAR)

Possible

<u>Cross References:</u> *3100	Budget planning, preparation and adoption
*3160	Transfer of funds between line items/amendments/purchases not budgeted
3500.1	Energy
*3541.1	Transportation routes and services
*3542.31	Free or reduced-price lunches/milk
*3570	District records and reports
*4119.23/4219.23	Employee substance abuse
*6142.2	English as a second language; bilingual/bicultural
*6142.6	Basic skills
*6142.12	Career and technical education
*6171.3	At-risk and Title 1
*6171.4	Special education

STATE FUNDS; FEDERAL FUNDS (continued)

*9326 Minutes

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

Policy

TUITION

The Camden City 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. Tuition charges shall be assessed for students attending this school district on a tuition basis in a fair and equitable manner. Students from other school districts may be considered for enrollment under the following conditions:

- A. There is room without undue crowding;
- B. The educational program meets the needs of the student; and
- C. With payment of tuition.

Tuition fee shall be established by the board of education and revised as changes in costs indicate. Tuition rates shall be determined annually and shall not exceed the district's actual estimated cost per student. In the event that federal and/or state law and/or regulation prescribe a formula for a particular program, then that formula shall be used.

The board secretary/business administrator shall be responsible for the assessment and collection of tuition as well as the assessment of tuition for approved students attending special classes in the district.

The tuition rates shall be made known to the sender prior to the start of the school year and, where possible, all differences worked out in advance of billings. Tuition billings will be made monthly immediately following the billing period. When a student attends more than three days, the sender will be charged for a full month tuition, if so permitted by federal/state law and/or regulation. Educational services will be terminated for any student whose tuition payment is more than thirty (30) days overdue.

The executive county superintendent should be consulted to mediate disputes that arise from tuition matters as defined in N.J.A.C. 6A:23A-17.1(f)5.

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Revised: August 23, 1995
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(SE file code: 6150)

Key Words

Tuition, Fees, Tuition Rates

Legal References: N.J.S.A. 18A:38-8 Duty to receive pupils from other districts
N.J.S.A. 18A:38-19 Tuition of pupils attending schools in other district
N.J.S.A. 18A:46-21 Tuition (disabled)
N.J.A.C. 6A:23A-17.1 et seq. Tuition public schools

Possible

Cross References: *5118 Nonresidents

TUITION INCOME (continued)

*Indicates policy included in the Critical Policy Reference Manual.

Policy

INCOME FROM FEES, FINES, CHARGES

All charges to elementary and secondary students shall be kept at a minimum. Materials used by students in art, industrial arts, and home economics in projects that are to be taken home may be charged to the students. No student shall be caused to suffer embarrassment because of financial inability to participate in any activity or project under control of the district.

Reasonable charges for admission to school-sponsored athletic events shall be approved by the board on recommendation of the superintendent.

The superintendent shall oversee preparation of a schedule of fines for lost or damaged textbooks and/or equipment. The same schedule shall apply to nonpublic school students who lose or damage textbooks loaned to them.

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Key Words

Gate Receipts; Charges for Supplies; Fees, Fines, Charges

Legal References: N.J.S.A. 18A:34-1 Textbooks; selection; furnished free with supplies; appropriations
N.J.S.A. 18A:34-2 Care and keeping of textbooks and accounting
N.J.S.A. 18A:37-3 Liability of parents or guardian of minor for damage to property
N.J.S.A. 18A:58-37.3 Purchase and loan of textbooks
N.J.A.C. 6A:23A-16.12 Student activity funds
N.J.A.C. 6A:23A-16.13 School store business practice
N.J.A.C. 6A:23A-20.6 Charge for textbook loss or damage

Ballato v. Long Branch Board of Education 1990 S.L.D. (August 20)

Possible

Cross References: *3453 School activity funds
3517 Security
*5131.5 Vandalism/violence
*6145.1/6145.2 Intramural competition; interscholastic competition
*6153 Field trips
6161.3 Guidelines pertaining to overdue, damaged or lost instructional materials
*6200 Adult/community education

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

Policy

SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES;
SALE, LICENSING AND RENTAL OF PROPERTY

The Camden City Board of Education believes that the efficient administration of the district requires the disposition of property and goods no longer necessary for the maintenance of the educational program or the operation of the school district. The board shall direct the superintendent to review periodically all district property and shall authorize the disposition by sale, licensing, rental or donation of any property not required for school purposes.

The school business administrator shall develop rules for the disposition of property that ensure that all sales are conducted in a fair and open manner consistent with the public interest, and in compliance with law.

Any district property designated for donation or unsold after such offer may be offered without cost to charitable or nonprofit organizations having a use for such property.

Supplies and equipment for specific programs, purchased with funds granted by the state and federal government, shall be disposed of in strict accordance with applicable law and regulations.

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(SE file codes: 7300, 7320, 7450)

Key Words

Sale of Property, Licensing, Rental, Donation to Private Organizations, Disposal of Property

Legal References: N.J.S.A. 18A:7F-7(e) Appropriation by school district of undesignated fund balance; amounts allowable
N.J.S.A. 18A:18A-45 Manner and method of sale (personal property)
N.J.S.A. 18A:20-2 Purchase and sale of property in general
N.J.S.A. 18A:20-5 Disposition of property and title of purchaser
N.J.S.A. 18A:20-6 Sale at public sale; exceptions
N.J.S.A. 18A:20-7 Sale at fixed minimum prices; rejection of bids
N.J.S.A. 18A:20-8.1 Transfer of land for vocational school purposes
N.J.S.A. 18A:20-8.2 Lease of land, or part or all of school building not necessary for school purpose; resolution; procedure
N.J.S.A. 18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion
N.J.S.A. 18A:20-9.1 Conveyance of certain sewer lines to a municipality
N.J.S.A. 18A:20-9.2 Sale of school property to nonprofit schools for the handicapped
N.J.S.A. 54:4-3.6 Exemption of property of nonprofit organizations
N.J.A.C. 6A:26-7.4 Approval for the disposal of land

SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES;
SALE, LICENSING AND RENTAL OF PROPERTY (continued)

Possible

<u>Cross References:</u>	*3220/3230	State funds; federal funds
	*3280	Gifts, grants and bequests
	*3440	Inventories
	*6171.3	At-risk and Title 1
	*7110	Long-range facilities planning

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

GIFTS, GRANTS AND BEQUESTS

Only the State District Superintendent may accept for the school district any bequest or gift of money, property or goods, until such a time when the Camden City Board of Education regains local control of financial operation.

Gifts, grants and bequests may be refused when they do not contribute to the achievement of district goals or could deplete the resources of the district.

Any gift accepted by the superintendent or the board shall become the property of the board, may not be returned without the approval of the board, and is subject to the same controls and regulations as are other properties of the board. The board shall be responsible for the maintenance of any gift it accepts.

The board will make every effort to honor the intent of the donor in its use of the gift, but reserves the right to use any gift it accepts in the best interest of the educational program of the district. In no case shall acceptance of a gift be considered to be an endorsement by the board of a commercial product or business enterprise or institution of learning.

Grants

Staff members are encouraged to seek out sources of grants and gifts, and bring them to the attention of the superintendent, who shall investigate the conditions of such grants and make recommendations to the board regarding the advisability of seeking them.

Educational Foundation

An educational foundation shall be created for the purpose of soliciting and raising monetary gifts and donations for the school district. This foundation shall be governed by a board of directors that shall recommend expenditures of funds in educational areas not ordinarily covered by the school budget and in accordance with criteria in its bylaws. Members of the board of education and/or the administration shall not serve on the board of directors of the educational foundation. Policies and regulations on gifts to the district shall apply to funds raised by the foundation.

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Key Words

Gifts, Grants, Bequests

Legal References: N.J.S.A. 18A:6-33.1
through -33.12
N.J.S.A. 18A:18A-15.1

Incentive Grants
Payment for goods or services; funds received from a bequest, legacy or gift

GIFTS, GRANTS AND BEQUESTS (continued)

<u>N.J.S.A.</u> 18A:20-4	Acceptance and use of gifts
<u>N.J.S.A.</u> 18A:20-11 through -16	Property devised in trust
<u>N.J.S.A.</u> 18A:29A-1 through -7	<u>Governor's Annual Teacher Recognition Act</u>
<u>N.J.S.A.</u> 18A:71A-1 <u>et seq.</u>	Authority Structure and General Provisions
<u>N.J.S.A.</u> 18A:71B-1 <u>et seq.</u>	Student Financial Aid
<u>N.J.S.A.</u> 18A:71C-1 <u>et seq.</u>	Student Loans
<u>N.J.A.C.</u> 6A:26-7.4	Approval of land acquisition

Possible

Cross References:

*1230	School-connected organizations
3200	Income
*3220/3230	State funds; federal funds
*3453	School activity funds
*5126	Awards for achievement
*6163.1	Media center/library

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

Policy

FUNDS MANAGEMENT/INVESTMENTS

When the Camden City Board of Education directs the prompt investment at interest of any unencumbered funds available for the discretionary use of the board. Such funds may be invested in bonds or other obligations of the United States; bonds of those federal agencies in which such investment is permitted by law; the New Jersey Cash Management Fund; bonds or obligations of a county, municipality, or school district; and public depositories located within the boundaries of the State of New Jersey that secure public funds in accordance with statute.

Available school funds shall be legally invested to earn interest. The safety of the investment principal shall be considered before the high rate of interest return. Only investments deemed safe according to law shall be considered. Interest or other earnings on investments shall be credited to the specific fund as designated by state law.

The board requires that the business administrator/board secretary report to the board annually the amount of fund investments, the types and amounts of each investment and the interest earned on each, and the transactions occurring since the last report.

The treasurer of school moneys shall include in the monthly report to the board all cash in all accounts on deposit as well as all investment assets of the board.

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Key Words

Surplus Funds, Investment, Depositories

Legal References: N.J.S.A. 17:9-41 Financial institutions
N.J.S.A. 17:12B-241 Insured accounts eligible investment for trust and
public funds, and savings banks and as security
N.J.S.A. 18A:7F-43 et seq. School Funding Reform Act of 2008
N.J.S.A. 18A:4-14 Uniform system of bookkeeping for school districts
N.J.S.A. 18A:17-8 Secretary; collection of tuition and auditing of accounts
N.J.S.A. 18A:17-34 Receipt and disposition of moneys
N.J.S.A. 18A:17-35 Records of receipts and payments
N.J.S.A. 18A:20-37 Purchase of certain types of securities; definitions
N.J.S.A. 18A:22-8 Contents of budget; program budget system
N.J.S.A. 18A:24-47 Payment custodian; application
N.J.S.A. 18A:34-2 Care and keeping of textbooks and accounting
N.J.A.C. 6A:23A-16.1 et seq. Double entry bookkeeping and GAAP accounting in
local school districts
N.J.A.C. 6A:23A-8.1 et seq. Budget submission, support documentation, website
publication

INVESTMENTS (continued)

Handbook 2R2 – Financial Accounting for Local and State School Systems

Possible

<u>Cross References:</u>	*3100	Budget planning, preparation and adoption
	*3326	Payment for goods and services
	*3400	Accounts
	*3450	Money in school buildings
	*3451	Petty cash funds
	*3453	School activity funds
	*3570	District records and reports
	*3571.4	Audit

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

PURCHASING PROCEDURES

The Camden City Board of Education wishes to establish and carry out a careful system of purchasing and accounting to help provide an effective program of education while guarding against loss due to carelessness, inefficiency, theft, or improper maintenance of records.

The duties of purchasing are to be centralized under the school business administrator, who shall be familiar with and perform all his/her activities within the limitations prescribed by law, board policy and legal opinions.

The board of education encourages the administration to seek advantages in savings through joint agreements for the purchase of work, materials or supplies with the governing body(ies) of other contracting units within this county or adjoining counties or by other cooperative pricing arrangements. The administration shall also evaluate any savings which may result from the purchase of any materials, supplies or equipment under contracts entered into by the state treasury department, division of purchase and property.

The board may use competitive contracting instead of public bidding for purchasing specialized goods and services, the price of which exceeds the bid threshold, for the purposes and with the conditions specified in law.

All purchases shall be approved by resolution of the board.

Nothing is to be ordered independently by school personnel.

The board of education shall not knowingly enter into contract with any company that does not subscribe to and implement a policy of non-discrimination. The board secretary shall be responsible for so informing all prospective suppliers of work or materials.

Emergency Contracts

The board may negotiate a contract without public advertising for bids and bidding when an emergency affecting the health or safety of occupants of school property requires the immediate delivery of goods or the performance of services (N.J.S.A. 18A:18A-7).

Emergency purchasing shall be subject to the following requirements (N.J.A.C. 5:34-6.1):

- A. An actual or imminent emergency must exist requiring the immediate delivery of the goods or the performance of the service;
- B. As soon as reasonably possible, but within three days of declaring the emergency, the superintendent shall notify the executive county superintendent of the nature of the emergency and the estimated needs for goods and services necessary to respond to it;
- C. The emergency purchasing procedure may not be used unless the need for the goods or services could not have been reasonably foreseen or the need for such goods or services has arisen notwithstanding a good faith effort on the part of the contracting unit to plan for the purchase of any goods or services required by the contracting unit; and
- D. The contract shall be of such limited duration as to meet only the immediate needs of the emergency.

Under no circumstances shall the emergency purchasing procedure be used to enter into a multi-year

PURCHASING PROCEDURES (continued)

contract.

Cooperative and Joint Purchasing

“Cooperative pricing system” means a purchasing system in which a local contracting unit advertises for bids and awards a master contract to a successful vendor for its own quantities and the estimated quantities submitted by the individual registered members.

“Cooperative purchasing system” means a cooperative pricing system, joint purchasing system, commodity resale system, county cooperative contract purchasing system or regional cooperative pricing system which has been approved and registered according to law (N.J.A.C. 5:34-7.1 et seq.)

“Joint purchasing system” means a cooperative purchasing system in which the lead agency serves as the purchasing agent for the membership of the system with all of the duties and responsibilities attendant thereto. The lead agency advertises for bids and awards a single contract to a vendor providing for the payment to the contractor for its own needs and for the needs of the participating registered members of the system. The only contractual relationship is between the lead agency and the vendor.

The board directs the business administrator to evaluate purchasing opportunities through cooperation purchasing and joint purchasing contracts that maximize savings for the district.

The board may approve cooperative and joint purchasing contracts for services and items including but not limited to:

- A. Office supplies;
- B. School supplies;
- C. Copy duplicator paper;
- D. Art supplies;
- E. Science supplies;
- F. Industrial arts supplies;
- G. Energy;
- H. Technology.

The purchasing agent shall provide to all administrators, supervisors and principals specialized training on using cooperative purchasing services.

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Key Words

PURCHASING PROCEDURES (continued)

Purchasing Procedures, "Set Aside" Contracts, Nondiscrimination, Affirmative Action, Vendors

<u>Legal References:</u>	<u>N.J.S.A. 10:5-1 et seq.</u>	Law Against Discrimination
	<u>See particularly:</u>	
	<u>N.J.S.A. 10:5-31</u> through -35	
	<u>N.J.S.A. 18A:18A-1 et seq.</u>	Public School Contracts Law
	<u>N.J.S.A. 18A:19-1 et seq.</u>	Expenditure of Funds; Audit and Payment of Claims
	<u>N.J.S.A. 52:32-44</u>	Business registration for providers of goods and services (definitions)
	<u>N.J.A.C. 6A:7-1.8</u>	Equity in employment and contract practices
	<u>N.J.A.C. 6A:23A-1.2</u>	Definitions
	<u>N.J.A.C. 6A:23A-16.5</u>	Supplies and equipment
	<u>N.J.A.C. 6A:23A-20.4</u>	Ownership and storage of textbooks
	<u>N.J.A.C. 6A:23A-21.1 et seq.</u>	Management of Public School Contracts
	<u>N.J.A.C. 6A:27-9.1 et seq.</u>	Contracting for Transportation Services
	<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972

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

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

Possible

<u>Cross References:</u>	*2224	Nondiscrimination/affirmative action
	3300	Expenditures/expending authority
	*3326	Payment for goods and services
	*3327	Relations with vendors
	*3570	District records and reports
	3571	Financial reports

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

Policy

CONTRACTS, MULTIYEAR AND COMPETITIVE CONTRACTING

Contracts

This school district shall not enter into any contract with a person, agency, or organization if it has knowledge that such person, agency or organization discriminates on the basis race, creed, color, national origin, nationality, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, pregnancy, either in employment practices or in the provisions of benefits or services to students or employees. It shall actively seek bidders who comply with its affirmative action program.

Contracts shall be awarded to the lowest responsible bidder upon resolution of the board unless the board chooses to reject all bids, to re-advertise, to purchase under a state contract or to exercise the rights reserved by law.

Whenever two or more proposals or bids of equal amounts are the lowest proposals or bids submitted by those the Board considers responsible bidders, the board of education may award the contract to whichever of the lowest bidders it may determine.

Multiple Year Contracts

All contracts for the provision or performance of goods or services shall be awarded for a period not to exceed 24 consecutive months, except that contracts for professional services shall be awarded for a period not to exceed 12 consecutive months.

The board directs the business administrator to investigate the advantage to the district of multiple year contracts allowed by law as follows:

- A. Supplying of:
 - 1. Fuel for heating purposes, for any term not exceeding in the aggregate, three years;
 - 2. Fuel or oil for use of automobiles, autobuses, motor vehicles or equipment, for any term not exceeding in the aggregate, three years;
 - 3. Thermal energy produced by a cogeneration facility, for use for heating or air conditioning or both, for any term not exceeding 40 years, when the contract is approved by the Board of Public Utilities. For the purposes of this paragraph, "cogeneration" means the simultaneous production in one facility of electric power and other forms of useful energy such as heating or process steam; or
- B. Plowing and removal of snow and ice, for any term not exceeding in the aggregate, three years; or
- C. Collection and disposal of garbage and refuse, for any term not exceeding in the aggregate, three years; or
- D. Data processing service, for any term of not more than seven years; or
- E. Insurance, including the purchase of insurance coverages, insurance consultant or administrative services, and including participation in a joint self-insurance fund, risk management program or related services provided by a school board insurance group, or participation in an insurance fund established by a county, or a joint insurance fund for any term of not more than three years; or

CONTRACTS, MULTI-YEAR AND COMPETITIVE CONTRACTING (continued)

- F. Leasing or servicing of automobiles, motor vehicles, electronic communications equipment, machinery and equipment of every nature and kind and textbooks and non-consumable instructional materials, for any term not exceeding in the aggregate, five years; except that contracts for the leasing of school buses may be awarded for any term not exceeding in the aggregate ten years. Contracts shall be awarded only subject to and in accordance with rules and regulations promulgated by the State Board of Education; or
- G. Supplying of any product or the rendering of any service by a company providing voice, data, transmission or switching services, for a term not exceeding five years; or
- H. Driver education instruction conducted by private, licensed driver education schools, for any term not exceeding in the aggregate, three years; or
- I. Any single project for the construction, reconstruction or rehabilitation of any public building, structure or facility, or any public works project, including the retention of the services of any architect or engineer in connection therewith, for the length of time authorized and necessary for the completion of the actual construction; or
- J. Laundry service and the rental, supply and cleaning of uniforms for any term of not more than three years; or
- K. Food supplies and food services for any term of not more than three years; or
- L. Purchases made under a contract awarded by the Director of the Division of Purchase and Property in the Department of the Treasury for use by counties, municipalities or other contracting units pursuant law (P.L.1969, c.104 and N.J.A.C. 52:25-16.1), for a term not to exceed the term of that contract; or
- M. The provision or performance of goods or services for the purpose of producing class I renewable energy, at, or adjacent to, buildings owned by the board, the entire price of which is to be established as a percentage of the resultant savings in energy costs, for a term not to exceed 15 years. These contracts shall be entered into only subject to and in accordance with guidelines promulgated by the New Jersey Board of Public Utilities establishing a methodology for computing energy cost savings and energy generation costs.

Limitations to Multi-Year Contracts

Any contract for services other than professional services, the statutory length of which contract is for three years or less, may include provisions for no more than one two-year, or two one-year, extensions, subject to the following limitations:

- A. The contract shall be awarded by resolution of the board of education upon a finding by the board of education that the services are being performed in an effective and efficient manner;
- B. No such contract shall be extended so that it runs for more than a total of five consecutive years;
- C. Any price change included as part of an extension shall be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustment or extension and shall not exceed the change in the index rate for the 12 months preceding the most recent quarterly calculation available at the time the contract is renewed; and
- D. The terms and conditions of the contract remain substantially the same.

All multiyear leases and contracts entered into by the board, including any two-year or one-year extensions, except contracts for insurance coverages, insurance consultant or administrative services, participation or membership in a joint self-insurance fund, risk management programs or related services of a school board insurance group, participation in an insurance fund established by the county or contracts for thermal energy, and contracts for the provision or performance of goods or services to promote energy conservation through the production of class I renewable energy, shall contain a clause making them subject to the availability and

CONTRACTS, MULTI-YEAR AND COMPETITIVE CONTRACTING (continued)

appropriation annually of sufficient funds as may be required to meet the extended obligation, or contain an annual cancellation clause. All contracts shall cease to have effect at the end of the contracted period and shall not be extended by any mechanism or provision, unless in conformance with the "Public School Contracts Law (N.J.S.A. 18A:18A-1 et seq.). The contract may however, be extended by mutual agreement of the parties to the contract when the board has commenced rebidding prior to the time the contract expires or when the awarding of a contract is pending at the time the contract expires.

Competitive Purchasing

Competitive contracting means the method of contracting for specialized goods and services in which formal proposals are solicited from vendors; formal proposals are evaluated by the purchasing agent or counsel or school business administrator; and the board of education awards a contract to a vendor or vendors from among the formal proposals received.

Competitive contracting may be used in lieu of public bidding for specialized goods or services that exceed the bid threshold, for the following purposes:

- A. The purchase or licensing of proprietary computer software designed for board of education purposes, which may include hardware intended for use with the proprietary software (competitive contracting may not be used for acquiring general purpose computer hardware or software);
- B. Hiring for-profit or not-for-profit entity for the operation, management or administration of recreation or social service facilities or programs, or the operation, management or administration of data processing services;
- C. Services providing energy conservation education and training services to train employees to reduce consumption of energy;
- D. Telecommunications transmission or switching services that are not part of a tariff or schedule of charges filed with the Board of Public Utilities;
- E. The purchase of specialized machinery or equipment of a technical nature, or servicing thereof, which will not reasonably permit the drawing of specifications;
- F. Food services provided by food service management companies when not part of programs administered by the New Jersey Department of Agriculture, Bureau of Child Nutrition Programs;
- G. Driver education courses provided by licensed driver education schools;
- H. Laboratory testing services;
- I. Concessions;
- J. The operation, management or administration of other services, with the approval of the Division of Local Government Services in the Department of Community Affairs.

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Contracts, Multi-Year Contracts, Competitive Contracting

CONTRACTS, MULTI-YEAR AND COMPETITIVE CONTRACTING (continued)

<u>Legal References:</u>	<u>N.J.S.A. 10:5-1 et seq.</u>	Law Against Discrimination
	<u>N.J.S.A. 18A:18A-1 et seq.</u>	Public School Contracts Law
	<u>N.J.S.A. 18A:18A-4.1</u>	Use of competitive contracting by boards of education; purposes
	<u>N.J.S.A. 18A:18A-42</u>	Multi-year contracts
	<u>N.J.S.A. 18A:19-1 et seq.</u>	Expenditure of Funds; Audit and Payment of Claims
	<u>N.J.S.A. 52:32-44</u>	Business registration for providers of goods and services (definitions)
	<u>N.J.A.C. 6A:7-1.8</u>	Equity in employment and contract practices
	<u>N.J.A.C. 6A:23A-1.2</u>	Definitions
	<u>N.J.A.C. 6A:23A-16.5</u>	Supplies and equipment
	<u>N.J.A.C. 6A:23A-21.1 et seq.</u>	Management of public school contracts
<u>N.J.A.C. 6A:27-9.1 et seq.</u>	Contracting for transportation services	
<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the performance of school districts	

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972

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

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

Possible

<u>Cross References:</u>	*2224	Nondiscrimination/affirmative action
	*3320	Purchasing procedures
	*3326	Payment for goods and services
	*3327	Relations with vendors
	*3570	District records and reports
	3571	Financial reports

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

Policy

PAYMENT FOR GOODS AND SERVICES

Before warrants signed by the president, board secretary and treasurer of school moneys may be issued in payment of bills or claims, the bill or claim must be properly audited and approved according to law.

In general, bills or claims shall be audited by the board secretary and approved by resolution of the board. However, in order to provide for the prompt payment to which vendors are entitled, and which leads to more effective competitive bidding and provision of services to the district, claims duly audited by the board secretary for items previously approved by the board or provided for in the budget may be approved by the superintendent or board president or designee. Such payments shall be reported to the board at the next regular meeting.

Items not previously approved by the board or provided for in the budget must be audited by the board secretary and presented for board approval.

Purchase Orders

The district will carefully monitor payments for invoice amounts that are greater than the approved purchase order, in order to avoid over-payments. A new purchase order will be issued (and the original purchase order voided) when the adjusted amount reasonably exceeds the original purchase order amount. In no instance shall an adjustment be made to a purchase order that changes the purpose or vendor of the original purchase order or the bid award price.

Financial Systems to Avoid Over-Payments

Pursuant to N.J.A.C. 6A:23A-6.10, the district will program its financial systems to avoid over-payments by:

- A. Limiting system access so that only appropriate staff may make purchase order adjustments;
- B. Rejecting adjustments in excess of any established approved thresholds;
- C. Preventing unauthorized changes to be processed;
- D. Rejecting payments where the sum of the invoice amount plus any previous invoices charged to the purchase order exceeds the sum of the original purchase order;
- E. Rejecting duplicate invoice numbers;
- F. Rejecting duplicate purchase order numbers;
- G. Preparing an edit/change report listing all payments made in excess of the approved purchase order amount.

The business administrator shall review on a monthly basis edit/change reports listing all payments made in excess of the originally approved purchase order amount to ensure that all payments are properly authorized.

Adopted: June 24, 1985
Revised: April 12, 1988
Revised: August 23, 1995
Revised: August 14, 2007

PAYMENT FOR GOODS AND SERVICES (continued)

NJSBA Review/Update: March 2009, October 2019
 Revised: March 30, 2015
 Readopted: January 3, 2020

(SE file code: 6470)

Key Words

Payment for Goods and Services, Bills

Legal References: N.J.S.A. 18A:19-1 Expenditure of funds on warrant only; requisites
N.J.S.A. 18A:19-2 Requirements for payment of claims; audit of claims in general
N.J.S.A. 18A:19-3 Verification of claims
N.J.S.A. 18A:19-4 Audit of claims, etc., by secretary; warrants for payment
N.J.S.A. 18A:19-4.1 Account or demand; audit; approval
N.J.S.A. 18A:19-9 Compensation of teachers, etc., payrolls
N.J.S.A. 18A:22-8.1 Transfer of amounts among line items and program categories
N.J.A.C. 6A:23A-6.10 Financial system and payment approval process
N.J.A.C. 6A:23A-16.8 Petty cash funds

Possible

Cross References: *3320 Purchasing procedures
 *3451 Petty cash funds
 *3453 School activity funds
 4142/4242 Salary checks and deductions

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

RELATIONS WITH VENDORS

The Camden City Board of Education wishes to maintain good working relations with vendors who supply materials and services to the school system. Constructive efforts by the administration to seek the advice and counsel of vendors about how to improve such relationships are encouraged.

In the schools, vendors shall be seen by appointment only. Vendors who call upon a school shall be governed by policy 1250 Visitors. Teachers or supervisors of instruction who have invited vendors to call should notify the principal's office in advance so that proper courtesies may be extended.

No agents, canvassers, or vendors shall have access to teachers during their classes. No business concern which solicits or gains business through the school system shall use school facilities for this purpose.

Nondiscrimination

All vendors shall supply assurances that they do not practice discrimination as described in the administrative code. All vendors shall be informed that harassment of any kind of district students or employees by their representatives is prohibited.

Honest and Ethical Relations with Vendors; Pay to Play Restrictions

The district shall maintain honest and ethical relations with vendors and shall guard against favoritism, improvidence, extravagance and corruption in its contracting processes and practices. The school board will not vote upon or award a contract in the amount of \$17,500 or greater to any business entity which has made a reportable contribution to a member of the district board of education during the previous one-year period. Such contributions, to any member of the school board, from any entity doing business with the district are prohibited during the term of the contract, including contributions by a vendor's spouse or child, or contributions by any person having an interest in the business entity. Disclosure of contributions shall be made when contracts are required by law to be publicly bid. However, these limitations do not apply when a district emergency requires the immediate delivery of goods or services.

Disbarred Vendors Will Not Be Used

When acquiring goods and services under federally sponsored programs, the school district will not contract with a vendor who is currently either debarred or suspended from doing business with the Federal government. Prior to contract award, and in accordance with Federal requirements, the contracting specialist will check the Federal Excluded Parties List System (EPLS) to ensure that the prospective contractor is not found in the EPLS. Results from the EPLS search shall be made part of the purchase order/contract documentation. Should a prospective vendor be found to be debarred or suspended by the Federal government, the business administrator's office will notify the superintendent of this finding and will place a hold on the supplier's registration within the school district financial system.

Strategies to Avoid Excessive Professional Services Expenditures

The board will seek to avoid excessive professional services expenditures, such as by:

- A. Establishing a maximum dollar limit, for budgetary purposes;
- B. Following state legal requirements and procedures to obtain the highest quality services at a fair and competitive price or through a shared service arrangement. This may include issuance of such contracts

RELATIONS WITH VENDORS (continued)

through a request for proposals (RFP) based on cost and other specified factors or other comparable process such as the use of the “fair and open process” as defined in N.J.S.A. 19:44A-20.7; and

- C. Limiting professional services contracts to non-recurring or specialized work for which the district does not possess adequate in-house resources or expertise.

Prudent Use of Legal Services

All contracts for legal services must comply with the payment requirements and restrictions set forth in N.J.S.A. 18A:19-1 as follows:

- A. Advance payments for legal services are prohibited;
- B. Services to be provided shall be described in detail in the contract;
- C. Invoices for payment shall itemize the services provided for billing period; and
- D. Payment shall only be for services actually provided.

If at any time the district’s legal costs exceed 130 percent of the Statewide average per student amount, the procedures set forth in N.J.A.C. 6A:23A-5.2(a)3 will be implemented, unless evidence can be provided that such procedures would not result in a reduction of cost.

These procedures require the district to:

- A. Limit and designate the persons with the authority to request services or advice from contracted legal counsel;
- B. Legal counsel will not be used unnecessarily to make management decisions or to obtain readily available information such as district policies;
- C. Requests for legal advice shall be made in writing; and
- D. Contact logs and records shall be kept and reviewed to determine that the requests for legal advice are necessary.

Adopted: August 23, 1995
 Revised: May 31, 1996
 Readopted: August 14, 2007, March 30, 2015
 NJSBA Review/Update: March 2009, August 2019
 Revised: January 3, 2020

(SE file codes: 0174, 0177, 6311, 6360, 6362, 6450)

Key Words

Vendors, Sexual Harassment, Harassment, Nondiscrimination, Affirmative Action

Legal References: N.J.S.A. 10:5-1 et seq. Law Against Discrimination
See particularly:
N.J.S.A. 10:5-31
 through -35
N.J.S.A. 18A:6-8 Interest of school officers, etc., in sale of textbooks or

RELATIONS WITH VENDORS (continued)

	supplies, royalties
<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:12-2	Inconsistent interests or office prohibited
<u>N.J.S.A.</u> 18A:12-21 <u>et seq.</u>	<u>School Ethics Act</u>
<u>N.J.S.A.</u> 18A:18A-1 <u>et seq.</u>	Public School Contracts Law
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 52:32-44	Business registration for providers of goods and services
<u>N.J.A.C.</u> 6A:7-1.8	Equality in employment and contract practices
<u>N.J.A.C.</u> 6A:23A-5.2	Public relations and professional services; board policies; efficiency
<u>N.J.A.C.</u> 6A:23A-6.3	Contributions to board members and contract awards
<u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u>	School Ethics Commission
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts

Comprehensive Equity Plan, New Jersey State Department of Education

Possible

Cross References:

*1250	Visitors
1313	Gifts to district employees
*1330	Use of school facilities
*2224	Nondiscrimination/affirmative action
*3320	Purchasing procedures
*4119.21/4219.21	Conflict of interest
*9270	Conflict of interest

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

Policy

ACCOUNTS

Generally Accepted Accounting Principles

The superintendent shall ensure that generally accepted accounting principles (GAAP) are applied in preparing the budget and keeping all accounts of the district in accordance with code and statute.

Date: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009, October 2019
Readopted: January 3, 2020

Key Words

Bookkeeping, Accounting, Generally Accepted Accounting Principles

Legal References: N.J.S.A. 18A:4-14 Uniform system of bookkeeping for school districts
N.J.S.A. 18A:17-8 Secretary; collection of tuition and auditing of accounts
N.J.S.A. 18A:17-35 Records of receipts and payments
N.J.S.A. 18A:22-8 Contents of budget; program budget system
N.J.S.A. 18A:34-2 Care and keeping of textbooks and accounting
N.J.A.C. 6A:23A-8.1 et seq. Annual Budget Development, Review and Approval
N.J.A.C. 6A:23A-16.1 et seq. Prescribed system of double-entry bookkeeping and GAAP accounting

Handbook 2R2 – Financial Accounting for Local and State School Systems

Possible

Cross References: *3100 Budget planning, preparation and adoption
*3326 Payment for goods and services
*3450 Money in school buildings
*3451 Petty cash funds
*3453 School activity funds
*3570 District records and reports
3571 Financial reports
*3571.4 Audit

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

Policy

INVENTORIES

The board secretary shall maintain an accurate and complete inventory of all buildings, fixed equipment and contents, and their value, in order to offer proof of loss in the event of an insurance claim and to provide a continuous chain of accountability.

The inventory shall be updated to reflect new equipment and shall be verified in a cycle to coincide with the reissuance of insurance policies. Loss of any portable capital equipment of \$2000.00 unit value or more shall be reported to the board. Consumable supplies shall be maintained on a continuous inventory basis.

Major discrepancies in inventories which are not resolved by proper accounting procedures shall be reported to the board.

The board shall determine when it is necessary to hire an outside service to assist in appraisal.

Adopted: June 24, 1985
Revised: April 12, 1988
Revised: June 28, 1988
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009, October 2019
Revised: March 30, 2015
Readopted: January 3, 2020

(SE file code: 7450)

Key Words

Inventory, District Records and Reports

Legal Reference: N.J.S.A. 18A:11-2 Power to sue and be sued; reports; census of school children
N.J.A.C. 6A:23A-22.14 Standard operating procedures for business

Possible

Cross References: 3530 Insurance management
*3570 District records and reports

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

Policy

MONEY IN SCHOOL BUILDINGS

All funds from athletic events or other activities of student organizations collected by school district employees and by student treasurers under the auspices of the board shall be handled and accounted for pursuant to prudent business procedures and rules of the state board of education.

The principal/designee shall be responsible for the receipt and deposit of all funds collected in his/her school and shall administer an accounting system for all such moneys.

In no case shall money be left overnight in schools except in the school safe provided for safekeeping of valuables.

Lost money shall be replaced by the person responsible.

Adopted: June 24, 1985
Revised: April 12, 1988
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009, October 2019
Revised: March 30, 2015
Readopted: January 3, 2020

(SE file code: 6660)

Key Words

Money in School Buildings, Student Organizations, Athletic Funds

Legal References: N.J.S.A. 18A:17-34 Receipt and disposition of moneys
N.J.S.A. 18A:19-13 Petty cash funds
N.J.S.A. 18A:19-14 Funds derived from student activities
N.J.S.A. 18A:23-2 Scope of audit
N.J.A.C. 6A:23A-16.8 Petty cash fund
N.J.A.C. 6A:23A-16.12 Student activity funds
N.J.A.C. 6A:23A-16.13 School store business practices

Possible

Cross References: *3250 Income from fees, fines, charges
3293 Depositories
*3400 Accounts
*3451 Petty cash funds
*3453 School activity funds
3571 Financial reports
*3571.4 Audit
*5136 Fund-raising activities
6145.4 Public performances and exhibitions

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

Policy

PETTY CASH FUNDS

The Camden City Board of Education authorizes establishment of imprest petty cash accounts by resolution. The resolution will include:

- A. The amount or amounts authorized for each petty cash fund;
- B. The maximum expenditure that may be made from each fund; and
- C. The individual designated by the board who shall be responsible for the disposition of each fund.

The designated person(s) shall report to the board the amounts disbursed from each account periodically, as directed by the board, and will return all unused petty cash funds to the depository at the end of the fiscal year. All petty cash funds shall be established by board-approved voucher. Petty cash funds and disbursements will be audited as part of the annual financial audit.

Funds are to be used for emergencies and small purchases only and not to subvert the intent of the regular purchasing procedures or for routine expenditures. No single expenditure shall exceed the amount determined by the board in its resolution, and all expenditures must be authorized by the designated individual.

Adopted: June 24, 1985
Revised: April 12, 1988
Revised: October 29, 1990
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009, October 2019
Readopted: January 3, 2020

Key Words

Petty Cash

Legal References: N.J.S.A. 18A:19-13 Petty cash funds
N.J.S.A. 18A:23-2 Scope of audit
N.J.A.C. 6A:23A-16.8 Petty cash fund

Possible

Cross References: *3320 Purchasing procedures
*3326 Payment for goods and services
3571 Financial reports
3571.3 Annual financial statement

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

Policy

SCHOOL ACTIVITY FUNDS

School activity funds (funds derived from students' activities) shall be audited annually along with other district funds and shall be administered, expended, and accounted for according to rules of the state board of education.

The student activity funds for each school shall be kept in separate accounts, supervised by the building principal (N.J.A.C. 6A:23A-16.12). Separate and complete records shall be maintained for each student organization. All receipts from student fund-raising projects, athletic events, and other events for which admission is charged will be deposited promptly. Bank deposits shall agree with the receipts in the case receipt book and shall be traceable to definite receipts or groups of receipts.

Disbursements must be made by check signed by the building principal and supported by a claim, bill or written order to persons supervising the fund. Checks shall bear two or more authorized signatures. All disbursements shall be recorded chronologically showing the date, vendor, check number, purpose and amount.

Borrowing from the student activity accounts is prohibited.

An account shall be submitted monthly to the board secretary and shall include a listing of all receipts and disbursements. Book balances shall be reconciled with bank balances. Cancelled checks and bank statements shall be retained for examination as part of the annual audit required by law and code.

Adopted: June 24, 1985
Revised: April 12, 1988
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009, October 2019
Revised: March 30, 2015
Readopted: January 3, 2020

(SE file code: 6660)

Key Words

School Activity Funds, Athletic Funds, Class Funds

Legal References: N.J.S.A. 18A:19-14 Funds derived from student activities
N.J.S.A. 18A:23-2 Scope of audit
N.J.A.C. 6A:23A-16.1 et seq. Prescribed system of double-entry bookkeeping and
See particularly: GAAP accounting
N.J.A.C. 6A:23A-16.12(c) School activity funds

Possible

Cross References: *3280 Gifts, grants and bequests
*3400 Accounts
*3450 Money in school buildings
3571 Financial reports
*3571.4 Audit
*5136 Fund-raising activities

SCHOOL ACTIVITY FUNDS (continued)

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

Policy

OPERATION AND MAINTENANCE OF PLANT

The Camden City Board of Education is responsible for providing school facilities that are safe from hazards; sanitary; properly equipped, lighted and ventilated; and aesthetically suited to promoting the goals of the district. School buildings and site accommodations shall include provisions for individuals with disabilities pursuant to law and regulations.

The superintendent shall ensure the development and enforcement of detailed regulations for the safe and sanitary operation of the buildings and grounds. The regulations shall be reviewed and adopted by the board, and provided to all staff annually at the beginning of each school year and when any revisions are formulated.

The superintendent and board secretary shall develop a multiyear comprehensive maintenance plan for board approval, to be updated annually.

The district shall ensure barrier free access for all students, staff and visitors to school facilities.

Work Order System

The school district shall have an automated work order system for prioritizing, performing and recording all maintenance and repair request for all district buildings and grounds.

- A. The superintendent or designee shall establish in the standard operating procedures for business functions the approval and prioritization of work order requests which take into account the health and safety of building occupants, priorities and objectives established annually to carry out the district Strategic Plan, the need for the work requested, and other factors the district deems appropriate;
- B. The work order system shall include the following information for a request for work before work begins, except in an emergency where the work is necessary to correct a situation that poses an imminent threat to the health or safety of building occupants:
 - 1. The name of the person making the request;
 - 2. The date of the request;
 - 3. The appropriate approval(s) as established by Standard Operating Procedures (SOP);
 - 4. The date of approval(s);
 - 5. The location of work requested;
 - 6. The priority level (for example, urgent, high, average, low);
 - 7. The scheduled date(s) of service;
 - 8. The trade(s) needed such as general maintenance worker; custodian; carpenter; plumber; electrician; heating, ventilation and air conditioning (HVAC); grounds; roofer; masonry; glazer; other;
 - 9. A description of the work requested;
 - 10. A projection of the materials and supplies needed for the work;
 - 11. The estimated hours needed to complete task;
 - 12. The name of the work order assigner; and
 - 13. The name of the employee(s) working on the order.
- C. The work order system shall include the following close-out information for each request for work:
 - 1. The actual hours worked by date for each assigned staff member;
 - 2. The actual hourly rate paid, both regular and over-time, for each assigned staff member;
 - 3. The aggregate cost of labor by regular, over-time and total;

OPERATION AND MAINTENANCE OF PLANT (continued)

4. The actual materials and supplies needed to complete the work order;
 5. Actual cost of materials and supplies; and
 6. The name of the employee responsible for attesting that the job was completed satisfactorily.
- D. Except where prohibited by collective bargaining agreement, the SOP shall require for any work, which cannot be completed during regular working hours by the needed completion date, an assessment of the cost-benefit of outsourcing any such work in excess of the quote threshold as determined under N.J.S.A. 18A:18A-37;
- E. Where, according to the assessment, the cost of outsourcing work is less than the in-house estimated cost of labor, at over-time rates, and materials for the same work, the work shall be outsourced provided the work can be contracted in accordance with N.J.S.A. 18A:18A-1 et seq., completed by the projected completion date contained in the prioritized work order system and does not violate the terms of the collective bargaining agreement for maintenance workers and/or custodians;
- F. The business administrator/board secretary in consultation with the supervisor responsible for this work shall conduct an analysis of the information in the work order system no later than February 1 of the prebudget year for consideration during budget preparation. The analysis should include productivity of staff as a whole and individually, significant variations between estimated labor time and materials and actual labor time and materials, unusual trends for like projects and other factors that will improve productivity and efficiency.

Safe Drinking Water

The board of education shall assure the availability of potable drinking water through sanitary means in school facilities or upon school grounds in accordance with the Safe Drinking Water Act (N.J.S.A. 58:12A-1 et seq., N.J.A.C. 6A:26-6, and N.J.A.C. 7:10 et seq.). In accordance with law and board policy 3516 Safety, the board shall test all drinking water outlets, make the results publically available and notify parents/guardians and the New Jersey Department of Education.

The board of education directs the superintendent to ensure the development of lead sampling plan with sample collection is consistent with the district's Quality Assurance Project Plan (QAPP) and to ensure that QAPP is signed by the laboratory certified to sample the district's water, the individual responsible for conducting the sampling and is presented to the board for signature.

Within 24-hours after the board has reviewed and verified the final laboratory results of the sampling, the board shall ensure that test results are publicly available at the school facility and on the board's website. If any laboratory results exceed the permissible lead action level, the board shall provide written notification to the parents/guardians of all students attending that facility as well as to the Department of Education. The notice must include measures taken to curtail immediately the use of any drinking water outlet where lead levels exceed the permissible action level, measures taken to ensure that alternate drinking water is available to all students and staff, and information regarding the health effects of lead.

Within six years of the adoption of this policy, and within each six-year period thereafter, the board must test all drinking water outlets; sampling shall be prioritized in facilities previously identified with excessive lead results or identified as high risk in the sampling plan.

Annually, the board must submit to the Department of Education, a statement of assurance that lead testing was completed in accordance with existing Department of Education regulations and that where required, alternate drinking water is available to students and staff.

Air Quality

OPERATION AND MAINTENANCE OF PLANT (continued)

The district schools will operate in compliance with New Jersey Department of Labor standards for indoor air quality. Heating, ventilating and air conditioning (HVAC) systems provided shall have sufficient local exhaust ventilation that could reasonably be expected to minimize hazardous chemicals or particulate exposure. The HVAC systems shall be checked to ensure that they 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. Employee complaints of signs or symptoms that may be associated with building-related illnesses shall be promptly investigated.

Air quality shall be maintained at acceptable standards during renovation and remodeling that result in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health. Employees shall be notified 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.

Integrated Pest Management

The New Jersey School Integrated Pest Management Act of 2002 requires schools to implement a school integrated pest management policy. As per this policy, the board and the superintendent shall implement Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty, and staff to pesticides. The Camden City Public Schools shall develop and maintain an IPM plan as part of the school's policy.

Integrated Pest Management Procedures in Schools

Implementation of IPM procedures will determine when to control pests and whether to use mechanical, physical, cultural, biological or chemical methods. Applying IPM principles prevents unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

Each school shall consider the full range of management options, including no action at all. Non-pesticide pest management methods are to be used whenever possible. The choice of using a pesticide shall be based on a review of all other available options and a determination that these options are not effective or not reasonable. When it is determined that a pesticide must be used, low impact pesticides and methods are preferred and shall be considered for use first.

Development of IPM plans

The school IPM plan is a blueprint of how the Camden City Public Schools will manage pests through IPM methods. The school's IPM plan states the school's goals regarding the management of pests and the use of pesticides. It reflects the school's site-specific needs. The IPM plan shall provide a description of how each component of the school IPM policy will be implemented at the school. The superintendent, in collaboration with the school building administrator, shall be responsible for the development of the IPM plan for this school.

IPM Coordinator

The superintendent shall designate an integrated pest management coordinator, who is responsible for the implementation of the school integrated pest management policy.

Education/Training

The school community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

OPERATION AND MAINTENANCE OF PLANT (continued)

The IPM coordinator, other school staff and pesticide applicators involved with implementation of the school IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

Students, parents/guardians will be provided information on this policy and instructed on how they can contribute to the success of the IPM program.

Record Keeping

Records of pesticide use shall be maintained on site to meet the requirements of the state regulatory agency and the school board.

Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

Notification/Posting

The superintendent is responsible for timely notification to students' parents or guardians and the school staff of pesticide treatments pursuant to the School IPM Act.

Re-entry

Re-entry to a pesticide treated area shall conform to the requirements of the School IPM Act.

Pesticide applicators

The IPM coordinator shall ensure that applicators follow state regulations, including licensing requirements and label precautions, and must comply with all components of the School IPM Policy.

Evaluation

Annually, for public schools, the superintendent will report to the board on the effectiveness of the IPM plan and make recommendations for improvement as needed. The board directs the superintendent to develop regulations/procedures for the implementation of this policy.

Adopted:	June 24, 1985
Revised:	April 12, 1988
Revised:	August 23, 1995
Readopted:	August 14, 2007
NJSBA Review/Update:	March 2009, August 2019
Revised:	March 30, 2015
Readopted:	January 3, 2020

(SE file codes: 7410, 7421, 7421)

Key Words

Operation and Maintenance of Plant, Buildings and Grounds, Maintenance

Legal References:	<u>N.J.S.A.</u> 13:1F-19 through -33	<u>School Integrated Pest Management Act</u>
	<u>N.J.S.A.</u> 18A:17-49 through -52	Buildings and grounds supervisors to be certified

OPERATION AND MAINTENANCE OF PLANT (continued)

<u>N.J.S.A.</u> 18A:18A-1 et seq.	Public schools contracts law
<u>N.J.S.A.</u> 18A:18A-37	Award of purchases, contracts, agreements
<u>N.J.S.A.</u> 18A:22-8	Contents of budget; format
<u>N.J.S.A.</u> 34:5A-1 et seq.	<u>Worker and Community Right to Know Act</u>
<u>N.J.S.A.</u> 34:6A-25 et seq.	<u>New Jersey Public Employees Occupational Safety and Health Act</u>
<u>N.J.S.A.</u> 58:12A-1 et seq.	<u>Safe Drinking Water Act</u>
<u>N.J.A.C.</u> 5:23-1 et seq.	The uniform construction code
<u>N.J.A.C.</u> 6A:23A-1 et seq.	Fiscal accountability, efficiency and budgeting procedures
See Particularly:	
<u>N.J.A.C.</u> 6A:23A-6.9	Facilities maintenance and repair schedule and accounting
<u>N.J.A.C.</u> 6A:26-12.1 et seq.	Operation and Maintenance of Facilities
See particularly:	
<u>N.J.A.C.</u> 6A:26-12.2(a)1, 2	
<u>N.J.A.C.</u> 6A:26-12.4	Safe drinking water
<u>N.J.A.C.</u> 6A:30-1.1 et seq.	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 7:10-1 et seq.	Safe Drinking Water Act
<u>N.J.A.C.</u> 7:30-13.1 et seq.	Integrated Pest Management
20 <u>U.S.C.A.</u> 4071 et. seq.	<u>Equal Access Act</u>

International Building Code 2015, New Jersey Edition; First Printing: September 2015; ISBN: 978-1-60983-156-1; Copyright 2015, International Code Council, Inc.

Possible

<u>Cross References:</u>	*1410	Local units
	*2240	Research, evaluation and planning
	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
	*3516	Safety
	*5141	Health
	6161	Equipment, books and materials
	*7110	Long-Range facilities planning
	*9130	Committees

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

Policy

EQUIPMENT

Equipment purchased by the Camden City Board of Education is intended for support of the educational program.

The superintendent shall oversee the maintenance of all district educational and noneducational equipment in safe working condition. No employee or student shall use equipment found unsafe. Equipment use during school hours shall be properly supervised by appropriate teaching staff.

Specific items of equipment may be loaned or rented for community use after a written request is made to and approval granted by the superintendent. The user of district-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use. He/she shall be responsible for its safe return.

When equipment authorized for loan requires the services of an operator, the user shall employ the services of a person designated by the district and shall pay such costs as have been set for his/her hire.

The board shall not be responsible for any loss, damage or injury liability or expense that may arise during or be caused in any way by such use of district equipment.

School equipment may be removed from school property by students or staff members only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities. The consent of the principal is required for such removal.

Removal of school equipment from school property for personal use is prohibited.

Adopted: June 24, 1985
Revised: April 12, 1988
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009, October 2019
Revised: March 30, 2015
Readopted: January 3, 2020

(SE file code: 7520)

Key Words

Loaning District Equipment

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:20-34 Use of schoolhouse and grounds for various purposes
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:26-12.1 Policies and procedures for school facility operation

Possible

Cross References: *1330 Use of school facilities
*1410 Local units
*3250 Income from fees, fines, charges
*3510 Operation and maintenance of plant

EQUIPMENT (continued)

*3516	Safety
3530	Insurance management
4143	Extra pay for extra work
*4147/4247	Employee safety
4243	Overtime pay
*5142	Student safety

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

SMOKING PROHIBITION

To promote the health and safety of all students and staff and to promote the cleanliness of school grounds, the board prohibits all smoking or use of tobacco products in all school facilities and on all school grounds at all times. Definitions of “school facilities” and “school grounds” shall be in accord with definitions in the administrative code.

Notice of this policy shall be given at each school entrance and at appropriate locations on school grounds in accordance with law. Smoking shall not be permitted at any time in classrooms, lecture halls, auditoriums or anywhere else on school grounds.

The principal of each school building is authorized to report violations, in accordance with law, to the board of health. Students and district employees who violate the provisions of this policy shall be subject to appropriate disciplinary measures. The superintendent shall prepare and the board shall adopt regulations prohibiting smoking in all district buildings and on school grounds.

Definition: For purposes of this policy, "smoking" means inhaling the burning or vapor of a lighted cigar, cigarette, pipe, electronic smoking device, or any other matter or substance which contains tobacco. Chewing tobacco and other forms of smokeless tobacco are also specifically prohibited by this policy.

Vaping

The board recognizes that the e-cigarettes are the most commonly used tobacco product among youth, surpassing conventional cigarettes. The use of products containing nicotine poses dangers to youth, pregnant women, and fetuses. The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe. E-cigarette aerosol can contain harmful and potentially harmful constituents, including nicotine and other toxic chemicals. Nicotine exposure during adolescence can cause addiction and can harm the developing adolescent brain. In addition to marketed products e-cigarettes and other electronic smoking devices may also be used as a delivery system for controlled and dangerous substances such as THC and flakka.

Therefore, the board, in accordance with the New Jersey Smoke Free Air Act specifically prohibits vaping in all school facilities and on all school grounds at all times.

Students violating this policy shall be subjected to disciplinary measures consistent with the code of student conduct. All the provisions of policy and regulation 5131.6 Substance Abuse shall apply to any student found using e-cigarettes and/or other electronic smoking devices including intervention and prevention education for tobacco and substance abuse. Students suspected of possessing and/or using drugs or suspected of being under the influences of controlled and dangerous substances shall be subjected to all the provisions of policy and law for substance abuse including a required medical examination.

Adopted:	June 24, 1985
Revised:	October 29, 1990
Revised:	August 23, 1995
Revised:	August 14, 2007
NJSBA Review/Update:	March 2009, October 2019
Revised:	March 30, 2015
Readopted:	January 3, 2020

(SE file code: 7434)

SMOKING PROHIBITION (continued)

Key Words

Smoking, Smoking Prohibition

Legal References:

- N.J.S.A. 26:3D-55 et seq. New Jersey Smoke-Free Air Act
- N.J.A.C. 6A:16-1.3 Definitions
- N.J.A.C. 6A:16-3.1(a)7 Establishment of comprehensive alcohol, tobacco and other drug abuse programs
- N.J.A.C. 6A:26-1.2 Definitions
- N.J.A.C. 6A:26-12.2(a)4 Policies and procedures for school facility operation
- N.J.A.C. 8:6-7.2 Smoking prohibited in school buildings and on school grounds
- N.J.A.C. 8:6-9.1 Enforcement against individuals
- N.J.A.C. 8:6-9.2 Enforcement against person having control of an indoor public place

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

Possible

Cross References:

- *1250 Visitors
- *1330 Use of school facilities
- *4119.23 Employee substance abuse
- *4219.23 Employee substance abuse
- *5131.6 Drugs, alcohol, tobacco (substance abuse)

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

Regulation

SMOKING PROHIBITION

GENERAL STATEMENT

The following guidelines are established for the protection, health and safety of district students and staff. Additionally, these guidelines are established for compliance with the *New Jersey Smoke Free Air Act* (N.J.S.A. 26:3D-55 et seq.) which prohibits smoking in any area of any building of, or on the grounds of, any public or nonpublic elementary or secondary school, regardless of whether the area is an indoor public place or is outdoors. This policy applies to consumption and/or inhalation of tobacco or any tobacco product, electronic smoking device, or alcohol in any location or at any board approved event, as defined in this regulation.

STAFF RESPONSIBLE

The following chart lists the staff members responsible for the implementation of the regulation and summarizes their responsibilities:

Position	Summary of Main Responsibilities
Superintendent	<ul style="list-style-type: none"> • General policy and procedure oversight within the district • Inclusion of anti-smoking notice in districtwide student or staff handbooks
Building principal/person having control of the public location	<ul style="list-style-type: none"> • General procedural oversight within the school • Primary implementation and enforcement responsibilities • Posting and/or publication of anti-smoking notice as specified in this regulation • Student discipline
All school staff	<ul style="list-style-type: none"> • Procedure enforcement • Incident reporting • Student supervision • Guest/visitor supervision

DEFINITIONS

"Smoking" means inhaling the burning or vapor of a lighted cigar, cigarette, pipe, electronic smoking device or any other matter or substance which contains tobacco. Chewing tobacco is also specifically prohibited.

"Electronic smoking device" means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

"School grounds" as applied to board policy means and includes land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs approved for such use by the board of education. School grounds also includes support structures such as service facilities including, but not limited to warehouses, kitchens, service, and maintenance shops. School grounds also includes playgrounds, and recreational places owned by municipalities, private entities or other individuals during times when the school district has exclusive use of a portion of the land.

"School-sponsored function" means any activity, event or program occurring on or off school grounds, whether during or outside of regular school hours, that is approved by the board of education.

PROCEDURE

SMOKING PROHIBITION (regulation continued)

Board policies and procedures prohibiting smoking pertain to students, all employees of the school district, and vendors and/or consultants who may from time to time be employed by the board of education, and all visitors, dignitaries, and members of the public. The following procedures shall be observed in order to prevent smoking on school grounds:

- A. The principal or his or her designee shall ensure that smoking is prohibited on school grounds at all times and shall ensure that an appropriate anti-smoking notice is posted at each public entrance to a building or facility on the school's website, and is published in staff and student handbooks (see primary exhibit 1 No Smoking Sign, English and Spanish).
- B. The director of curriculum shall oversee the development of a parent educational program on alcohol, tobacco and other drug abuse to be offered during times and at places convenient to parents of enrolled students. The director of curriculum shall ensure that notice of the educational program is disseminated to parents and shall coordinate dissemination in consultation with each building principal (see board policy and procedure 5131.6 Substance Abuse).
- C. Any person who has reason to believe that policy file code 3515 Smoking Prohibition has been violated shall immediately report that belief to the principal or the person in control of the facility.
- D. The principal/person in charge shall direct an investigation into the reported allegation. If the allegation is substantiated and an individual(s) is actively violating the policy, the principal/person in charge shall order the violator to comply with policy 3515; and may provide the violator with a copy of the Department of Health anti-smoking notice (see exhibit 1).
- E. Where the violator refuses to comply with the order, the principal/person in charge:
 1. Shall order the violator's departure and removal;
 2. May request the assistance of law enforcement to remove the violator;
 3. May contact the local health department to file a complaint;
 4. May file a complaint in municipal court; or
 5. May file a complaint with the Indoor Environments Program (see exhibit 3).
- F. Any person may file a complaint against the principal/person in charge for failure to enforce the rules or for smoking by the following means:
 1. Contact the local health department to file a complaint;
 2. File a complaint in municipal court;
 3. File a complaint with the Indoor Environments Program (see exhibit 3).

Consequences for Violating Board Policy and Procedures Prohibiting Smoking

- A. Students who are found smoking shall be subject to discipline as set forth in the Code of Student Conduct and may also be subject to the penalties listed below.
- B. Adults or any person having control of a school building who violate the policy may be subject to the following penalties:
 1. **First offense:** \$250 fine;
 2. **Second offense,** \$500 fine;
 3. **Third offense,** \$1,000 fine.

REGULATION HISTORY

Adopted:	March 30, 2015
NJSBA Review/Update:	October 2019

SMOKING PROHIBITION (regulation continued)

Readopted: January 3, 2020

(SE file code: 7434)

CROSS REFERENCES

1330 Use of School Facilities
1330 Use of School Facilities, Regulation
5131.6 Substance Abuse
5131.6 Substance Abuse, Regulation

EXHIBITS

Exhibit 1 New Jersey Department of Health – No Smoking Notice
(<http://web.doh.state.nj.us/apps2/forms/subforms.aspx?pro=ctcp/smokefree>)
Exhibit 2 New Jersey Department of Health – Complaint Form
(<http://web.doh.state.nj.us/apps2/forms/subforms.aspx?pro=ctcp/smokefree>)

PRIMARY RESOURCES

1 New Jersey Department of Health – No Smoking Signs (English and Spanish)
(<http://www.state.nj.us/health/ctcp/smokefree/nosmoking.shtml>)



State of New Jersey

DEPARTMENT OF HEALTH AND SENIOR SERVICES

PO BOX 360
TRENTON, N.J. 08625-0360

www.nj.gov/health

JON S. CORZINE
Governor

FRED M. JACOBS, M.D., J.D.
Commissioner

April 15, 2006

NOTICE

On April 15, 2006, the "New Jersey Smoke-Free Air Act" (Act), N.J.S.A. 26:3D-55 et seq., took effect. The Act prohibits smoking in an indoor public place or workplace. The Act also prohibits smoking in any building or on the grounds of a public or nonpublic elementary or secondary school, regardless of whether the area is indoors or outdoors.

The Act and the Smoke-Free Air Rules of the Department of Health and Senior Services at N.J.A.C. 8:6 implementing the Act require this establishment to direct a person smoking in violation of the Act to stop smoking. The rules further require this establishment to remove from the premises any person who continues to smoke in violation of the Act after having been directed to stop smoking, and to enlist the assistance of local law enforcement or peace officers, if necessary, to assist in the removal.

Persons who violate the Act are subject to a complaint being filed against them and being summoned to appear in the municipal court of this jurisdiction. Persons found to be in violation of the Act are subject to fines and penalties established by the Act of \$250 for a first offense, \$500 for a second offense, and \$1,000 for each subsequent offense.

Fred M. Jacobs, M.D., J.D., Commissioner
New Jersey Department of Health and Senior Services

**New Jersey Department of Health
Consumer, Environmental and Occupational Health Service
Indoor Environments Program
PO Box 369
Trenton, NJ 08625-0369**

Date Filed

NJ SMOKE-FREE AIR ACT / COMPLAINT

Information contained in this form is subject to disclosure and public access pursuant to N.J.S.A. 47:1A-1, the "Open Public Records Law."

If you would like to make an anonymous request for investigation, you can do so by contacting your local health agency. You can find out which local health agency would have jurisdiction by searching the list of local health agencies available at <http://nj.gov/health/lh/directory/lhdselectcounty.htm>, or by calling (609) 292-4993.

SECTION I - ESTABLISHMENT INFORMATION

1. Name of Establishment		2. Source(s) of Smoking Violation: <i>(Check all that apply)</i> <input type="checkbox"/> Employee(s)/Worker(s) <input type="checkbox"/> Customer(s)/Visitor(s) <input type="checkbox"/> Owner/Operator (failure to enforce) <input type="checkbox"/> Unknown/Not Sure <input type="checkbox"/> Other (specify): _____	
Street Address			
City	State		
3. Date and Time of Smoking Violation <input type="checkbox"/> AM <input type="checkbox"/> PM		4. Were <i>No Smoking</i> or <i>Smoking Prohibited</i> signs posted in or near the location of the smoking violation? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown/Not Sure	
5. Brief Description of Smoking Violation <i>(include the name of any supervisor/individual in charge that you spoke with concerning the smoking violation)</i> :			
6. If this is a complaint about a smoking violation in your workplace, provide the name, title or position, and telephone number of the official in charge of smoking policy for your workplace:			

SECTION II - COMPLAINANT INFORMATION

7. Name of Complainant		10. Status of Complainant <input type="checkbox"/> Employee/Worker <input type="checkbox"/> Owner <input type="checkbox"/> Customer <input type="checkbox"/> Operator <input type="checkbox"/> Visitor or Guest <input type="checkbox"/> Other (specify): _____	
8. Address			
9. City, State, Zip Code	11. Telephone Number	12. Best Time to Call	

CERTIFICATION: *I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.*

13. Signature	14. Date
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**NJ SMOKE-FREE AIR ACT / COMPLAINT
(Continued)**

15. Name of Other Complainant(s) or Witness(es) *		18. Status of Complainant <input type="checkbox"/> Employee/Worker <input type="checkbox"/> Owner <input type="checkbox"/> Customer <input type="checkbox"/> Operator <input type="checkbox"/> Visitor or Guest <input type="checkbox"/> Other (specify): _____	
16. Address			
17. City, State, Zip Code		19. Telephone Number	20. Best Time to Call
CERTIFICATION: <i>I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.</i>			
21. Signature		22. Date	
23. Name of Other Complainant(s) or Witness(es) *		26. Status of Complainant <input type="checkbox"/> Employee/Worker <input type="checkbox"/> Owner <input type="checkbox"/> Customer <input type="checkbox"/> Operator <input type="checkbox"/> Visitor or Guest <input type="checkbox"/> Other (specify): _____	
24. Address			
25. City, State, Zip Code		27. Telephone Number	28. Best Time to Call
CERTIFICATION: <i>I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.</i>			
29. Signature		30. Date	

* Attach additional sheet as needed and provided all requested information for any additional complainants/witnesses.

Policy

PERSONAL ELECTRONIC DEVICES/PERSONAL CELL PHONES

Staff

The Camden City Board of Education recognizes a school teaching staff member may need to make personal communications during their workday when the communications are regarding an urgent situation that cannot be foreseen or taken care of before the staff member reports to work and/or after the staff member's workday has concluded.

In the event the staff member must make a personal call during their work day, and the call is of such a nature that it cannot be made before the staff member's workday begins or after the workday has concluded, the school staff member may make a personal call using their personal electronic communication device during the staff member's duty free lunch or break periods and/or preparation periods for teaching staff. Personal calls shall be made outside the presence of students either in an area inside or outside the school building designated by the staff member's building principal or immediate supervisor.

A personal call by a school staff member on their personal electronic communication device shall not be made while the staff member is performing assigned school district responsibilities. Employees shall not be permitted to engage in social media on their personal electronic communication device while performing assigned school district responsibilities.

In the event the staff member has an emergency requiring immediate attention that requires the use of their personal electronic communication device, the staff member shall inform their building principal or immediate supervisor before or immediately after using the personal electronic communication device.

Students

The Camden City School District acknowledges the important role of technology in society and in the education process. The district supports technology use for educational purposes, however, must regulate its use so as to minimize disruption within schools and classrooms.

A. Cell Phones

The increased availability of cell phones has necessitated the creation of a policy regulating pupil use. The policy is designed to balance the need to maintain an educational learning environment while also providing pupils with a means of emergency and other necessary communications:

1. Pupils may have cell phones in their possession during the school day;
2. Pupils must shut off the phones prior to entering the school building;
3. Once the dismissal bell at the end of the school day has sounded, pupils are permitted to use their cell phones;
4. Pupils who do not comply with the requirements of the policy will have their cell phones confiscated and may result in a parent(s)/guardian(s) being required to report to the school to retrieve the phone. Any subsequent violations may result in disciplinary action.

B. Other Electronic Devices

Various technological tools can be valuable learning instruments. Pupils in grades six and above shall be permitted to bring to school and utilize personal electronic devices for educational purposes. Such devices shall include personal laptop computers, tablet computers, handheld personal digital assistants (cell phones or other cellular devices have valuable applications in the classroom environment, and as such may be utilized for instructional purposes under the direction of a teacher or administrator), or the

PERSONAL ELECTRONIC DEVICES (continued)

technological equivalent of the prior stated devices.

1. Such technological tools shall only be used for educational purposes and shall not be disruptive to others in the school environment;
2. Content of an inappropriate nature, including but not limited to language and/or images of a sexual, vulgar, violent or otherwise inappropriate nature, shall not be permitted on any device entering a school;
3. Teachers and/or administrators shall have the authority to inspect the content displayed and/or stored on any device;
4. Personal electronic devices shall not be used to access the Internet, or any other type of network, while on school grounds. Pupils may access the Internet for educational purposes on district computers which have proper filtering software to assure pupil safety; such usage shall be consistent with board policy;
5. The district shall not be responsible for providing, maintaining, or securing personal pupil electronic devices. Such devices shall not be required for participation in lessons;
6. The district's electrical infrastructure is limited, and therefore, the district cannot guarantee electrical support for such devices;
7. In instances in which instruction requires "paper and pencil" activity, e.g. handwriting instruction, writing samples, etc., the classroom teacher shall have the discretion to disallow the use of the personal electronic device, provided the device is not required by an IEP or 504 plan;
8. The district shall not be responsible for the loss, damage, or theft of such electronic devices;
9. The school principal shall secure active parental permission for pupils to bring to school and use such an electronic device. The permission form shall state that the school does not assume any responsibility for the maintenance or security of the device;
10. Taking pictures or videos of other students, staff members, or administrators and/or posting such images publicly without the subject's permission are prohibited and may result in disciplinary action. The taking of any pictures or videos that can reasonably be interpreted as inappropriate is strictly prohibited and shall result in disciplinary consequences:
 - a. Pictures or video may be taken for educational purposes, e.g. as part of a teacher-directed lesson or project, or during an activity with the permission of a staff member or administrator;
 - b. It is strictly prohibited to take any pictures or videos in any restroom, locker room, changing area, or any area in which students are dressing or changing clothing. Doing so shall result in disciplinary action.

Adopted: June 24, 1985
 Revised: November 23, 1992
 Revised: August 23, 1995
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 NJSBA Review/Update: March 2009, October 2019
 Revised: March 30, 2015
 Readopted: January 3, 2020

(SE file codes: 2363, 3322, 4322, 5516)

Key Words

Cell Phones, Text Messaging, E-Mail

Legal References: N.J.S.A. 18A:6-10 Dismissal and reduction in compensation of persons under tenure in public school system
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

Possible

PERSONAL ELECTRONIC DEVICES (continued)

<u>Cross References:</u>	4117.50/4217.50	Standards for staff discipline
	4119.2/4219.2	Responsibilities
	*4119.21/4219.21	Conflict of interest
	*4119.22/4219.22	Conduct and dress
	*4119.23/4219.23	Employee substance abuse
	*4138/4238	Nonschool employment
	*4138.2	Private tutoring

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

Policy

SAFETY

The superintendent shall develop rules governing school safety which shall include but not be limited to: student safety in school; care of injured students; vehicle safety programs; plant safety including removal and/or encapsulation of asbestos; labeling and storage of hazardous substances; emergency procedures; student safety in transit to and from school; and eye protection. In addition, students shall be provided with safety instruction in accordance with the law.

Use and Storage of Hazardous Substances

The board shall not allow the use of any hazardous substances in or on any of the buildings or grounds of this district when children are present, except in emergencies. A list of substances that are legally exempted from this requirement can be obtained from the superintendent.

The superintendent shall inform the board when hazardous substances may be used when children are present, and the board shall determine if an emergency situation exists and such use is warranted.

If any hazardous substance is stored on any school site, the superintendent shall make available the hazardous substance fact sheet for that substance to anyone who requests it.

At least two days prior to the start of any construction activity involving hazardous substances, the superintendent shall post on a bulletin board at the school a notice that such construction will take place. The notice will state the activity to be conducted and the hazardous substance(s) to be used.

The superintendent shall ensure that all parents/guardians receive a notice at least once a year informing them of the following:

- A. Notice of any construction or other activities involving hazardous substances will be posted on the bulletin board of their children's school;
- B. Hazardous substances may be stored at the school at various times throughout the year;
- C. Hazardous substance fact sheets for any of the hazardous substances being used or stored are available at the school.

Soil Contamination on School Property

The board shall ensure that notice of soil contamination on school property is provided. Notice will be provided to each parent or guardian of a student enrolled at the school, and to each staff member of the school. Notice will be provided within 10 business days of the discovery of the soil contamination, when the contamination is found by the Department of Environmental Protection or a licensed site remediation professional to exceed the department's direct contact soil remediation standards for residential use.

The notice shall include:

- A. A description of the soil contamination and the conditions under which a student or staff member may be exposed to the contamination;
- B. A description and timetable of the steps that have been taken and will be taken to ensure that there is no contact by any student or staff member with the contamination;

SAFETY (continued)

- C. A description and timetable of the steps that have been taken and will be taken to remediate the soil contamination.

The notice may be provided by:

- A. Written notice sent home with the student and provided to the staff member;
- B. Telephone call;
- C. Direct contact;
- D. Electronic mail.

The district shall also post a copy of the notice in a conspicuous location near the site of the contamination to notify any other users of the school grounds of the existence of the contamination.

Safe Drinking Water

The board of education shall assure the availability of potable drinking water through sanitary means in school facilities or upon school grounds in accordance with the Safe Drinking Water Act (N.J.S.A. 58:12A-1 et seq.).

The board directs that lead sampling and analysis be conducted in all drinking water outlets to which a student or staff member has or may have access, in each school facility, other facility, or temporary facility no later than July 13, 2017. Sampling shall be conducted according to the lead sampling plan.* The lead sampling plan shall include:

- A. A plumbing survey for each facility that identifies how water enters and flows through each facility, the types of plumbing materials used in the facility, such as the service line, piping, solder, fixtures, drinking water outlets where students or staff have or may have access, and point of use treatment, such as drinking water filters;
- B. The names and responsibilities of all individuals involved in sampling; and
- C. The following sampling procedures:
 - 1. Samples shall be taken after water has sat, undisturbed in the school pipes for at least eight hours but no more than 48 hours before the sample is taken;
 - 2. At least eight hours prior to sampling, signs shall be posted to indicate that water shall not be used and access to the buildings subject to the sampling shall be restricted to all but authorized staff members;
 - 3. Existing aerators, screens, and filters shall not be replaced or removed prior to or during sampling; and
 - 4. All samples shall be collected in pre-cleaned high-density polyethylene (HDPE) 250 milliliter (mL) wide-mouth single-use rigid sample containers that are properly labeled.

The board shall test all drinking water outlets within six years following the initial testing and every six years thereafter. Sampling shall be prioritized in buildings and facilities that previously had outlets with results above the action level or identified in the plumbing profile as high risk for lead. The water outlets in these buildings and facilities shall be sampled first in accordance with the sampling plan. In addition, sampling for lead shall be conducted after the replacement of any drinking water outlet or any other alteration to plumbing or service lines that may impact lead levels at the outlet.

SAFETY (continued)

*See Resources below. The lead sampling plan, <http://www.nj.gov/dep/watersupply/pdf/techguide.pdf>

Drinking Water Sample Analysis

Analysis of water samples shall be conducted by a certified laboratory to analyze for lead in drinking water. The laboratory shall use an approved analytical method pursuant to the Federal Safe Drinking Water Act at 40 CFR 141.23(k)(1). Sample analysis shall be conducted in accordance with a Quality Assurance Project Plan (QAPP)**, which shall be signed by the board of education, the certified laboratory, and the individual responsible for conducting sampling. The QAPP shall include:

- A. Identification of analytical methods;
- B. Chain of custody procedures;
- C. Data validation and reporting processes;
- D. Detection limits;
- E. Reporting to three significant figures;
- F. Field blanks; and
- G. Quality control measures required by the certified method.

** See Resources below. Quality Assurance Project Plan (QAPP) at <http://www.nj.gov/dep/watersupply/pdf/techguide.pdf>

Water Sample Analysis Results: Notifications

Within 24 hours after the board has reviewed and verified the final laboratory results, the board shall make the test results of all water samples publicly available at the school facility and on the district website. If any results exceed the permissible lead action level, written notification shall be provided to the parents/guardians of all students attending the facility, as well as to the New Jersey Department of Education (NJDOE). This notification shall include a description of the measures taken by the board to:

- A. Immediately end use of each drinking water outlet where water quality exceeds the permissible lead action level;
- B. Ensure that alternate drinking water has been made available to all students and staff members, and information regarding the health effects of lead is provided.

The board shall annually submit a statement of assurance to the NJDOE that lead testing was completed, that notifications were provided, and that alternate drinking water continues to be made available to all students and staff in accordance law and board policy.

Within six years of the adoption of this policy, and within each six-year period thereafter, the board must test all drinking water outlets; sampling shall be prioritized in facilities previously identified with excessive lead results or identified as high risk in the sampling plan.

Implementation

Rules and procedures implementing this policy shall be reviewed and adopted by the board as required by law and shall be disseminated to staff and students annually, and whenever any changes are made.

SAFETY (continued)

Adopted: June 24, 1985
 Revised: April 12, 1988
 Revised: August 23, 1995
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(SE file code: 7420, 7430, 7433, 8431)

Key Words

Safety, Student Safety, Employee Safety, Asbestos, Hazardous Materials, Student Safety

Resources

New Jersey Department of Environmental Protection webpage for Lead Sampling in School Facilities.
 Located at: <http://www.nj.gov/dep/watersupply/dwc-lead-schools.html>

New Jersey Department of Environmental Protection, Overview: Lead in Drinking Water at School Facilities
 This document contains a link to the School District Lead Sampling Plan and the Quality Assurance Project Plan (QAPP) templates located at: <http://www.nj.gov/dep/watersupply/pdf/techguide.pdf>

Lead Sampling in Schools Technical Guidance FAQs.

Located at: <http://www.nj.gov/dep/watersupply/pdf/leadfaq.pdf>

<p><u>Legal References:</u> <u>N.J.S.A.</u> 18A:6-2 <u>N.J.S.A.</u> 18A:11-1 <u>N.J.S.A.</u> 18A:17-42 <u>et seq.</u> <u>N.J.S.A.</u> 18A:40-12.1, -12.2 <u>N.J.S.A.</u> 18A:41-1 <u>et seq.</u> <u>See particularly:</u> <u>N.J.S.A.</u> 18A:41-5 <u>N.J.S.A.</u> 18A:42-1 <u>N.J.S.A.</u> 18A:54-20 <u>N.J.S.A.</u> 34:5A-1 <u>et seq.</u> <u>See particularly:</u> <u>N.J.S.A.</u> 34:5A -10.1 through -10.5 <u>N.J.S.A.</u> 34:6A-25 <u>et seq.</u> <u>N.J.S.A.</u> 58:10B-24.6 <u>et seq.</u> <u>N.J.S.A.</u> 58:12A-1 <u>et seq.</u> <u>N.J.A.C.</u> 5:23-1 <u>et seq.</u> <u>N.J.A.C.</u> 6A:16-5.1 <u>N.J.A.C.</u> 6A:19-6.1 <u>et seq.</u> <u>N.J.A.C.</u> 6A:26-1.1 <u>et seq.</u> <u>See particularly:</u> <u>N.J.A.C.</u> 6A:26-12.1 <u>et seq.</u> <u>N.J.A.C.</u> 6A:26-12.4</p>	<p>Instruction in accident and fire prevention General mandatory powers and duties Public School Safety Law Protective eye devices required for teachers, students and visitors in certain cases Fire Drills and Fire Protection Safety patrol by students Powers of board (county vocational schools) <u>Worker and Community Right to Know Act</u> <u>New Jersey Public Employees Occupational Safety and Health Act</u> Hazardous discharge site remediation <u>Safe Drinking Water Act</u> The uniform construction code School safety and security plans Safety and Health Standards Educational Facilities Safe drinking water</p>
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SAFETY (continued)

<u>N.J.A.C. 6A:27-12.2</u>	Accident reporting
<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C. 7:10-1 et seq.</u>	Safe Drinking Water Act

International Building Code 2015, New Jersey Edition; First Printing: September 2015; ISBN: 978-1-60983-156-1; Copyright 2015, International Code Council, Inc.

Possible

<u>Cross References:</u>	*1330	Use of school facilities
	*1410	Local units
	*3510	Operation and maintenance of plant
	*5141.1	Accidents
	*5142	Student safety
	*5142.1	Safety patrols
	*6114	Emergencies and disaster preparedness
	*6142.12	Career education
	*7110	Long-range facilities planning

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

Policy

SECURITY

The Camden City Board of Education urges every citizen of the district, students, and teachers to cooperate in reporting any incidents of vandalism to property belonging to the Camden City School District and the name of the person or persons believed to be responsible. All employees of the district shall report to the principal of the school every incident of vandalism known to them, and, if known, the names of those responsible.

If an act of vandalism is perpetrated by an adult (that is, any person over the age of 18 years), the local, county, or state laws will govern the actions to be taken. The board of education, board attorney, and/or insurance company shall make every effort to recover the costs of the damages from that person.

If an act of vandalism is perpetrated by a student, or any child under the age of 18 years, the parent/guardian of that child will be held responsible for his/her actions. If the child is apprehended by the police, that child will be taken to police headquarters where a record of the incident will be filed. The child will then be released to the custody of his/her parent/guardian at police headquarters. The police department will notify the superintendent and/or the school business administrator/board secretary of the act of vandalism. If necessary, appropriate charges will be filed and all necessary action will be taken by the board of education, board attorney, and/or insurance company to recover the costs of the damages from the parent/guardian.

The school business administrator/board secretary, in his/her monthly report, shall clearly indicate the type of repairs and the cost of repairs to school property as a direct result of vandalism. A record will be kept on all pertinent data relating to vandalism. That information will be turned over to the local police periodically and to the Commissioner of Education in accordance with law.

School Security Guards

The security officers of the Camden Public Schools, have the responsibility of assuring the safety and protection of members of the student body, faculty and staff, and other persons having legal access to the school. It is their duty to protect the property of the individual, as well as the school, against carelessness, negligence, malicious mischief, theft and fire.

Security officers are expected to maintain order in the corridors, hallways, school grounds and cafeterias. They are to assist any teacher that may require assistance in quelling an emergency in the classroom.

Areas of Security Responsibility

School security involves five (5) general areas:

- A. Students;
- B. Faculty and Staff;
- C. Visitors;
- D. Property;
- E. Parking.

Duties of a Security Officer

SECURITY (continued)

A school security guard's conduct, bearing, and personal appearance must be such that he/she will be recognized as a responsible employee of the Camden City School System.

The school security guard must always be alert to the safety of every person and to the protection of school property within the school. In carrying out his/her duties, the school security guard should be alert to:

- A. Fire and safety hazards;
- B. Theft from students, staff and the school ;
- C. Proper student identification and visitors' passes;
- D. Possession of indecent books or pictures;
- E. Possession or use of intoxicants or drugs;
- F. Misconduct in corridors, hallways, cafeteria;
- G. Loitering;
- H. Disturbances in the corridors;
- I. Smoking;
- J. Gambling or soliciting on school property;
- K. Possession of weapons;
- L. Fighting;
- M. Extortion;
- N. Manifestation of sexual misbehavior on school property;
- O. Gross disorder;
- P. Destruction and defacing of school property;
- Q. Presence on school grounds or in the school building of any student who has been suspended and/or expelled and illegal visitors.

The school security guard must always be prepared to take immediate protective action when a potential problem threatens the school community, by taking appropriate action, resolving the matter and keeping the problem at a minimum until assistance arrives.

Metal Detectors

Walk-through and/or hand-held metal detectors may be used at any school district activity and in the school district's buildings or on school grounds. These metal detectors may be used for entrance into a school building, on school grounds, or at any school district activity as authorized by the superintendent or his/her designee.

SECURITY (continued)

Persons entering a school building or attending a school activity may be subject to daily screening, regular screening, or random screening with a metal detector. The metal detector may be a walk-through, handheld, or other type of metal detection device. The superintendent or his or her designee shall determine if the screening shall be daily, regular, or random upon evaluating the risk to the school security situation at the time. The screenings may take place before:

- A. Entering a school building;
- B. Gaining access to school grounds;
- C. Being admitted to a school activity;
- D. Boarding or unloading a school bus; and/or
- E. Before gaining access to any other location and/or activity sponsored by this school district.

Persons that do not consent to a metal detection screening may be denied admittance.

Responsibilities of the Executive Director of Safety

The executive director of safety and security shall:

- A. Recommend metal detector devices for purchase with district funds approved for the school district's intended use;
- B. Schedule training and re-training for all personnel using metal detectors;
- C. Provide additional training for all personnel trained and authorized to use metal detectors in the event there is a security breach near or at the location of a metal detector; and
- D. Coordinate all school district metal detector tests in accordance with the requirements as outlined in the manufacturer's specifications.

The executive director of safety and security shall maintain records for the purchase of metal detectors, training and retraining of personnel in the use of metal detectors and potential security breaches, and the testing of metal detectors.

The Camden City Police Department will be immediately contacted in the event a person is found to have in their possession any item that poses a threat to the security of the person or others.

Notice of the district metal detector policy shall be published in all school district parent, student, and faculty handbooks:

The Camden City Board of Education may use metal detecting devices in all school buildings, on school grounds, and at all school activities.

Student Identification (ID) Cards

All students shall be required to carry school district issued identification cards at all times while in school. Students shall be required to prominently display a student ID badge when school is in session. A student must present the card to any school staff member upon request. Students who fail to have the card in their possession or to produce it when asked to do so may be disciplined in accordance with the student code of

SECURITY (continued)

conduct.

The student identification card will be issued to all students in all school buildings, and may be presented for:

- A. Identification at school district activities on school district property other than the school attended by the student;
- B. Admission to school dances and other school-related activities;
- C. Identification for library media services to include library book, periodical and other resource check-out;
- D. Entrance for Scholastic Aptitude Tests, State Standardized Tests and other testing programs administered on school district property;
- E. Identification for transportation services offered by the district including the use of activity and/or late buses;
- F. Identification for admission to certain school-related and school district sponsored functions; and
- G. Other purposes and activities as determined by the principal.

Students will be issued one card every year. A replacement fee will be charged for damaged, lost or stolen ID cards, at the cost equal to the reproduction cost, for all lost identification cards.

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 Revised: September 25, 1995
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(SE file codes: 5517, 7440, 7444)

Key Words

Security, Protection

Legal References: N.J.S.A. 2A:53A-15 Parental Liability
N.J.S.A. 18A:11-1 General Mandatory Powers and Duties
N.J.S.A. 18A:17 -42
 through 45 Public School Safety Law
N.J.S.A. 18A:37-3 Parental Liability

Cross Reference: *5131.5 Violence/vandalism
 *5131.7 Weapons and dangerous instruments

Policy

ELECTRONIC SURVEILLANCE

The use of electronic surveillance equipment is authorized in school buildings, on school property and on school buses to ensure the health, welfare, and safety of all staff, students, and visitors to district property and to safeguard district buildings, grounds, and equipment. The superintendent will approve appropriate locations for surveillance equipment.

The superintendent will notify staff and students, through staff and student handbooks or by other means that surveillance equipment may record school activity in school buildings, on school property and on school buses. A statement shall be posted in a prominent, public place in buildings, on school grounds and on school buses where electronic surveillance equipment may be used.

The content of the surveillance recordings may become a part of a student's educational record or of a staff member's personnel record. Content added to student and staff records shall be confidential according to law and board policies (see 4112.6/4212.6 Personnel Records, 5125 Student Records). Content related to disciplinary proceedings shall be subject to rules for all the forms of evidence. Surveillance footage used as evidence shall be permitted only when it is in a legitimate educational interest. The district will comply with all applicable state and federal laws related to record maintenance and retention.

Live Streaming

District video surveillance equipment has the capability to live stream the video wirelessly to remote locations. In accordance with law (N.J.S.A. 18A:41-9) the district shall establish a Memorandum of Understanding with local law enforcement which provides local law enforcement with the capacity to activate the equipment and view the live streaming video. The Memorandum of Understanding shall include, but need not be limited to:

- A. The designation of individuals who shall be authorized to view live streaming video;
- B. The circumstances under which the designated individuals would view live streaming video; and
- C. A detailed plan for preventing and detecting unauthorized access to live streaming video.

Adopted: March 30, 2015
NJSBA Review/Update: October 2019
Readopted: January 3, 2020

(SE file code: 7441)

Key Words

Security, Electronic Surveillance, Surveillance, Video Camera

Legal

References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.A.C. 6A:16-5.1 School safety and security plans
N.J.A.C. 6A:26-1.1 et seq. Facilities

Possible

Cross References: *1330 Use of school facilities
*1410 Local units
*3510 Operation and maintenance of plant
*3516 Safety

ELECTRONIC SURVEILLANCE (continued)

- *4112.6/4212.6 Personnel records
- *4147/4247 Employee safety
- *5125 Student records
- *5131 Conduct and discipline
- *5131.1 Harassment, intimidation and bullying
- *6114 Emergencies and disaster preparedness
- *7110 Long-Range Facilities Planning

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

Regulation

ELECTRONIC SURVEILLANCE

The superintendent shall determine the placement and location of surveillance devices.

Recording and Notice

- A. Surveillance devices may include, but are not limited to, sound/video cameras, audio recording devices, and other appropriate devices;
- B. Recordings may be used to monitor and observe the conduct of school district staff, students, community members, and other person(s) in school buildings and on school grounds;
- C. Notice regarding the use of surveillance devices will be posted in school buildings, on school property and on school buses where the devices may be used.

Student and Staff Records and Notice

- A. School district personnel will comply with the provisions of applicable law regarding student record requirements including the Family Education and Privacy Act and the Individual with Disabilities Education Improvement Act. Recordings considered for retention, as a part of a student's behavioral record, will be maintained in accordance with established student record procedures governing access, review, and release of student records (see board policy 5125 Student Records).
- B. Recordings considered for retention as part of the employee's personnel record will be maintained in accordance with established board personnel policies, administrative regulations, applicable law, and any labor agreements governing access, review, and release of employee personnel records (see board policy 4112.6/4212.6 Personnel Records).
- C. The district will provide notice to students, parent(s) or legal guardian(s), and school staff members that surveillance devices may be used in school buildings, on school grounds and on school buses.

Storage/Security

All recordings will be stored by the superintendent or his or her designee, and secured to ensure confidentiality. Recordings will be stored for ninety calendar days after initial recording, whereupon such recordings will be erased or discarded, unless there is a legitimate reason for retaining such recording for review.

Viewing or Listening

- A. Only the superintendent and the building principal shall review/audit newly recorded surveillance footage;
- B. The superintendent shall approve all requests to view/audit surveillance content. Authorization shall be limited to persons with a direct interest in any proceedings, disciplinary or otherwise, resulting from the recordings;
- C. Only the portion of the recording concerning a specific incident will be made available;
- D. Viewing or listening to the recording will be permitted on school property or as otherwise required by law;
- E. Access to surveillance recording shall be directly supervised and reviewed in the presence of the building principal and/or the superintendent;

ELECTRONIC SURVEILLANCE (regulation continued)

- F. The building principal and/or the superintendent shall maintain a written log including date of viewing, reason for viewing, the date the recording was made, and the signature of the viewer; and
- G. Video recordings shall remain the property of the district and may be reproduced only in accordance with law, including district student records policy and procedures (5125) and district personnel records policy, procedures (4112.6/4212.6) and applicable labor agreements.

Purchase, Maintenance, Replacement of Equipment/Supplies

The building principal shall be responsible for the purchase, maintenance, and replacement of all electronic surveillance devices.

Tampering with or otherwise interfering with surveillance equipment is prohibited. Any individual found tampering with equipment shall be subject to discipline.

Live Streaming

The chief school administrator or his or her designee shall develop a Memorandum of Understanding with the local law enforcement offices of each school in which the surveillance equipment has the capability to live stream the video wirelessly to remote locations. The Memorandum of Understanding shall include, but need not be limited to:

- A. The designation of individuals who shall be authorized to view live streaming video;
- B. The circumstances under which the designated individuals would view live streaming video; and
- C. A detailed plan for preventing and detecting unauthorized access to live streaming video.

The chief school administrator may at his or her discretion consult with and/or require the participation of the building principal, other administrators, teaching staff and/or security personnel in the development of the Memorandum of Understanding.

School Furnished Electronic Devices

The district may furnish students electronic devices such as laptop computers, tablets, notebooks, cellular telephones, or other electronic devices. When a student is furnished with an electronic device the district shall provide the student with written or electronic notification that the electronic device may record or collect information on the student's activity or the student's use of the device if the electronic 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. The notification shall also include a statement that the 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 or guardian of the student furnished an electronic device shall acknowledge receipt of the notification. The district shall retain the acknowledgement as long as the student retains the use of the electronic device.

Adopted:	March 30, 2015
NJSBA Review/Update:	October 2019
Readopted:	January 3, 2020

(SE file code: 7441)

Policy

INSURANCE MANAGEMENT

Bonding

The Camden City School District shall use as the minimum requirements for the surety bond for the treasurer of school moneys at the percentage of the current year's school budget as set forth in law (N.J.A.C. 6A:23A-16.4). The board in fixing such minimum bond, shall round to the nearest \$1,000. The board secretary shall be bonded in accordance with the requirements of N.J.S.A. 18A:17-6.

The board shall ensure that the independent school auditor verifies the adequacy of the treasurer's surety bond which is required by N.J.S.A. 18A:17-32, and includes appropriate comment, and a recommendation, if needed, in the annual school audit report.

Board Member Indemnification

Board members shall be indemnified in accordance with law (see N.J.S.A. 18A:12-20) whenever a civil, administrative, criminal or quasi-criminal action or other legal proceeding is brought against a board member for any act or omission arising out of and in the course of the performance of his/her duties as board member. In the case of a criminal or quasi-criminal action which results in a final disposition in favor of the board member, the board will defray all costs of defending the action, including reasonable counsel fees and expenses, together with costs of appeal, and will save harmless and protect the board member from any financial loss resulting from the action.

Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in law (see N.J.S.A. 59:10-4). The law provides that the board may arrange appropriate insurance for the indemnification of officers and employees for exemplary or punitive damages resulting from the employee's civil violation of State or federal law if in the opinion of the board the acts committed by the employee upon which the damages are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong.

Employee Indemnification

The board shall defray all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, and shall save harmless and protect such person from any financial loss resulting from any civil or administrative action or other legal proceeding has been or shall be brought against any person holding any office, position or employment under the jurisdiction of any board. This indemnification includes student teachers or persons assigned to other professional pre-teaching field experience. The indemnification shall be for any act or omission arising out of and in the course of the performance of the duties of their office, position, employment or other assignment, except that:

No employee shall be entitled to be held harmless or have his defense costs defrayed in a disciplinary proceeding instituted against him by the board or when the employee is appealing an action taken by the board.

Indemnification for exemplary or punitive damages shall not be mandated and shall be governed by the standards and procedures set forth in law (see: N.J.S.A. 59:10-4).

The board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

INSURANCE MANAGEMENT (continued)Property Insurance

The board will ensure that the district has adequate insurance to cover the loss or damage of school property due to theft, water damage, glass breakage, fire damage, smoke, windstorm, vandalism and any other cause the board deems appropriate. In contracting for insurance coverage the board shall be guided by the desirability of distributing the insurance coverage of the district through one insurance broker only.

The board insurance broker shall annually:

- A. Review the insurance program of the district, consider alternatives, and report recommendations to the board;
- B. Assist the board in the establishment and maintenance of property valuation and insurance records;
- C. Review plans and specifications of all new facilities with the rating bureau in order to eliminate unnecessary penalty charges;
- D. Process all claims;
- E. Recommend such measures as may reduce the cost of insurance premiums including assumption of risk, loss prevention, transfer of risk and self-insurance.

All insurance records shall be on file in the office of the board.

School Board Insurance Group

The board shall provide insurance for:

- A. Loss or damage to school district property, real or personal;
- B. Loss or damage from liability resulting from the use of district property;
- C. Loss or damage from liability for the acts and omissions of school district officers or employees;
- D. Loss or damage from liability established by the workers' compensation statutes; and
- E. The expenses of defending any claim against the board members, officers, or employees of this district arising out of and in the course of the performance of their duties.

The board may, by board resolution, join with other boards of education in providing coverage for the insurance needs of this district and in participating in programs of risk management to prevent loss and to control liability through participation in the School Board Insurance Group.

The trustee or trustees of School Board Insurance Group representing this board of education shall be elected by a plurality vote of those board members present and voting.

Adopted:	June 24, 1985
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Revised:	September 10, 1991
Revised:	August 23, 1995
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(SE file codes: 0148, 8710, 8740, 8750, 8760, 8770)

INSURANCE MANAGEMENT (continued)Key Words

Insurance, Liability, Property Insurance, School Board Insurance Group

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:12-20	Indemnity of board members against cost of defense
	<u>N.J.S.A.</u> 18A:16-6 through -6.1	Indemnity of officers and employees against action, proceeding; exceptions
	<u>N.J.S.A.</u> 18A:18A-42	Duration of certain contracts
	<u>N.J.S.A.</u> 18A:18A-43	Supervision of school building repairs
	<u>N.J.S.A.</u> 18A:18B-1 <u>et seq.</u>	Self-insurance
	<u>N.J.S.A.</u> 18A:20-25	Insurance of property
	<u>N.J.S.A.</u> 50:10-4	Local public entities; authority to indemnify
	<u>N.J.A.C.</u> 6A:23A-16.4	Minimum bond requirements for treasurer of school moneys

Possible

<u>Cross References:</u>	*1330	Use of school facilities
	*3510	Operation and maintenance of plant
	*4147/4247	Employee safety
	*5141.1	Accidents
	*5142	Student safety
	*6114	Emergencies and disaster preparedness
	*9270	Conflict of interest
	*9271	Code of ethics

*Indicates policy is included in the Critical Policy Reference Manual

TRANSPORTATION ROUTES AND SERVICES

The board of education directs the superintendent to supervise development of bus routes to provide safe, economical and reasonably expeditious transportation for:

- A. Students who live remote from the schoolhouse as defined by New Jersey law;
- B. Educationally disabled students in accordance with their IEP;
- C. Students participating in board-approved extracurricular activities or field trips;
- D. Students whose route to the school is deemed hazardous by the board;
- E. Other students as required by law.

The criteria to be used in designing routes and assigning students to them shall include:

- A. The distance to be traveled to and from school;
- B. The age and state of health of the child;
- C. The requirements of the instructional program;
- D. The hazards involved on the route to be traveled.

Transportation to and from school shall be provided as required by law to eligible nonpublic school students and to students attending charter schools. All students riding on district buses shall be required to observe the district's bus conduct regulations or risk loss of the privilege of such transportation.

On a space-available basis, the board may transport both public and nonpublic students who live within statutory limits (courtesy busing). The board or a cooperative transportation services agency may charge for this service. The charge shall be equitable and shall include, but not be limited to, the cost of fuel, driver salaries and insurance.

Buses, whether contracted or district-owned, shall be kept in optimum condition and shall conform to all state safety regulations.

Bus routes must be acted upon by the board and submitted to the county office.

Waiver of Eligible Transportation Services

Each school year a parent/guardian of a student who is eligible for transportation services under the law may sign a written statement waiving the student's right to those services. This written statement shall be in the form that is determined by the Department of Education.

If there is a case of a family or economic hardship during the school year in which the parent/guardian has waived the student's transportation service rights, the district will make provisions to provide transportation to the student during this hardship.

TRANSPORTATION ROUTES AND SERVICES (continued)Courtesy Transportation Along Hazardous Routes

The Camden City Board of Education is concerned with the safety of students who walk to and from school along roadways determined to be hazardous routes. The superintendent shall work in conjunction with municipal officials to determine the criteria necessary for the classification of a hazardous route and shall maintain a list of all hazardous routes in the district. The superintendent shall develop rules and regulations to supply courtesy transportation for students who must walk to and from school along routes designated by the Camden City School District to be hazardous routes. The criteria used to determine hazardous routes may include but shall not be limited to the following:

- A. Population density;
- B. Traffic volume;
- C. Average vehicle velocity;
- D. Existence or absence of sufficient sidewalk space;
- E. Roads and highways that are winding or have blind curves;
- F. Roads or highways with steep inclines and declines;
- G. Drop-offs that are close proximity to a sidewalk;
- H. Bridges or overpasses that must be crossed to reach the school;
- I. Train tracks or trestles that must be crossed to reach the school;
- J. Busy roads and highways that must be crossed to reach the school.

Students who would otherwise be required to walk to and from school along routes designated as hazardous shall be included in the calculation of the district's regular vehicle capacity utilization.

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Revised:	August 14, 2007
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Readopted:	January 3, 2020

(SE file codes: 8600, 8613, 8635, 8670)

Key Words

Student Transportation, Transportation, Busing, Buses, Courtesy Busing, Nonpublic School Students, Student Transportation

Legal References:	<u>N.J.S.A. 18A:7F-57</u>	Calculation of state aid for transportation
	<u>N.J.S.A. 18A:36A-13</u>	Transportation services (charter schools)
	<u>N.J.S.A. 18A:39-1 et seq.</u>	Transportation To and From Schools
	<u>See particularly:</u>	
	<u>N.J.S.A. 18A:39-1.2</u>	

TRANSPORTATION ROUTES AND SERVICES (continued)

through -1.9	
<u>N.J.S.A.</u> 18A:39-1c	Parents right to waive eligible transportation rights
<u>N.J.S.A.</u> 18A:46-19.6	Transportation to location or maintenance of vehicular classrooms to obtain services; payment of cost
<u>N.J.S.A.</u> 18A:46-23	Transportation of students; special classes; handicapped children; state aid
<u>N.J.S.A.</u> 39:3-10.9 <u>et al.</u>	<u>New Jersey Commercial Drivers License Act</u>
<u>N.J.S.A.</u> 39:3-27	Free registration of certain vehicles; transfer to other motor vehicles
<u>N.J.A.C.</u> 6A:27-1.1 <u>et seq.</u>	Student Transportation
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:27-1.1(b), -2.1, -3.1, -5.1, -6.2, -6.3, -6.4, -9.2(e), -11.1, -13.3	
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts

Parents for Student Safety, Inc., v. Morris Bd. of Ed., 1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24), aff'd App. Div., unreported decision (docket no. A-3257-85-T7, decided February 17, 1987) certif. den. 108 N.J. 180 (1987)

Wayne Board of Education v. Kraft et al., 139 NJ 597 (1995)

Policies and Procedures Manual for Student Transportation, N.J. State Department of Education

Possible

<u>Cross References:</u>	*3220/3230	State funds; federal funds
	*3516	Safety
	*3541.31	Privately owned vehicles
	*3541.33	Transportation safety
	*4211	Recruitment, selection and hiring
	*5200	Nonpublic school students
	*6145	Extracurricular activities
	*6153	Field trips

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

Policy

PRIVATELY OWNED VEHICLES

In recommending arrangements for student transportation to and from school-related activities, the superintendent shall consider the type of activity, the total number of students involved, and the availability of appropriate vehicles. The transportation of students by volunteers or school staff is prohibited and a volunteer driving pool shall not be maintained.

The board directs the superintendent to propose the creation of a volunteer driving pool if groups of students too small in number to make economical use of Type I or Type II vehicles may be transported in privately owned passenger vehicles driven by qualified school personnel, state employees and parents/guardians. Prior board approval shall be required before a volunteer driving pool is created. The following rules shall apply to any board approved volunteer driving pool:

Transportation by Volunteer Drivers

The superintendent or his or her designee shall supplement the transportation resources of the district by identifying qualified school personnel, state employees and parents/guardians who are willing to provide transportation for district students to and from school-related activities.

Qualifications shall include:

- A. A valid New Jersey (or other) driver's license with no convictions for moving violations;
- B. A private passenger vehicle of eight or fewer capacity, with a current New Jersey or other inspection sticker; and
- C. Evidence of at least the statutorily required insurance coverage.

The superintendent or his or her designee shall develop and the board shall adopt detailed regulations to ensure:

- A. District approval of activities involved;
- B. District determination of drivers and assignment of students to them;
- C. Student safety in pickup, transit and drop-off;
- D. Adequate supervision of students at the activity.

Transportation of Students by District Employees as Part of Assigned Duties

District employees who transport students in a private vehicle during working hours as part of their assigned duties shall:

- A. Have a current New Jersey (or other) driver's license with no convictions for moving violations;
- B. Use a privately owned passenger vehicle of eight or fewer capacity with evidence of at least the statutorily required insurance coverage. The vehicle must have a current inspection sticker;
- C. Conform to all safety practices set forth in the regulations to this policy.

PRIVATELY OWNED VEHICLES (continued)

Implementation of this section shall be in conformity with applicable negotiated agreement.

NOTE: EMPLOYEES WHO USE DISTRICT-OWNED VEHICLES MUST CONFORM TO A, B AND C. THE DISTRICT IS RESPONSIBLE FOR MAINTENANCE OF THE VEHICLE AND ADEQUATE INSURANCE. A DISTRICT IS NOT OBLIGATED TO NEGOTIATE OVER ACTUAL ASSIGNMENTS. IT MUST BARGAIN UPON DEMAND OVER COMPENSATION RELATED TO SUCH ASSIGNMENTS.

Adopted:	June 24, 1985
Revised:	March 28, 1994
Revised:	August 23, 1995
Revised:	August 14, 2007
NJSBA Review/Update:	March 2009, October 2019
Revised:	March 30, 2015
Readopted:	January 3, 2020

(SE file code: 8660)

Key Words

Privately Owned Vehicles, Auxiliary Student Transportation, Student Transportation, Student Transportation

Legal References:

<u>N.J.S.A.</u> 18A:16-6	Indemnity of officers and employees against civil actions
<u>N.J.S.A.</u> 18A:39-20.1	Transportation to and from related school activities in private vehicle with capacity of eight or less; authorization of qualified school personnel, state employees or parents
<u>N.J.A.C.</u> 6A:27-1.7	Insurance
<u>N.J.A.C.</u> 6A:27-7.6	Transportation to and from related school activities
<u>N.J.A.C.</u> 6A:27-7.7	Parent transporting his or her own child or children

Possible

Cross References:

*5020	Role of parents/guardians
*6145	Extracurricular activities
*6145.1/6145.2	Intramural competition; interscholastic competition
*6153	Field trips

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

Policy

DISTRICT OWNED VEHICLES

For efficiency of operations, the superintendent shall oversee school district vehicles and develop regulations to govern vehicle tracking, maintenance, accounting, assignment and usage.

Vehicle Tracking, Maintenance, and Accounting

The school district will maintain records of the following information:

A. Vehicle inventory control record including:

1. Vehicle make, model and year;
2. Vehicle identification numbers (VIN);
3. Original purchase price;
4. Date purchased;
5. License plate number;
6. Person assigned or pool if not individually assigned;
7. Driver license number of person assigned and expiration date;
8. Insurer and policy number of person assigned; and
9. Usage category such as regular business, maintenance, security or student transportation.

B. Driving record of operators of district vehicles including:

1. Name of driver;
2. Driver license number and expiration date;
3. Insurer and policy number of person assigned;
4. Motor vehicle code violations;
5. Incidents of improper or non-business usage;
6. Accidents; and
7. Other relevant information.

C. Record of maintenance, repair and body work for each district vehicle including:

1. Vehicle make, model and year;
2. Vehicle identification numbers (VIN);
3. Original purchase price;
4. Date purchased;
5. License plate number;
6. Usage category such as regular business, maintenance, security or student transportation;
7. Manufacturer's routine maintenance schedule;
8. Category of work performed (routine maintenance, repair or body work);
9. Purchase order number;
10. Date work was performed;
11. Detailed description of work performed;
12. Mileage on date work was performed; and
13. Cost of work performed.

DISTRICT OWNED VEHICLES (continued)

District Vehicle Assignment and Use

- A. District vehicles will be assigned in accordance with OMB Circular 08-16-ADM or any superseding circulars;
- B. The board upon the recommendation of the superintendent may authorize, by an affirmative vote of the board's full membership, the lease, lease-purchase or purchase and assignment of district vehicles for the conduct of official district business. The vehicles may be assigned either to individuals or to units within the district for pool use according to the following classifications:
 - 1. Vehicles may be assigned permanently and individually to the superintendent, school business administrator, head of facilities services, head of security services or other supervisory employees who, based on their job duties, may be called upon on a 24 hour, seven-day a week basis. No individual assignment shall be made for the primary purpose of commuting; and
 - 2. A unit may be permanently assigned one or more district pool vehicles only if employees of the unit will collectively use the vehicle or each vehicle for more than an average of 750 miles per month on official district business. Pool vehicles shall not be used for the purpose of commuting and shall remain at a district facility when not in official use.
- C. Board members or employees may be temporarily assigned a district vehicle for travel events;
- D. The superintendent shall ensure that an employee, such as the school business administrator, insurance or risk management staff member, head of facilities or other appropriate employee is assigned the functions of district vehicle coordinator;
- E. Vehicle use logs shall be maintained for all individual and pool assignments in order to accurately record all usage of each vehicle, including the driver, mileage, and starting and destination points;
- F. All complaints of a potential misuse shall be investigated and appropriate disciplinary action taken;
- G. All changes to vehicle assignment, whether pool or individual, shall require prior written approval of the superintendent and the authorization of an affirmative majority vote of the full board;
- H. No luxury vehicle, one which exceeds the greater of \$30,000 or any current dollar limit established in IRS law or regulation, shall be purchased, lease-purchased or leased by the district. If a vehicle is assigned to the superintendent, it may be a full size or intermediate, four-door sedan of the non-luxury class. All other vehicles shall be compact sedans, unless special passenger, cargo, equipment, or use requirements make the standard vehicle unsuitable for documented district needs;
- I. The district vehicles shall be used primarily for business purposes, however, incidental and reasonable personal use is permitted;
- J. All damage to district vehicles, regardless of cause, shall be reported within 24 hours to the vehicle coordinator and the employee assigned to file insurance claims;
- K. No physical alterations shall be made to a vehicle without prior board approval;
- L. Drivers of district vehicles shall possess a valid driver's license to operate a vehicle in New Jersey;
- M. When a vehicle is due for routine maintenance in accordance with the manufacturer's schedule, the driver of an individually assigned vehicle or, in the case of a pool vehicle, the vehicle coordinator shall be responsible for ensuring that the vehicle receives the scheduled service;

DISTRICT OWNED VEHICLES (continued)

- N. A driver assigned a district vehicle shall be responsible for the security of the vehicle and its contents;
- O. Drivers shall be personally responsible for all fines accrued as a result of traffic violations related to operation of district vehicles;
- P. The driver, or the driver's supervisor, if the driver is incapacitated, of a district vehicle involved in an accident resulting in damage to the district vehicle or other vehicle shall file, within 24 hours of the accident, a detailed written report with the vehicle coordinator and the district staff member responsible for making insurance claims;
- Q. Police shall be immediately notified of an accident by the driver or vehicle coordinator, if the driver is incapacitated. A copy of the police report shall be submitted to the vehicle coordinator and the district staff member responsible for making insurance claims as soon as possible;
- R. If a district vehicle is misused in any of the following ways, the driver's driving privileges for district vehicles shall be suspended or revoked, and additional disciplinary action shall be taken as appropriate:
 - 1. Frequent violation of traffic laws;
 - 2. Flagrant violation of the traffic laws;
 - 3. Operation of a vehicle which the police or insurance company determined was the cause of an accident;
 - 4. Use of a vehicle for unauthorized use whether personal use, business use, or commuting;
 - 5. Violation of these rules or district policy governing the assignment, use, operation, repair, and/or maintenance of vehicles. This includes the failure to submit a vehicle for routine maintenance as called for in the manufacturer's routine maintenance schedule;
 - 6. Operation of a vehicle while impaired to any degree, or under the influence of alcohol or narcotics as defined by State statutes;
 - 7. Use of a district vehicle by an unauthorized individual while assigned to an employee;
 - 8. Use of a district vehicle to transport any person or child, other than in the course of their assigned duties and responsibilities; and
 - 9. Use of radar detectors in district vehicles.
- S. The board shall apply progressive, uniform, and mandatory disciplinary actions to violations of these requirements.

Adopted: March 30, 2015
NJSBA Review/Update: March 2009, October 2019
Readopted: January 3, 2020

(SE file code: 7650)

Key Words

Safety, Bus Safety, Transportation Safety, Student Transportation, Student Transportation

Legal References: N.J.S.A. 18A:20-34 Use of schoolhouse and grounds for various purposes
N.J.S.A. 18A:39-22 School buses; use by senior citizens, handicapped, and children and adults in certain municipal programs
N.J.S.A. 18A:39-22.1 Use of school buses owned, leased or contracted by school district for transportation of certain handicapped adults
N.J.A.C. 6A:27-7.2 Capacity
N.J.A.C. 6A:27-7.8 Use of school buses other than to and from school and school related activities

DISTRICT OWNED VEHICLES (continued)

N.J.A.C. 6A:23A-6.11 Vehicle tracking, maintenance and accounting
N.J.A.C. 6A:23A-6.12 District vehicle assignment and use

Possible

Cross References: *1330 Use of school facilities
*3515 Smoking prohibition

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

TRANSPORTATION SAFETY

The safety and welfare of students shall be the first consideration in all matters pertaining to transportation. The board directs the superintendent to oversee development of regulations to govern:

- A. Student conduct on buses;
- B. Inservice education for bus drivers to include:
 - 1. Management of students;
 - 2. Safe driving practices; recognition of hazards;
 - 3. Special concerns in transporting students with disabilities;
 - 4. Emergency procedures on the road; accident report;
 - 5. Information on required drug and alcohol testing.

Accidents

Forms shall be provided for the immediate reporting of all incidents involving a district-owned or contracted vehicle that include any of the following:

- A. Physical injury to anyone concerned, no matter how minor;
- B. Property damage of any kind, even if the financial loss is negligible;
- C. Failure of any mechanical function of a district-owned or contracted vehicle during operation, even if no injury or damage results.

It shall be the responsibility of the superintendent to direct an investigation on the report and to comply with the law. The information gained shall be considered in evaluating personnel performances, and in scheduling inspection of vehicles.

Training for Interacting with Students with Special Needs

The board of education contractor that provides student transportation services shall administer the New Jersey Department of Education developed training program on the proper procedures for interacting with students with special needs to all school bus drivers and school bus aides that it employs. The training program includes appropriate behavior management; effective communication; use and operation of adaptive equipment; and understanding behaviors that may be related to specific disabilities.

The training program shall be administered prior to that individual operating a school bus or serving as an aide on a school bus.

The contractor that provides student transportation services shall require that a school bus driver or school bus aide file a certification with the contractor that the individual has completed the training program within five business days of its completion. The contractor shall retain a copy of the certification for the duration of the individual's employment, and shall forward a copy of the certification to the New Jersey Department of Education.

The parent or guardian of a student with an individualized education plan shall complete the student information card when the individualized education plan is developed or amended for a student who receives transportation services. The student information card, developed by the New Jersey Department of Education,

TRANSPORTATION SAFETY (continued)

shall include information that should be readily available to a school bus driver and school bus aide for the purpose of promoting proper interaction with a student with special needs.

Upon receiving consent from a student's parent or guardian, the a copy of the completed student information card shall be provided to the student's assigned school bus driver and school bus aide.

Drills

Emergency evacuation drills shall be conducted regularly throughout the school year to acquaint the student riders thoroughly with emergency situations. An emergency evacuation drill shall be held as soon as possible after the opening day of school and then at least twice a year. Students who do not require busing shall participate in a drill as necessary before a field trip. All students shall receive evacuation instruction at least once within the school year.

Vehicles and Equipment

All district-owned or contracted vehicles used to transport children shall be maintained in such condition as to provide safe and efficient transportation service with a minimum of delays and disruption due to mechanical or equipment failure.

All district-owned or contracted vehicles used to transport children shall conform to state standards for such vehicles and shall be equipped with all safety devices required by code and statute.

All passengers on buses equipped with seat belts shall wear properly adjusted and fastened seat belts or other child restraint systems at all times while the bus is in operation.

Bus Drivers

Drivers of all Type I and Type II school vehicles used to transport district students shall be licensed by the State of New Jersey as bus drivers. They shall comply with all state requirements on physical condition, criminal history clearance, etc. The district shall be in compliance with all drug and alcohol testing requirements of the Omnibus Transportation Employee Testing Act and implementing regulations and shall provide all bus drivers with required information on them (see policy 4219.23 Employee Substance Abuse). Bus drivers are responsible for the safety of students entering, riding, and departing their vehicle.

Adopted: August 14, 2007
NJSBA Review/Update: March 2009, October 2019
Revised: March 30, 2015
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Key Words

Safety, Bus Safety, Transportation Safety, Student Transportation, Student Transportation

Legal References: N.J.S.A. 18A:6-7.1 Criminal history record; employee in regular contact with students; grounds for disqualification from employment; exception
N.J.S.A. 18A:25-2 Authority over students
N.J.S.A. 18A:39-1 et seq. Transportation of students remote from school

See particularly:
N.J.S.A. 18A:39-17, -18,

TRANSPORTATION SAFETY (continued)

-19.1, -20
N.J.S.A. 18A:39-19.2 Training program for school bus drivers, bus aides
 through N.J.S.A. 18A:39-19.4 relative to students with special needs
N.J.S.A. 18A:39-26 School Bus Safety Act
N.J.S.A. 18A:39-27 Bus Driver Presence Required
N.J.S.A. 18A:39-28 Inspection of School Bus for Students
N.J.S.A. 39:3-10.9 et seq. New Jersey Commercial Driver License Act
N.J.S.A. 39:3B-1.1 et seq. School Buses, Equipment and Regulations
See particularly:
N.J.S.A. 39:3B-10
 through -12
N.J.A.C. 6A:27-1.1et seq. Student Transportation
See particularly:
N.J.A.C. 6A:27-11.1, -11.2,
 -11.3, -11.4, -12.2, -13.3

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

49 U.S.C. § 31306 et seq.- Omnibus Transportation Employee Testing Act of 1991

49 C.F.R. Part 40.1 et seq. - Procedures for Transportation Workplace Drug Testing Programs

49 C.F.R. Part 382.101 - Controlled Substance and Alcohol Use and Testing

49 C.F.R. Part 391.1 et seq. - Qualification of drivers

Policies and Procedures Manual for Student Transportation, N.J. State Department of Education

The Department of Education School Bus Driver and Aide Training for Interacting with Students with Special Need: located on the New Jersey Department of Education website at: <http://www.nj.gov/education/finance/transportation/training/dis/>

Possible

Cross References: *3516 Safety
 *3541.1 Transportation routes and services
 *4211 Recruitment, selection and hiring
 *4119.23/4219.23 Employee substance abuse
 *4231/4231.1 Staff development; inservice education/visitations/conferences
 *5131 Conduct/discipline
 *1531.1 Harassment, intimidation and bullying
 *5142 Student safety

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

Regulation

TRANSPORTATION SAFETY

GENERAL STATEMENT

In accordance with board policy, the following procedures are established for:

- A. Ensuring that students are made aware of conduct required for safe transport;
- B. Ensuring that bus drivers receive appropriate training in management of students, safe driving practices; special concerns in transporting students with disabilities; emergency road procedures; and required drug and alcohol testing; as directed by board policy 3541.33;
- C. Ensuring the efficient reporting and response to accidents and equipment malfunction;
- D. The implementation of emergency response procedures;
- E. The implementation of requirements for appropriate drug and alcohol testing.

In addition to the following procedure, the superintendent or the school business administrator shall ensure that the district's transportation provider has a transportation safety manual that is in compliance with the New Jersey State Department of Education *Policies and Procedures Manual for Student Transportation*.

STAFF RESPONSIBLE

The following chart lists the staff members responsible for the implementation of the regulation and summarizes their responsibilities:

Position	Summary of Main Responsibilities
Superintendent	<ul style="list-style-type: none"> • Implementation and administrative oversight within the district • Contacting and being the liaison with all agencies involved in response to a transportation emergency or crisis in the district • Designation and delegation of additional duties, tasks, and responsibilities necessary for the effective implementation of this regulation • Execute unattended child report • Notify executive county superintendent of schools of specified motor vehicle accidents
Building principal	<ul style="list-style-type: none"> • Implementation and oversight within the school building • Prompt notification to the superintendent of matters requiring a hospitalization or an emergency response • Primary contact for reported motor vehicle accidents • Notification to parent/guardians of motor vehicle accidents involving school children • Documentation of all accident reports • Oversee/delegate bi-annual emergency exit drills for students who are transported to and from school • Execute preliminary school bus accident report • Assessment of this regulation
Bus driver	<ul style="list-style-type: none"> • Supervision of students during transportation

TRANSPORTATION (regulation continued)

	<ul style="list-style-type: none"> • Conducting safe pick-up and drop-off • Reporting accidents
Director of transportation	<ul style="list-style-type: none"> • General oversight of all bus drivers • Assigning routes • Parent notification when a student is taken back to school • Coordinate emergency exit procedures for disabled students with the director of special education services
Director of special education	<ul style="list-style-type: none"> • Inform the director of transportation of all special accommodations required by special needs students during emergency exit drills including but not limited to safety concerns, communication needs, and behavioral characteristics
School nurse	<ul style="list-style-type: none"> • Primary contact for reported motor vehicle accidents • Attain access to medical consent forms and parent emergency contact information where necessary • Contact parents/guardians of affected students • Coordinate the provision of student health information to emergency responders as appropriate
Parents/guardians	<ul style="list-style-type: none"> • Ensure that school safety rules are followed by their child(ren)
Bus aide	<ul style="list-style-type: none"> • Participate and assist in bi-annual emergency exit drills • Assist general education and special needs students during emergency exit procedures

PROCEDURESInservice

The director of transportation shall ensure that both employed and contracted school bus drivers and aides are appropriately trained in routine and emergency transportation procedures. Such training shall include, but not be limited to:

- A. Embarkation and disembarkation procedures;
- B. Emergency exit procedures;
- C. Student management and discipline;
- D. Bus stop safety
- E. End-of-route inspection;
- F. Confidential use of student records; and
- G. Bus drivers shall receive training in appropriate cell phone usage, defensive driving techniques, railroad crossing procedures, and drug and alcohol testing.

The above training may be provided by the district or by a contracted vendor; in either event the director of transportation shall document the training provided, the dates of the training, as well as attendees.

Student Safety

The superintendent shall ensure that school students receive a safety education program that includes pedestrian safety and rules for riding the school bus. Such training shall include, but not be limited to the specific dangers involved in waiting for transportation, boarding, riding, and exiting school vehicles, as well as

TRANSPORTATION (regulation continued)

emergency evacuations and dangers arising from transportation in school vehicles (see primary resource 1 School Bus Safety Manual).

The bus driver shall be responsible for maintaining the safety of students being transported by the bus and enforcing the school behavioral expectations. The bus driver shall:

- A. Be the authority in charge of students riding the bus;
- B. Be responsible for order and shall have the authority to report misconduct to the principal for disciplinary action according to the school code of student conduct;
- C. Not exclude an assigned student from the bus unless authorized to do so by the principal.

Behavioral Expectations

- A. Parents/guardians are advised that the district has designated neighborhood bus stops with student safety and ease of access being of paramount importance. The district expects parents to ensure that students promptly arrive to and depart from designated bus stops and that parents either escort students to and from bus stops in a timely fashion or ensure that students understand the responsibilities of prompt arrival to and departure from designated bus stop locations. In the event that a parent/guardian is unable to ensure a student's prompt arrival to and/or departure from a designated bus stop, that parent/guardian should contact the director of student transportation to request an accommodation based on the student's particularized need.
- B. Students with the support of their parents/guardians as appropriate shall be responsible for the following bus safety rules for getting on and off the bus, and for exercising good behavior while riding:

Waiting at the bus stop:

1. Upon arrival at the bus stop, students should be aware that the code of student conduct applies to behavior while waiting for the bus to arrive;
2. Students should be alert to traffic and other safety concerns;
3. Where the school bus fails to arrive, students should wait approximately 10 minutes before attempting to notify the school district or parents of the delay.

Getting on the bus:

1. When waiting for the bus, the student shall stay away from traffic and avoid roughhousing or other behavior that can lead to injury;
2. Students shall not stray onto the street, alleys or private property;
3. Students shall line up away from the street or road as the bus approaches;
4. Students shall wait until the bus has stopped and the door opens before approaching the bus;
5. Students shall use the handrail when boarding.

Behavior on the bus:

1. Students shall buckle their seat belts, where available;
2. Students shall comply with the bus driver's instructions;
3. Students shall not speak loudly or make loud noises that could distract the driver;
4. Students shall stay in their seats;
5. Students shall not put their heads, arms or hands out the window;
6. Students shall not throw anything out of the bus windows;
7. The aisles shall be kept clear of books and bags;
8. Each student shall be responsible for getting belongings together before reaching the stop;
9. Students shall wait for the bus to stop completely before getting up from their seats.

Getting off the bus:

TRANSPORTATION (regulation continued)

1. Students shall use the handrail when exiting;
2. When crossing in front of the bus, the student shall first walk at least 10 feet ahead of the bus, until the driver is visible;
3. Students shall check that the driver can see them;
4. Students shall wait for a signal from the driver before crossing;
5. When the driver signals, the student shall look left, right, then left again and then walk across the road, keeping an eye out for sudden traffic changes;
6. If the student's vision is blocked, the student should move to an area where he or she can see other drivers and they can see the student;
7. Students shall not cross the center line of the road until the driver signals it is safe;
8. Students shall stay away from the rear wheels of the bus at all times.

(From the National Safety Council at: <http://www.nsc.org/learn/safety-knowledge/Pages/news-and-resources-school-bus-safety-rules.aspx>)

Route Assignment

- A. Student route transportation is provided primarily for transporting students from their homes to and from school; all transportation policies and regulations apply to all events during which board approved transportation is provided;
- B. The director of transportation shall create and revise transportation routes designed to address the transportation needs of students who live remote from school. Remote from school shall be defined as more than two miles from school for elementary students and more than 2 and one half miles for high school students.
- C. The director of transportation shall ensure that each student is assigned a bus route and designated stop in the area of his/her residence;
- D. A change of bus stop assignment is permitted on a permanent reassignment basis, i.e., five days per week. Parents must complete a form with the transportation coordinator;
- E. A temporary change of stop or bus will only be granted in the case of a specific and extreme emergency with the approval of the building principal. This would be for a sudden hospitalization of an immediate family member;
- F. The principals may allow other temporary changes of bus route assignments. To change an assignment, the parent/guardian shall request the change and the reason for the change in writing and submit the request to the principals at least 48 hours (2 school days) in advance of the needed change. The principal may approve the change when a bus seat is available on the temporary bus route;
- G. Children must board and depart the bus only at the stop that he/she has been assigned; changes will not be made for recreation, play time, meetings, vacations, etc., as these are the responsibility of the parents;
- H. Bus drivers are not authorized to make any change of stop for any child. Only with written permission from the principal or the transportation coordinator may a driver allow a child to depart the bus at any place other than his/her designated stop.

Bus Malfunction

If a bus breaks down due to mechanical failure with no injuries to any passengers, the following procedures shall apply:

- A. The driver will notify the:
 1. Police to advise as to any existing or foreseeable exigent circumstances requiring police intervention;
 2. Director of transportation/transportation office;
 3. Business administrator;

TRANSPORTATION (regulation continued)

4. Principal of the receiving school, who shall promptly notify the superintendent;
- B. The transportation office will arrange for alternate transportation if necessary;
- C. Where necessary, police officers will control the scene and determine procedures to release children to parents and/or guardians, in no event shall a child be permitted to leave the location without adult supervision;
- D. The principal of the receiving school shall direct the school nurse/designee to contact the parents/guardians of students involved in the incident and notify them of the nature of the delay, the location of the bus and when circumstances are appropriate for parents or guardians to pick up their child(ren);
- E. The bus driver shall file a written report with the director of transportation detailing the nature of the malfunction within five days of the malfunction;
- F. The superintendent or his or her designee shall promptly cause the vehicle to be inspected to determine the nature of the malfunction and initiate appropriate maintenance/repair.

Accident

In addition to the procedures above, where a school vehicle is involved in a motor vehicle accident, the following procedures will apply:

- A. The superintendent shall designate the nurse and appropriate staff members to contact the parents/guardians of the students involved. The notification shall include the length of the expected delay and the location of the accident when circumstances are appropriate for parents or guardians to pick up their child(ren);
- B. The principal or his or her designee will be dispatched to the scene;
- C. If a child is sent to the hospital, a principal or his or her designee will be sent to accompany the child;
- D. The school bus driver shall:
 1. In the event the accident involves injury, death, or property damage, complete the preliminary school bus accident report and deliver it to the building principal within 10 days of the accident; and
 2. In the event the accident involves injury, death, or property damage of one person, in excess of \$500, complete the preliminary school bus accident report above, deliver it to the building principal within 10 days of the accident and complete a motor vehicle accident report within 10 days of the accident, if no such report was filed by a law enforcement officer;
- E. The building principal shall also execute the preliminary school bus accident report and file it with the director of transportation within five school days;
- F. The director of transportation shall also execute the preliminary school bus accident report and ensure that fully executed copies of the report are distributed in a timely fashion to the:
 1. Building principal;
 2. Executive county superintendent;
 3. New Jersey Department of Education, Office of Student Transportation; and
 4. Superintendent, who shall report the incident to the board of education at the first board meeting following filing of the preliminary school bus accident report.

Emergencies

Despite the district's best planning efforts, student transportation can involve emergent circumstances, such as fire, flood, severe weather, and traffic delays which are not covered in district policy or administrative

TRANSPORTATION (regulation continued)

regulation. In such emergent events, bus drivers, aides, and all district employees are encouraged to take responsible measures to ensure the safety and welfare of themselves, students and others. Police and/or first responders should be contacted immediately if circumstances warrant. District administration should be notified as soon as practicable. Safety is of primary importance and all efforts should be made to guarantee the safety of students and other individuals involved in the emergent circumstances.

Emergency Exit Drills

- A. School administrators shall organize and conduct emergency exit drills at least twice within the school year for all students who are transported to and from school:
1. Each building principal/designee shall be responsible for communicating these drill procedures to all transportation vendors and establishing emergency exit drill schedules;
 2. The first emergency exit drill shall be scheduled at the conclusion of the morning transportation run, any school day during the month of September. The second emergency exit drill shall be scheduled at the discretion of the building principal/designee;
 3. Each emergency exit drill shall take place on school property;
 4. Each school bus driver shall implement the emergency exit drill on his or her assigned vehicle, at the direction of the building principal;
 5. Each school bus driver, or school bus aide where applicable, assigned to transport disabled students, shall be responsible to implement necessary accommodations for disabled students during all emergency exit drills. Where any emergency exit drill raises a health or safety concern, the driver or aide, as appropriate, shall immediately report that concern to the director of transportation who shall then meet with the director of special education and/or building principal to remediate the reported concern;
 6. Each school bus driver assigned to transport special needs students who require an accommodation during an emergency exit shall receive training in that accommodation as soon as practicable following the assignment.
- B. All other students shall receive school bus evacuation instruction at least once within the school year. Each building principal shall ensure that such instruction is provided to all students at least once each year during the 1st marking period and shall maintain appropriate documentation of such instruction and all drills conducted;
- C. The school bus driver and bus aide shall participate in the emergency exit drills;
- D. Drills shall be conducted on school property and shall be supervised by the principal or person assigned to act in a supervisory capacity;
- E. Each building principal shall ensure that each bi-annual drill is documented in the minutes of the district board of education at the first board meeting following the completion of the emergency exit drill. The minutes shall include, but are not limited to, the following:
1. The date of the drill;
 2. The time the drill was conducted;
 3. The school name;
 4. The location of the drill;
 5. The route number(s) included in the drill; and
 6. The name of the school principal or assigned person(s) who supervised the drill.

End-of-Route

No school bus driver shall leave a school vehicle unattended while students are on board, except to assist in the loading or unloading of a disabled student or in the event of an emergency.

At the end of each transportation route, the following procedures shall be implemented by the bus driver to ensure that no student remains unattended in the vehicle:

TRANSPORTATION (regulation continued)

- A. When the last student has exited the school vehicle, the driver shall perform a visual inspection of the vehicle to ensure that no student remains unattended in the vehicle;
- B. The inspection shall take place when traffic conditions and/or location reasonably allow, but before the driver commences the next scheduled route or a return to the parking/storage grounds;
- C. If the inspection reveals a student who missed his/her scheduled bus stop, the driver shall immediately notify the director of transportation;
- D. A student shall be considered to be "unattended" when the scheduled route has concluded and the driver has left the vicinity of the bus;
- E. When an unattended student is discovered, the individual shall immediately inform the owner/operator of the vehicle, who shall notify the building principal of the receiving school and the superintendent;
- F. The superintendent/designee shall notify the parents/guardian and arrange safe delivery;
- G. The superintendent/designee shall execute the unattended student report and file same with the executive county superintendent within 10 days of the incident;
- H. The executive county superintendent shall submit the completed report to the Office of Student Transportation and the Criminal History Review Unit;
- I. Any school bus driver found to have left a student on the bus at the end of the route may be found negligent, and may have his or her license suspended for six months for a first offense and permanently revoked for a second offense;
- J. If any school bus driver's "gross negligence" results in harm to a child, the driver's license shall be permanently revoked.

Records

- A. Each school year, prior to the beginning of transportation of school students the district transportation contractor shall furnish to the executive county superintendent the following information on each bus driver or substitute:
 - 1. Name;
 - 2. Social security number;
 - 3. Certification of a valid school bus driver's license;
 - 4. Criminal background check; and
 - 5. Evidence of a check for the driver's record of alcohol and drug-related motor vehicle violations;
- B. All information must be submitted before the bus driver or substitute shall be assigned to any vehicle in the performance of the contract;
- C. Annually, on or before June 30, the building principal shall review this regulation and recommend to the superintendent renewal or revision along with any specific recommendations for revision that would increase transportation safety.

REGULATION HISTORY

Effective Date: January 3, 2020
Date of Review/Revision:

CROSS REFERENCES

3541.1 Transportation Routes and Services
5131 Conduct and Discipline

TRANSPORTATION (regulation continued)

- 5141.1 Accidents
- 5141.2 Illness
- 5142 Safety

PRIMARY RESOURCES

- 1 *Policies and Procedures Manual for Student Transportation*
- 2 Unattended Child Report

Policy

FOOD SERVICE

The school lunch program shall make a nutritionally adequate lunch available to every student and shall operate on the most economically feasible basis.

It shall be operated in strict compliance with all laws and regulations pertaining to health, sanitation and safety; internal accounting; employment practices; nutritional standards; costs of lunches; and periodic reporting required by New Jersey law.

The superintendent is responsible for the administration and operation of the school lunch program in keeping with federal and state laws and the policies and directives of the board.

Adopted: June 24, 1985
Revised: April 12, 1988
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009, October 2019
Revised: March 30, 2015
Readopted: January 3, 2020

(SE file code: 8500)

Key Words

School Lunch, Food Service, Nutrition, Wellness,

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:18A-5 Exceptions to requirement for advertising
See particularly:
N.J.S.A. 18A:18A-5a(6)
N.J.S.A. 18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations
N.J.S.A. 18A:33-3 through -5 Cafeterias for students
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.S.A. 18A:58-7.1 through -7.2 School lunch program ...
N.J.A.C. 2:36-1.1 et seq. Child Nutrition Programs
N.J.A.C. 6A:23A-16.5 Supplies and equipment
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Possible

Cross References: *1200 Participation by the public
*1220 Ad hoc advisory committees
*3000/3010 Concepts and roles in business and noninstructional operations; goals and objectives
*3220/3230 State funds; federal funds
*3450 Money in school buildings
*3510 Operation and maintenance of plant
*3542.1 Local wellness/Nutrition
*3542.31 Free or reduced-price lunches/milk

FOOD SERVICE (continued)

*3542.44	Purchasing
*4222	Noninstructional aides
*5131	Conduct/discipline
9123	Appointment of board secretary
9124	Appointment of business official

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

WELLNESS AND NUTRITION

The Camden City Board of Education believes that children need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive, and that good health fosters student attendance and education.

Obesity rates have doubled in children and tripled in adolescents over the last two decades, and physical inactivity and excessive calorie intake are the predominant causes of obesity. Heart disease, cancer, stroke, and diabetes are responsible for two-thirds of deaths in the United States, and major risk factors for those diseases, including unhealthy eating habits, physical inactivity, and obesity, often are established in childhood. Further, the items most commonly sold from school vending machines, school stores, and snack bars include low-nutrition foods and beverages, such as soda, sports drinks, imitation fruit juices, chips, candy, cookies, and snack cakes.

To promote healthful behavior in the school, the board is committed to encouraging its students to consume fresh fruits, vegetables, lowfat milk and whole grains. The board is also committed to encouraging students to select and consume all components of the school meal.

In order to promote and protect children's health, well-being, and ability to learn, the board is committed to providing school environments that support healthy eating and physical activity and directs the superintendent to ensure that the district takes the appropriate measures to meet the following district wellness and nutrition goals:

- A. All students will have opportunities, support, and encouragement to be physically active on a regular basis;
- B. Foods and beverages sold or served at school will meet the nutrition recommendations of the U.S. Dietary Guidelines for Americans, and the USDA nutrition standards for National School Lunch, School Breakfast and/or After School Snack Programs. The district will regulate the types of food and beverage items sold outside the federal meal requirements, such as ala carte sales, vending machines, school stores, and fundraisers;
- C. All students will be provided with adequate time for student meal service and consumption in a clean, safe, and pleasant dining environment. Lunch and recess or physical education schedules will be coordinated with the meal service;
- D. To the maximum extent practicable, all schools in our district will participate in available federal school meal programs (including the School Breakfast Program, National School Lunch Program including- After-School Snack Programs, Summer Food Service Program, and Child and Adult Care Food Program);
- E. Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services;
- F. The board will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies;
- G. District efforts to promote healthy nutrition and nutrition education, physical activity and other school-based activities that promote student wellness shall be measurable and evidence-based strategies and techniques and shall be implemented in each school.

WELLNESS AND NUTRITION (continued)

Foods and beverages available for sale including all snack and beverage items sold anywhere on school property during the school day, items sold in a la carte lines, vending machines, snack bars, school stores and fundraisers or served in the reimbursable After School Snack Program, shall meet the United States Department of Agriculture, Nutrition Standards for All Foods Sold in School, as required by the Healthy Hunger-Free Kids Acts of 2010 (see 3542.1 Wellness and Nutrition, Federal Nutrition Standards for All Foods Sold in School, Summary Chart).

Committee Review

The superintendent or his or her designee shall endeavor to engage parents, students, and representatives of the school food authority, members of the school board, school administrators, teachers, health professionals, and members of the public for the purpose of developing, implementing, monitoring, reviewing, and, as necessary, revising the school nutrition and physical activity initiatives. A committee may be convened to annually review and when necessary recommend revisions to school policies related to wellness and nutrition.

The committee will annually report to the board on the implementation of programs and initiatives related to student wellness and nutrition. The board shall annually review and consider recommendations of the wellness committee.

Triennial Assessment

The board shall ensure that a triennial (once every three years) assessment of the district wellness and nutrition policy and programs is completed. The recommendations of the committee shall be reviewed and considered as part of the triennial assessment. The assessment shall measure the implementation of the wellness and nutrition policy, and include:

- A. The extent to which each school is in compliance with the school wellness and nutrition policy;
- B. The extent to which the board wellness and nutrition policy compares to the federal and state model school wellness policies; and
- C. A description of the progress made in attaining the goals of the wellness and nutrition policy.

The board shall update or modify the policy and programs as necessary based on the results of triennial assessment.

Physical Activity

For students to receive the nationally-recommended amount of daily physical activity (i.e., at least 60 minutes per day) and for students to fully embrace regular physical activity as a personal behavior, the board is committed to providing opportunities for physical activity beyond physical education class. Activities that may be implemented include but shall not be limited to:

- A. Health education will complement and reinforce physical education. Students may be taught self-management skills that promote and help maintain a physically active lifestyle and reduce time spent on sedentary activities, such as watching television;
- B. As initiated and determined by the teacher, opportunities for physical activity may be incorporated into subject area lessons;
- C. Classroom teachers will make an effort to provide short physical activity breaks between lessons or classes, as appropriate;

WELLNESS AND NUTRITION (continued)

- D. The daily schedule shall allow for periods of physical activity before or after meal periods and minimum of 20 minutes for recess daily; and
- E. The code of student conduct shall prohibit withholding recess or other periods of physical activity as a consequence or a disciplinary option.

Recordkeeping Requirements

The superintendent or his or her designee shall maintain records to document compliance with wellness and nutrition policy requirements. These records shall include but are not limited to:

- A. The written wellness and nutrition policy;
- B. Documentation demonstrating compliance with community involvement requirements;
- C. Documentation of the triennial assessment of the wellness and nutrition policy; and
- D. Documentation to demonstrate compliance with the annual public notification requirements.

Marketing

The marketing of food or beverages shall only be permitted on the school campus during the school day for foods and beverages that meet the competitive foods requirements.

For purposes of this policy, marketing is defined as advertising and other promotions in schools. Food marketing commonly includes oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product.

The marketing of products on the exterior of vending machines, through posters, menu boards, coolers, trash cans, and other food service equipment, as well as cups used for beverage dispensing are all subject to board policy, and the logos and products marketed in these areas and items are required to meet the competitive foods standards for foods sold in schools. This restriction shall not apply to marketing that occurs at events outside of school hours such as after school sporting or any other events, including school fundraising events.

General Requirements

The district's curriculum shall incorporate nutrition education and physical activity consistent with the New Jersey Student Learning Standards.

Food and beverages that are not sold such as foods and beverages served during special school celebrations or during curriculum related activities shall be exempt from this policy. However, on such occasions healthy food choices such as fruits, vegetable, fruit juice and water shall be made available to all students participating in such activities.

This policy does not apply to: medically authorized special needs diets pursuant to federal regulations; school nurses using food or beverages during the course of providing health care to individual students; or special needs students whose Individualized Education Program (IEP) indicates their use for behavior modification.

Adequate time shall be allowed for student meal service and consumption. Schools shall provide a pleasant dining environment. The board recommends that physical education or recess be scheduled before lunch whenever possible.

WELLNESS AND NUTRITION (continued)

The superintendent will specifically address the issue of biosecurity for the school food service. Biosecurity may be part of the plans, procedures and mechanism for school safety.

The board is committed to promoting the nutrition policy with all food service personnel, teachers, nurses, coaches and other school administrative staff so they have the skills they need to implement this policy and promote healthy eating practices. The board will work toward expanding awareness about this policy among students, parents, teachers and the community at large.

The superintendent shall develop regulations consistent with this policy, including a process for measuring the effectiveness of its implementation, and designating personnel within each school with operational responsibility for ensuring the school is complying with the policy.

The superintendent shall ensure that the public is informed about the content of the wellness and nutrition policy. The wellness and nutrition policy and any updates to the policy shall be made available to the public on an annual basis. The policy may be posted on the school website and/or at locations deemed appropriate by the superintendent.

Adopted: August 14, 2007
 NJSBA Review/Update: March 2009, October 2019
 Revised: March 30, 2015
 Readopted: January 3, 2020

(SE file codes: 8505, 8506)

Key Words

School Lunch, Food Service, Nutrition, Wellness,

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:18A-4.1 f.,h.	Use of competitive contracting in lieu of public bidding; boards of education
	<u>N.J.S.A.</u> 18A:18A-5	Exceptions to requirement for advertising
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:18A-5a(6)	
	<u>N.J.S.A.</u> 18A:18A-6	Standards for purchase of fresh milk; penalties; rules and regulations
	<u>N.J.S.A.</u> 18A:33-3 through -5	Cafeterias for students
	<u>N.J.S.A.</u> 18A:33-9 through -14	Findings, declarations relative to school breakfast programs
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:33-10	
	<u>N.J.S.A.</u> 18A:33-15 through -19	<u>Improved Nutrition and Activity Act (IMPACT Act)</u>
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> 18A:58-7.1 through -7.2	School lunch program
	<u>N.J.A.C.</u> 2:36-1.1 <u>et seq.</u>	Child Nutrition Programs
	<u>See particularly:</u>	
	<u>N.J.A.C.</u> 2:36-1.7	Local school nutrition policy
	<u>N.J.A.C.</u> 6A:16-5.1(b)	School safety plans

WELLNESS AND NUTRITION (continued)

N.J.A.C. 6A:23A-1 et seq. Fiscal -1 et seq. Fiscal accountability, efficiency and budgeting procedures

See particularly:

N.J.A.C. 6A:23A-16.5 Supplies and equipment
N.J.A.C. 6A:30-1.1et seq. Evaluation of the Performance of School Districts

Sec. 204 at the Federal Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265)

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See particularly:

N.J.A.C. 6A:23A-16.5 Supplies and equipment
N.J.A.C. 6A:30-1.1et seq. Evaluation of the Performance of School Districts

Sec. 204 at the Federal Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265)

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4 (P.L. 108-265)

42 U.S.C. 1751 et seq. Richard B. Russell National School Lunch Act

1966 42 U.S.C. 1771 et seq. Child Nutrition Act of

7 CFR Part 210 and 220 Healthy, Hunger-Free Kids Act of 2010

7 CFR Part 210 Medically authorized special needs diets

Possible

Cross References: *1200 Participation by the public

WELLNESS AND NUTRITION (continued)

	*1220	Ad hoc advisory committees
	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
	*3220/3230	State funds; federal funds
	*3450	Money in school buildings
	*3510	Operation and maintenance of plant
	*3542	Food Service
	*3542.31	Free or reduced-price lunches/milk
	*3542.44	Purchasing
	*4222	Noninstructional aidest/discipline
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	*4222	Noninstructional aidest/discipline
542.44	Purchasing	
	*4222	Noninstructional aidest/discipline
structional aidest/discipline		
	9123	Appointment of board secretary
	9124	Appointment of business official

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

**United States Department of Agriculture
Nutrition Standards for All Foods Sold in School**

(see: <http://www.usda.gov/wps/portal/usda/usdahome>; and
http://www.fns.usda.gov/sites/default/files/allfoods_summarychart.pdf)

Food/Nutrient	Standard	Exemptions to the Standard
General Standard for Competitive Food.	<p>To be allowable, a competitive FOOD item must:</p> <ol style="list-style-type: none"> 1. meet all of the proposed competitive food nutrient standards; and 2. be a grain product that contains 50% or more whole grains by weight or have whole grains as the first ingredient*; or 3. have as the first ingredient* one of the non-grain main food groups: fruits, vegetables, dairy, or protein foods (meat, beans, poultry, seafood, eggs, nuts, seeds, etc.); or 4. be a combination food that contains at least 1/4 cup fruit and/or vegetable; or 5. contain 10% of the Daily Value (DV) of a nutrient of public health concern (i.e., calcium, potassium, vitamin D, or dietary fiber). <p>Effective July 1, 2016 this criterion is obsolete and may not be used to qualify as a competitive food.</p> <p>*If water is the first ingredient, the second ingredient must be one of items 2, 3 or 4 above.</p>	<ul style="list-style-type: none"> • Fresh fruits and vegetables with no added ingredients except water are exempt from all nutrient standards. • Canned and frozen fruits with no added ingredients except water, or are packed in 100% juice, extra light syrup, or light syrup are exempt from all nutrient standards. • Canned vegetables with no added ingredients except water or that contain a small amount of sugar for processing purposes to maintain the quality and structure of the vegetable are exempt from all nutrient standards.
NSLP/SBP Entrée Items Sold A la Carte.	Any entrée item offered as part of the lunch program or the breakfast program is exempt from all competitive food standards if it is sold as a competitive food on the day of service or the day after service in the lunch or breakfast program.	
Sugar-Free Chewing Gum	Sugar-free chewing gum is exempt from all competitive food standards.	
Grain Items	Acceptable grain items must include 50% or more whole grains by weight, or have whole grains as the first ingredient.	
Total Fat	Acceptable food items must have ≤ 35% calories from total fat as served.	<ul style="list-style-type: none"> • Reduced fat cheese (including part-skim mozzarella) is exempt from the total fat standard. • Nuts and seeds and nut/seed butters are exempt from the total fat standard. • Products consisting of only dried fruit with nuts and/or seeds with no added

WELLNESS AND NUTRITION (*Federal Nutritional Standards for All Foods Sold in Schools* summary chart continued)

		<p>nutritive sweeteners or fats are exempt from the total fat standard.</p> <ul style="list-style-type: none"> Seafood with no added fat is exempt from the total fat standard. <p>Combination products are not exempt and must meet all the nutrient standards.</p>
Saturated Fat	Acceptable food items must have < 10% calories from saturated fat as served.	<ul style="list-style-type: none"> Reduced fat cheese (including part-skim mozzarella) is exempt from the saturated fat standard. Nuts and seeds and nut/seed butters are exempt from the saturated fat standard. Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the saturated fat standard. <p>Combination products are not exempt and must meet all the nutrient standards</p>
Trans Fats	Zero grams of trans fat as served (≤ 0.5 g per portion).	
Sugar	Acceptable food items must have $\leq 35\%$ of weight from total sugar as served.	<ul style="list-style-type: none"> Dried whole fruits or vegetables; dried whole fruit or vegetable pieces; and dehydrated fruits or vegetables with no added nutritive sweeteners are exempt from the sugar standard. Dried whole fruits, or pieces, with nutritive sweeteners that are required for processing and/or palatability purposes (i.e. cranberries, tart cherries, or blueberries) are exempt from the sugar standard. <p>Products consisting of only exempt dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the sugar standard</p>
Sodium	Snack items and side dishes sold a la carte: ≤ 230 mg sodium per item as served. Effective July 1, 2016 snack items and side dishes sold a la carte must be: ≤ 200 mg sodium per	

WELLNESS AND NUTRITION (*Federal Nutritional Standards for All Foods Sold in Schools* summary chart continued)

	item as served, including any added accompaniments. Entrée items sold a la carte: ≤480 mg sodium per item as served, including any added accompaniments.	
Calories	Snack items and side dishes sold a la carte: ≤ 200 calories per item as served, including any added accompaniments. Entrée items sold a la carte: ≤350 calories per item as served including any added accompaniments.	Entrée items served as an NSLP or SBP entrée are exempt on the day of or day after service in the program meal.
Accompaniments	Use of accompaniments is limited when competitive food is sold to students in school. The accompaniment must be included in the nutrient profile as part of the food item served and meet all proposed standards.	
Caffeine	Elementary and Middle School: foods and beverages must be caffeine-free with the exception of trace amounts of naturally occurring caffeine substances. High School: foods and beverages may contain caffeine.	
Beverages		
	<p>Elementary School</p> <ul style="list-style-type: none"> • Plain water or plain carbonated water (no size limit); • Low fat milk, unflavored (≤8 fl. oz.); • Nonfat milk, flavored or unflavored (≤8 fl. oz.), including nutritionally equivalent milk alternatives as permitted by the elementary school • 100% fruit/vegetable juice (≤8 fl. oz.); • 100% fruit/vegetable juice diluted with water (with or without carbonation) and no added sweeteners (≤8 fl. oz.). <p>Middle School</p> <ul style="list-style-type: none"> • Plain water or plain carbonated water (no size limit); • Low-fat milk, unflavored (≤12 fl. oz.); • Non-fat milk, flavored or unflavored (≤12 fl. oz.), including nutritionally equivalent milk alternatives as permitted by the school meal requirements; • 100% fruit/vegetable juice (≤12 fl. oz.); and • 100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners (≤12 fl. oz.). <p>High School</p> <ul style="list-style-type: none"> • Plain water or plain carbonated water (no size limit); • Low-fat milk, unflavored (≤12 fl. oz.); 	

WELLNESS AND NUTRITION (*Federal Nutritional Standards for All Foods Sold in Schools* summary chart continued)

	<ul style="list-style-type: none">• Non-fat milk, flavored or unflavored (≤ 12 fl. oz.), including nutritionally equivalent milk alternatives as permitted by the school meal requirements;• 100% fruit/vegetable juice (≤ 12 fl. oz.);• 100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners (≤ 12 fl. oz.);• Other flavored and/or carbonated beverages (≤ 20 fl. oz.) that are labeled to contain ≤ 5 calories per 8 fl. oz., or ≤ 10 calories per 20 fl. oz.; and• Other flavored and/or carbonated beverages (≤ 12 fl. oz.) that are labeled to contain ≤ 40 calories per 8 fl. oz., or ≤ 60 calories per 12 fl. oz.	
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Policy

FREE OR REDUCED-PRICE LUNCHES/MILK; OFFER VERSUS SERVE BREAKFAST AND LUNCH

It is the policy of the Camden City Board of Education that this school district shall participate in any federal or state subsidized food program for the benefit of eligible students. Student eligibility shall be as determined by the guidelines of the subsidizing agency. The board requires that all regulations of the subsidizing agency be observed including and especially those which preserve the privacy of eligible students.

The board hereby adopts as its own the free and reduced-price policy developed by the bureau of child nutrition programs pursuant to federal regulations.

School Breakfast and Lunch

The school lunch and breakfast programs shall make a nutritionally adequate meal available to every student in compliance with the federal law, the Healthy and Hunger Free Kids Act of 2010 and shall operate on the most economically feasible basis.

It shall be operated in strict compliance with all laws and regulations pertaining to health, sanitation and safety; internal accounting; employment practices; nutritional standards; costs of lunches; and periodic reporting required by New Jersey law.

Offer Versus Serve Breakfast and Lunch

A. Breakfast

All school breakfasts eligible for Federal reimbursement shall offer four food items from the three food components in the appropriate amounts per grade grouping:

1. Fruit or vegetable or juice;
2. Milk; and
3. Grains (including optional meat/meat alternate).

Students shall be permitted to decline one of the four food items offered. A student's decision to accept all four food items or to decline one food item shall not affect the price charged for the meal as the breakfast is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a la carte prices will be charged.

B. Lunch

A school lunch eligible for Federal reimbursement shall offer five food components in the appropriate amounts per grade grouping:

1. Fruit;
2. Vegetable;
3. Milk;
4. Grain; and
5. Meat/Meat Alternate.

Students shall be permitted to decline two of the five required food components, but must select at least a half cup of either fruit (or fruit combination) or a half cup of vegetable (or vegetable combination) or half cup of a fruit/vegetable combination. After selecting the half cup fruit or vegetable requirement, students must select at

FREE AND REDUCED PRICE LUNCHES/MILK: OVS (continued)

least two additional full components in the full amounts (per age/grade grouping required amounts) to count toward the reimbursable offer versus serve meal.

The student's decision to accept all five food components or to decline two food components shall not affect the price charged for the meal as the lunch is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a la carte prices will be charged.

School staff members shall not require a child to take a particular food component. It is the student's choice to select the components of the reimbursable meal.

Food service staff members will be trained annually on the provisions of the district's lunch and breakfast offer versus serve policy.

Implementation

The superintendent is responsible for the administration and operation of the school meal program in keeping with federal and state laws and the policies and directives of the board.

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Revised:	August 23, 1995
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(SE file codes: 8507, 8508, 8540)

Key Words

Free Lunch, School Lunch, Lunch, Milk, Reduced-price Lunches/Milk

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:33-3	Cafeterias for students
	<u>N.J.S.A.</u> 18A:33-4	School lunch; availability to all children
	<u>N.J.S.A.</u> 18A:33-5	Exemptions
	<u>N.J.S.A.</u> 18A:33-10	Establishment of school breakfast program in certain schools
	<u>N.J.S.A.</u> 18A:33-11	Implementation of school breakfast program by district
	<u>N.J.S.A.</u> 18A:58-7.1 through -7.2	School lunch program
	<u>N.J.A.C.</u> 2:36-1.2	Policy and agreement for school nutrition programs
	<u>N.J.A.C.</u> 2:36-1.8	Review and evaluation

Possible

<u>Cross References:</u>	*2224	Affirmative action/nondiscrimination
	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
	*3220/3230	State funds; federal funds
	*3450	Money in school buildings
	*3510	Operation and maintenance of plant
	*3542	Food Service
	*3542.1	Wellness and nutrition
	*3542.44	Purchasing
	*4222	Noninstructional aides
	9123	Appointment of board secretary
	9124	Appointment of business official

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

Policy

PURCHASING

The Camden City Board of Education authorizes and directs the superintendent or designee to execute contracts with proper vendors in accordance with state law to purchase subsistence amounts of perishable foods without competitive bids. This policy shall be published annually as required by law, along with the procedures by which authorized vendors may become eligible to submit quotations.

The school business administrator/board secretary is authorized to purchase not more than \$500 worth of food supplies in any month for the cafeterias or food preparation classes without soliciting quotations. Such purchases must be documented according to law.

Adopted: June 24, 1985
Revised: April 12, 1988
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009, October 2019
Revised: March 30, 2015
Readopted: January 3, 2020

(SE file code: 6480)

Key Words

Food Purchases, Purchasing Procedures

Legal References: N.J.S.A. 18A:18A-5(a)6 Exceptions to requirements for advertising
N.J.S.A. 18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations
N.J.A.C. 6A:23A-16.5(d)(3)Supplies and equipment

Possible

Cross References: *3320 Purchasing procedures
3571 Financial reports

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

Policy

ESTABLISHMENT OF RESERVE ACCOUNTS

Capital Reserve

The Camden City Board of Education may, at any time, establish by board resolution a capital reserve account, pursuant to law (N.J.S.A. 18A:21-2 and 3, and 18A:7G-31). The account shall be established on such form as shall be prescribed by the commissioner, a true copy of which shall be filed with the department. The account shall include the earnings attributable to the investment of the assets of the account.

- A. The accounts shall be established and held in accordance with the Generally Accepted Accounting Principles (GAAP) and shall:
 - 1. Be subject to an annual audit;
 - 2. Be used to finance long-range facilities plans;
 - 3. Not exceed the amount of funds required to implement the long-range facilities plans.
- B. The board may appropriate funds in the district's annual budget for the establishment of the capital reserve to supplement the funds in the account as required to meet the needs of the long-range facilities plan.
- C. The board may, by resolution:
 - 1. Transfer funds from the capital reserve account to the appropriate line item account for the funding of capital projects as contained in the district's long-range facilities plan; and
 - 2. Transfer funds from the capital reserve account to the debt service account for the purpose of offsetting principal and interest payments for bonded projects which are included in the district's long-range facilities plan.
- D. The board is prohibited from using the funds in such capital reserve account for current expenses, and shall only use such funds:
 - 1. To implement capital projects in the school district's long-range facilities plan (see board policy 7110 Long Range-Facilities Plan, N.J.S.A. 18A:7G-4(a), and N.J.A.C. 6A:26-2); and
 - 2. To augment a capital project funded in whole or part by bond proceeds only when:
 - a. The original referendum question separately listed the amount and portion of local share (or portion of total costs of a project receiving debt service aid) to be funded by capital reserve; or
 - b. Voter approval was received to augment the original approved question by special appropriation in a type I school district, by separate question at a special election or through the appropriate line-items and supporting documentation in the base budget at the annual school election.

Other Reserve Accounts

The board of education may through the adoption of a board resolution establish the following reserve accounts:

A. Definitions

"Debt service" means and includes payments of principal and interest upon school bonds issued to finance the acquisition of school sites and the purchase or construction of school facilities, additions to school facilities, or the reconstruction, remodeling, alteration, modernization, renovation or repair of school facilities, including furnishings, equipment, architect fees and the costs of issuance of such

RESERVE ACCOUNTS (continued)

obligations and shall include payments of principal and interest upon school bonds heretofore issued to fund or refund such obligations, and upon municipal bonds and other obligations which the commissioner approves as having been issued for such purposes.

B. Current expense emergency reserve account:

1. The funds in the reserve shall be used to finance unanticipated general fund current expense costs required for thorough and efficient education. For the purpose of the emergency reserve account, "unanticipated" shall mean reasonably unforeseeable and shall not include additional costs caused by poor planning or error;
2. The account shall not exceed \$ 250,000 or one percent of the school district's general fund budget as certified for taxes up to a maximum of \$ 1,000,000, whichever is greater;
3. A district board of education may appropriate funds to establish or supplement the reserve in the school district's annual budget or through a transfer by board resolution of any unanticipated revenue and/or unexpended line-item appropriation amounts anticipated at year end. Any such transfer resolution shall be adopted by the board no earlier than June 1 and no later than June 30 of the respective school year;
4. Withdrawals from the reserve shall require the approval of the Commissioner unless the withdrawal is necessary to meet an increase in total health care costs in excess of four percent, for which the district did not receive an automatic adjustment for health care costs pursuant to N.J.A.C. 6A:23A-11.4, regarding calculating the adjustment for health care costs. Total health care costs include medical insurance and prescription drug insurance costs.

C. Debt service reserve account in the debt service fund for proceeds from the sale of school district property. For the purposes of the debt service reserve account "property" shall mean land, buildings and other property that was incidental to the sale of land or a building. The following rules shall apply:

1. The funds in the reserve shall be used by the district first to reduce the outstanding principal amount at the earliest call date or to annually reduce the debt service principal payments;
2. The funds in the reserve may be used for any outstanding debt obligation or debt obligations of the district;
3. The reserve shall be liquidated within the lesser of five years from its inception or the remaining term on the obligations;
4. Any remaining balance shall be used for tax relief.

D. Tuition adjustment reserve account in the general fund for up to 10 percent of the estimated tuition cost in the contract year for an anticipated tuition adjustment in the third year following the contract year. In such case, the district board of education shall:

1. Establish the tuition adjustment reserve account at June 30 by board resolution;
2. Make full appropriation of the reserve for the tuition adjustment in the third year following the contract year;
3. Exclude from the cap calculation the budgeted fund balance and appropriation of the tuition adjustment reserve in the third year following the contract year for such tuition adjustments; and
4. Transfer to the general fund, by board resolution, any interest earned on the investments in a tuition adjustment reserve account on an annual basis. Such transfer may be made on a more frequent basis at the discretion of the district board of education.

Adopted: March 30, 2015
 NJSBA Review/Update: October 2019
 Readopted:

(SE file code: 6740)

Key Words

Reserve Account, Debt Service, Tuition Adjustment, Capital Reserve

RESERVE ACCOUNTS (continued)

Legal References	<p><u>N.J.S.A.</u> 18A:7F-7(b)</p> <p><u>N.J.S.A.</u> 18A:7G-3</p> <p><u>N.J.S.A.</u> 18A:7G-4</p> <p><u>N.J.S.A.</u> 18A:7G-31</p> <p>N.J.S.A 18A:21-2</p> <p>N.J.S.A 18A:21-3</p> <p><u>N.J.S.A.</u> 18A:22-8.2</p> <p><u>N.J.S.A.</u> 18A:23-1</p> <p><u>N.J.A.C.</u> 6A:23A-8.5</p> <p><u>N.J.A.C.</u> 6A:23A-14.4</p> <p><u>N.J.A.C.</u> 6A:26-2.1 et seq.</p> <p>See Particularly:</p> <p><u>N.J.A.C.</u> 6A:26-3.7, -3.12, -4.2, -4.4</p>	<p>Appropriation by school district of undesignated fund balance; amounts allowable</p> <p>Definitions relative to construction, financing of public school facilities</p> <p>Long-range facilities plans</p> <p>Capital reserve accounts</p> <p>Authorization; establishment of a capital reserve account</p> <p>Credits to capital reserve accounts</p> <p>Prohibited transfers</p> <p>Audit when and how made</p> <p>Designation of general fund balances</p> <p>Establishment of other reserve accounts</p> <p>Educational facilities</p>
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Possible

<u>Cross References:</u>	<p>*3100 Budget planning, preparation and adoption</p> <p>*3160 Transfer of funds between line items/amendments/purchases not budgeted</p> <p>*3220/3230 State funds; federal funds</p> <p>*3571.1 Audit</p> <p>*7110 Long-range facilities plan</p>
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*Indicates policy is included in the Critical Policy Reference Manual.

Policy

DISTRICT RECORDS AND REPORTS

The operation of a school district results in the generation of numerous documents and official records. These must be maintained in compliance with the New Jersey Open Public Records Act and other laws and regulations. Members of the public have the right under law to inspect and copy (with certain exceptions) the public records of the district.

The district plans to preserve these records by:

- A. Appointing the business administrator as records custodian;
- B. Periodically reviewing records retention with the superintendent and the school board or a committee thereof; and
- C. Retaining records according to the schedule for educational institutions promulgated by New Jersey Department of Treasury, Division of Revenue and Enterprise Service, Records Management Services (RMS). A partial schedule, for key classes of records, is shown at the end of this policy.

Availability to the Public

For the protection of the public interest, the board believes that members of the community have a right to inspect, copy or examine district records, with certain exemptions as specifically described in statute. Any limitations on this right shall be construed in favor of the public's right to access. Requests for district records shall be submitted to the records custodian (or designee) in writing on the appropriate form. The custodian shall reply to all requests promptly and shall grant access or deny the request as soon as possible, but within seven days, provided that the record is currently available and not in storage or archived.

The custodian shall permit district records to be inspected, examined or copied during the hours that the board office is open. Immediate access ordinarily must be granted for budgets, bills, contracts and collective negotiations agreements. Copies may be made at fees not to exceed those set by statute. Anonymous requests for government records are permitted by law. If an anonymous request is made and the estimated cost of producing copies exceeds \$5.00, a deposit may be required. Anonymous requests for personal information will not be fulfilled.

Access shall be granted in the medium requested or some other meaningful medium, unless the request is for a record in a medium not routinely used by the district; not routinely developed or maintained by the district; or requiring a substantial amount of manipulation or programming of information technology. In these cases, the board may add a special reasonable charge. The custodian shall ensure that statements are prominently posted in district offices that describe the specific terms of the public's right to appeal a denial of access and procedures for filing an appeal.

Records Exempted from Public Access

Records exempted by law include: security and emergency response procedures; purchase, lease or acquisition of real property; pending or anticipated litigation; reports of investigations in progress; matters for which disclosure would impair the right to receive federal funds; pending negotiations toward a collective bargaining agreement; most personnel and pension records of an individual; questions and answer keys (for personnel or academic examinations and job interviews); records concerning individual students and staff, their home addresses and telephone numbers (unless waived by the individual); reports and recommendations that involve unwarranted invasion of privacy; medical and psychological records. The

DISTRICT RECORDS AND REPORTS (continued)

records custodian will keep confidential and edit out information in records that disclose social security numbers, credit card information and drivers' license numbers.

Record Retention

Record retention periods in conformance with state and federal codes, regulations, and statutes of limitation may be accessed through the New Jersey Department of Treasury, Division of Revenue and Enterprise Service, Records Management Services (RMS) at <http://www.nj.gov/treasury/revenue/rms/retention.shtml>. The records custodian will ensure that records are retained and appropriately stored in accordance with state and federal statute and regulation. A partial schedule of retention periods for pertinent school record categories is listed below (Note: the School District Records Retention and Disposition Schedule should be consulted before any record is destroyed).

Partial Record Retention Schedule

- A. *Financial records*: 7 (seven) years
- B. *Agendas and minutes*: Permanent for originals; 1 year for copies
- C. *Resolutions of the school board*: Permanent
- D. *Administrative policy and advisory statements*: Permanent
- E. *Correspondence, including emails*: 3 (three) years for general external correspondence; one year for internal correspondence
- F. *Official public meeting notice*: 3 (three) years
- G. *Legal notice in newspaper*: 7 (seven) years
- H. *Publisher's affidavits*: 10 (ten) years
- I. *Tape recordings of school board meetings (audio tape and video)*: 45 (forty-five) days or until summary or verbatim transcripts have been approved as minutes
- J. *Election file*: 5 (five) years for bonding election report, certificate and voting authority
- K. *Other election materials*: 1 (one) year
- L. *Master publications file of school newsletters, yearbooks, student handbooks, etc.*: Permanent
- M. *School monitoring file (with school monitoring annual plan)*: Permanent
- N. *Internal monitoring guide and action plan*: 14 (fourteen) years
- O. *Academic master plan (updated every seven years)*: Permanent
- P. *Support file for the academic master plan, including school evaluations*: 10 (ten) years.
- Q. *Fall and statistical report file*: 5 (five) years
- R. *Settlements (original)*: Permanent

DISTRICT RECORDS AND REPORTS (continued)S. *Agency copy of routine settlements: 3 (three) years after final settlement*

School District Retention Schedule: Active Records – Administration, can be found at RMS School District Records Retention and Disposition Schedule reference number M7000101-001. For all other items the district will consult RMS Individual Educational Records Series Description and Series Number for retention and disposal information.

Email Records

- A. Email messages are “official record messages” if they are evidence of the district’s organization, function, policies, procedures, or activities or contain informational data appropriate for preservation. Examples include:
1. Policy documents or contract related documents;
 2. Correspondence, e.g., letters, memos, emails from individuals, companies, or organizations requesting information about the district or school policies or practices and the responses to these requests;
 3. Project reports;
 4. Correspondence dealing with significant aspects of District administration or a school executive office, including messages containing information concerning policies, programs, fiscal and personnel matters, and contracts.
- B. Email messages are “non-record messages” if they do not evidence the district’s organization, function, policies, procedures, or activities; or contain informational data appropriate for preservation. These are generally informal or preliminary drafts, notes, recommendations, or memoranda that do not contain official action. Non-record email messages may be deleted. Examples include:
1. Personal correspondence not received or created in the course of district or school business, such as, “What’s for dinner?” or “I’ll be glad to drive to the meeting.”
 2. Notices concerning meetings or workshops, dates, discussion topics, and material to prepare for or to be discussed during a meeting.
 3. Publications or promotional material from vendors and similar materials that are available to anyone.
 4. Correspondence containing recommendations or opinions that are preliminary to a decision.
 5. Informal correspondence to parents/guardians concerning school activities or an individual student’s progress or assignments provided the messages do not contain notice of final or official action.
 6. Draft material.

Electronic messages on school owned or issued electronic devices and the district network shall be retained for the period of time specified by the Destruction of Public Records Law (retained three (3) years for external correspondence and one (1) year for internal correspondence).

Individual E-mail Accounts for District Employees

District employees shall be provided with email access. All staff members must acknowledge receipt of this acceptable use policy. In any litigation, employee email is subject to disclosure and will be released upon appropriate demand within the following periods:

- A. General email which is internal will be retained and/or archived for one year.
- B. General email that is external shall be retained and/or archived for three years, including three years past the date on which the email system is superseded or discontinued.
- C. Email pertaining to personnel matters shall be retained and/or archived for six years after separation

DISTRICT RECORDS AND REPORTS (continued)

from service.

- D. Email that is a student record shall be retained and/or archived for seven years past the student's date of graduation.
- E. Email pertaining to an accident shall be retained and/or archived for seven years past the date of final settlement.

Retention requirements vary depending on the type of record. For additional information on records other than email, refer to the Records Retention and Disposition Schedule, issued by the Division of Revenue and Enterprise Services - Records Management Services, in the New Jersey Department of Treasury. The retention and disposition schedule is hereby incorporated into this policy by reference.

Implementation

The superintendent shall periodically review the work of the records custodian with the school board or a committee thereof, to ensure that necessary steps are being taken to gather, record, disseminate, copy, store and ultimately to destroy school district records in accordance with applicable laws. Particular attention shall be paid to implementing the public's right to access records and to protecting from public access those records specifically exempted by law. If deemed necessary, the board will adopt additional rules, regulations and procedures to implement this policy.

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 Revised: September 10, 1991
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 Revised: March 30, 2015
 Readopted:

(SE file codes: 8310, 8311)

Key Words

District Records and Reports, Public Access, Records, Reports

<p><u>Legal References:</u> <u>N.J.S.A.</u> 10:4-6 et seq. <u>N.J.S.A.</u> 18A:4-14 <u>N.J.S.A.</u> 18A:7A-11 <u>N.J.S.A.</u> 18A:11-2 <u>See particularly:</u> <u>N.J.S.A.</u> 18A:11-2(b) <u>N.J.S.A.</u> 18A:17-7 through -12 <u>N.J.S.A.</u> 18A:17-28(e) <u>N.J.S.A.</u> 18A:17-35 <u>N.J.S.A.</u> 18A:17-36 <u>N.J.S.A.</u> 18A:17-46 <u>N.J.S.A.</u> 18A:36-19</p>	<p><u>Open Public Meetings Act</u> Uniform system of bookkeeping for school districts Reports by local school district, commissioner; interim review Power to sue and be sued; reports; census of school children Secretary to give notices and keep minutes, etc. Duties of business manager Records of receipts and payments Accounting; monthly and annual reports Act of violence; report by school employee; notice of action taken; annual report Student records; creation, maintenance and retention,</p>
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DISTRICT RECORDS AND REPORTS (continued)

<u>N.J.S.A. 47:1A-1 et seq.</u>	security and access; regulations; nonliability
<u>See particularly:</u>	Examination and copies of public records (<u>Open Public Records Act</u>)
<u>N.J.S.A. 47:1A-1.1, -5</u>	
<u>N.J.S.A. 47:3-15 et seq.</u>	Destruction of Public Records Law
<u>N.J.A.C. 2:36-1.1 et seq.</u>	Child Nutrition Programs
<u>N.J.A.C. 6A:16-5.3</u>	Incident reporting of violence, vandalism and substance abuse
<u>N.J.A.C. 6A:23A-16.1 et seq.</u>	Prescribed system of double-entry bookkeeping and GAAP accounting
<u>N.J.A.C. 6A:27-7.9</u>	Vehicle records
<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C. 6A:32-7.1 et seq.</u>	Student Records
<u>See particularly:</u>	
<u>N.J.A.C. 6A:32-7.1(g), -7.8</u>	
<u>N.J.A.C. 15:3-2.1 et seq.</u>	Records Retention

Annual Data Collection Plan, New Jersey State Department of Education

Records Retention Schedule, New Jersey State Department of Education

Matawan Regional Teachers Association v. Matawan-Aberdeen Bd. of Ed., 212 N.J. Super. 328 (Law Div. 1986)

Laufgas v. Barnegat Twp. Bd. of Ed., 1987 S.L.D. 2442, aff'd St. Bd. 1988 S.L.D. 2496

Horner v. Kingsway Regional, 1990 S.L.D. 752

Beatty v. Chester Bd of Ed, 1999 S.L.D. (Sept.)

Possible

<u>Cross References:</u>	3543	Office services
	3571	Financial reports
	*4112.6/4212.6	Personnel records
	*5125	Student records
	*5131.5	Vandalism/violence
	*6142.2	English as a second language; bilingual/bicultural
	*6171.3	At-risk and Title 1
	*6171.4	Special education
	*9322	Public and executive sessions
	*9326	Minutes

*Indicates policy is included in the Critical Policy Reference Manual

Policy

FINANCIAL REPORTS

The business administrator/board secretary shall maintain district books and records except those kept by the treasurer of school moneys pursuant to law. The business administrator/board secretary shall prepare or cause to be prepared all fiscal reports, keep necessary records to control adequately the financial transactions of the district, and prepare financial statements.

The business administrator/board secretary shall report to the superintendent and board of education at each regular monthly meeting the amount of total appropriations and the cash receipts for each account, the amount for which warrants have been drawn against each account, and the amounts of orders or contractual obligations incurred and chargeable against each account since the date of his/her last report.

The business administrator/board secretary shall present the board a certification each month that no line item account or program category account has been over-expended in violation of law or this policy. In addition, the board, after review of the business administrator/board secretary's monthly financial report, shall certify in the minutes that no major account or fund has been over-expended and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

If the business administrator/board secretary reports an over-expenditure or the board is unable to certify that no over-expenditure has been made, the board shall eliminate the deficit by approving a resolution that transfers amounts among line item items and/or from the free balance.

The treasurer of school moneys shall render to the board monthly a report giving a detailed account of all receipts, the amounts of all warrants signed by him/her since the date of his/her last report, the accounts against which, and the purposes for which, the warrants were drawn, and the balance to the credit of each account.

The board, after reviewing the monthly financial reports and upon consultation with the business administrator, shall certify in the minutes of the board each month that no fund has been over-expended in violation of N.J.A.C. 6A:23A-16.10(b) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year. If the board is unable to make this certification, the superintendent shall initiate the steps outlined in N.J.A.C. 6A:23A-16.10(b), including:

- A. The superintendent shall notify the executive county superintendent of the projected amount of the over-expenditure/deficit and of the conditions that caused the projected or actual over-expenditure/deficit;
- B. The board shall develop, and adopt at a public meeting, an acceptable corrective action plan to eliminate the projected/actual fund deficit within 30 days of the discovery of such fund deficit, but in no circumstance more than 30 days after completion of the CAFR for that year.

The decision to initiate the following steps outlined in N.J.A.C. 6A:23A-16.10(b) shall be reflected in the minutes of the board. If the board makes such certification but one or more board members vote no to the certification, the board shall provide to the executive county superintendent the board vote, names of the members that voted no, and the reason for the no vote.

In the event the business administrator/board secretary's report and the treasurer's report differ with regard to cash receipts or expenditures, the business administrator/board secretary shall take all possible actions with his/her authority to resolve the difference, but if said difference cannot be rectified by the next regular board meeting, the matter shall be referred to the district auditor.

Financial Statements

FINANCIAL REPORTS (continued)

Annually, the business administrator/board secretary shall present to the board of education a detailed report of its financial transactions during the preceding year, and file a copy thereof with the executive county superintendent.

The business administrator/board secretary shall report to the commissioner of education on or before the date set by law, the amount of the interest-bearing school debt then remaining unpaid, if any, together with the rate of interest, the date or dates on which the bonds, notes or other evidence of indebtedness were issued, and the date or dates on which they will fall due.

Adopted: June 24, 1985
 Revised: April 12, 1988
 Reconfirmed: August 23, 1995
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 Readopted:

(SE file code: 6820)

Key Words

Financial Reports, Financial, Budget, Appropriations, Auditor

Legal References: N.J.S.A. 18A:11-2(b) Report of the condition of the public schools and school property
N.J.S.A. 18A:17-8 Secretary; collection of tuition and auditing of accounts
N.J.S.A. 18A:17-9 Secretary; report of appropriations
N.J.S.A. 18A:17-12 secretary; annual financial report to the commissioner
N.J.S.A. 18A:17-35 Records of receipts and payments
N.J.S.A. 18A:17-36 Accounting; monthly and annual reports
N.J.S.A. 54:4-75 Persons and Property Subject to Taxation
N.J.A.C. 6A:23A-16.10 Budgetary controls and over-expenditure of funds

Cross References: *2224 Nondiscrimination/affirmative action
 *3100 Budget planning, preparation and adoption
 *3320 Purchasing procedures
 *3326 Payment for goods and services
 *3327 Relations with vendors
 *3570 District records and reports
 3571.4 Audit

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

Policy

AUDIT

An audit of the accounts of the school district shall be made annually by a public school accountant selected by the board of education. The audit examination shall be conducted in accordance with statute and generally accepted auditing standards and shall include all funds over which the board has direct or supervisory control.

An auditor's fee shall be established in each fiscal year. The board of education shall select an auditing firm experienced in school accounting and willing to perform the required services for the established fee.

Within 30 days following the receipt of the annual audit, the board of education will, at a regular meeting, cause the recommendations of the auditor to be read and to be discussed, and the discussion noted in the minutes of the meeting. The board will direct the implementation of the auditor's recommendations.

Date: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009, October 2019
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Readopted:

(SE file code: 6820)

Key Words

Audit, Auditor

Legal References: N.J.S.A. 18A:6-68 Bookkeeping and accounting system (educational services commission)
N.J.S.A. 18A:18A-1 et seq. Public School Contracts Law
N.J.S.A. 18A:23-1 et seq. Audits and auditors
N.J.A.C. 6A:23A-1 et seq. Fiscal accountability, efficiency and budgeting procedures
N.J.A.C. 6A:23A-1.2 Definitions
N.J.A.C. 6A:23A-16.2 Principles and directives for accounting and reporting
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Possible

Cross References: *1100 Communicating with the public
*1120 Board of education meetings
*3570 District records and reports
3571 Financial reports
9127 Appointment of auditor

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

