



LIVINGSTON BOARD OF EDUCATION VOTING MEETING AGENDA

Wednesday, August 11, 2021

Executive Session - Virtual Meeting via Zoom - 6:30 p.m.

Public Session - Virtual Meeting Via Zoom and Facebook Live – 7:00 p.m.

This is a public meeting of the Board of Education. The Livingston Board of Education will be video recording and posting its open public meetings on the district website. The Board reserves the right to edit the videotape prior to posting to protect the privacy of students and staff.

The Board's Bylaw #0168 allows videotaping and livestreaming of public meetings with prior approval from the Board Secretary. Any member of the public may record the proceedings of a public meeting of the Board in a manner that does not interrupt the proceedings, inhibit the conduct of the meeting, distract Board members or other observers present at the meeting, or violate the privacy of students and staff. The Board will permit the use of tape recorder(s), video camera(s) or live streaming only when notice of such intended use has been given to the Board Secretary five days in advance of the meeting. Any camera(s) must be operated in an inconspicuous location in the meeting room. The Board reserves the right to request a copy of the tape. The presiding officer shall determine when any recording device interferes with the conduct of a Board meeting and may order that an interfering device be removed.

While the Board of Education discourages the videotaping/livestreaming of students without written parental consent, public meetings are not subject to the same restrictions as other school events. Please be aware that you and your children may be videotaped or livestreamed as a result of your participation at this meeting.

In accordance with Policy #9131, the Livingston Board of Education members, district administration, and staff will treat students, parents/guardians and other members of the public with respect and expect the same consideration in return. The district is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/district grounds.

I. OPEN SESSION

A. Call to Order – Ms. Samantha Messer, President

B. Reading of Meeting Notice

Adequate notice of this meeting has been provided by amendment to notice approved at the Board's reorganization meeting on January 4, 2021 and posted at the Board of Education office and communicated to *The Star Ledger*, *West Essex Tribune*, *TAPinto Livingston* and the Livingston Township Clerk.

C. Executive Session

Whereas, the Open Public Meetings Act, N.J.S.A. 10:4-11, permits the Board of Education to meet in closed session to discuss certain matters; now, therefore be it

Resolved, that the Livingston Board of Education adjourns to closed session to discuss:

- Legal Issues and Personnel

Action may be taken upon return to public session. The full length of the meeting is anticipated to be approximately 30 minutes and be it

Further Resolved, the minutes of this closed session be made public when the need for confidentiality no longer exists.

D. Pledge of Allegiance / Roll Call

E. Superintendent's Report

1. New Elementary School Schedule
2. Fall Mitigation Measures - Update
3. Enrollment Update

F. Board Reports

1. Committee Reports

G. Approval of Minutes

The Superintendent recommends the following:

1. Voting Meeting Minutes of July 14, 2021

ROLL CALL VOTE

H. Public Input on Agenda Items ~ up to 15 minutes

An excerpt from Policy #0167 adopted on January 10, 2011 and reviewed on March 4, 2013 states that The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

Public participation shall be governed by the following rules:

1. A participant must be recognized by the presiding officer and must preface comments by an announcement of his/her name, place of residence, and group affiliation, if appropriate;
2. Each statement made by a participant shall be limited to three minutes' duration;
3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;
4. All statements shall be directed to the presiding officer; no participant may address or question Board members individually.

The portion of the meeting during which the participation of the public is invited shall be limited to fifteen minutes, or at the discretion of the presiding officer.

II. RECOMMENDATIONS FOR APPROVAL

1. PROGRAM/CURRICULUM

The Superintendent recommends the following:

1.1 New Initiative

Resolved, that the Livingston Board of Education endorses the creation and implementation of a one-year interdisciplinary STEAM (Science, Technology, Engineering, Art, and Math) flex-period at all elementary schools dedicated to innovation, creativity and exploration with the goal of developing a curriculum for a full year course implementation for the 2022-2023 school year.

1.2 Educational Leadership Intern

Resolved, that the Livingston Board of Education approves the following individual to serve as an Educational Leadership Intern in the district:

<u>Intern</u>	<u>Location</u>	<u>Cooperating Administrator</u>	<u>Dates</u>
Matthew Cheng	LHS	Robert Rolling	9/1/21-6/30/22

ROLL CALL VOTE

2. STUDENT SERVICES

The Superintendent recommends the following:

2.1 Out of District Placements

Resolved, that the Livingston Board of Education approves placement for the academic year 2021-2022 for fifteen (15) Livingston students with disabilities and for Extended School Year 2021 (Summer Programs) for twelve (12) Livingston students with disabilities, as classified and recommended by the Child Study Team, in facilities with tuition costs to be determined within the limits established by the New Jersey Board of Education as shown on **Attachment A**.

2.2 Related Services/Medical Consultants

Resolved, that the Livingston Board of Education approves the following consultants that will be utilized to provide related services for the 2021-2022 school year:

BEHAVIORAL TRAINING & ASSISTANCE / APPLIED BEHAVIORAL ANALYSIS

Rethink	\$372.10/student
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NURSING SERVICES

Bayada Home Health Care, Inc.	LPN \$48.00/hour
	RN \$60.00/hour

OCCUPATIONAL THERAPIST

Bergen Pediatric Therapy Center	\$695.00/evaluation
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PHYSICAL THERAPIST

Next Step Pediatric Therapy	\$160.00/hour
Bergen Pediatric Therapy Center	\$395.00/evaluation

SPEECH THERAPIST

Creative Speech Solutions	\$90.00/hour
	\$350.00/evaluation

TEACHER OF THE DEAF

Summit Speech School	\$165.00/hour
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THERAPIST FOR THE VISUALLY IMPAIRED

VISTAS Educational Partnership	\$165.00/hour
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VISION THERAPY

State of New Jersey, Commission of the Blind	\$2,200.00/Level-1 Service
	\$5,250.00/Level-2 Service

ROLL CALL VOTE**3. BUSINESS**

The Superintendent recommends the following:

3.1 Open Campus – Livingston High School Seniors

Resolved, that the Livingston Board of Education hereby grants permission for the Livingston High School administration to extend Open Campus privileges to Livingston High School seniors for the 2021-2022 school year with the understanding that all rules and regulations governing Open Campus will remain in effect.

3.2 Payment of Bills

Whereas, the Board Secretary has audited certain vendor claims as required by N.J.S.A. 18A:19-2 and Board Policy 6470 and presented them to the Livingston Board of Education with the recommendation they be paid, now therefore be it

Resolved, that the Livingston Board of Education approves the payment of the following bills in the amounts listed and attach a complete copy of these bills to the minutes of this meeting.

Fund	Name	Amount
10&11	Regular	1,735,954.99
12	Regular	663,177.80
20	Regular	207,027.80
	TOTAL	\$2,606,160.59

Regular Checks	92553-92913	2,606,160.59
	TOTAL	\$2,606,160.59

3.3 Board Secretary Report – June 2021

Whereas, the Livingston Board of Education has received the Report of the Board Secretary for June 30, 2021, consisting of:

- 1) Interim Balance Sheets
- 2) Interim Statements Comparing Budgeted Revenue with Actual to Date and Appropriations with Expenditures and Encumbrances to Date
- 3) Schedule of Revenues - Actual Compared with Estimated
- 4) Statement of Appropriations Compared with Expenditures and encumbrances, and

Whereas, the Livingston Board of Education has received the report of the Treasurer for June 30, 2021, which report is in agreement with the Report of the Board Secretary, and

Whereas, these reports show the following balances on the date indicated:

	Cash Balance	Appropriation Balance	Fund Balance
(10) General Current Exp. Fund	15,553,531		

(11) Current Expense		5,932,395	5,597,730
(12) Capital Outlay		12,469	4,389,775
(20) Special Revenue Fund			
(30) Capital Projects Fund	4,541,392		
(40) Debt Service Fund	362,541		
Total:	20,457,464	5,944,864	9,987,505

Whereas, pursuant to N.J.A.C. 6:20-212(d), the Board Secretary has certified that as of June 30, 2021, no budgetary line item account has obligations and payments contractual orders which in total exceed the amount appropriated by the district board of education pursuant to N.J.S.A. 18A:22-8, 18A:22-8.1, now therefore be it

Resolved, the Livingston Board of Education accepts the above referenced reports and certification and directs that they be made part of this resolution by reference, and be it

Further Resolved, the Livingston Board of Education certifies that, after review of the Secretary's monthly financial report (appropriations section) and upon consultation with the appropriate district officials, to the best of its knowledge no major account or fund has been over-expended in violation of N.J.A.C.6:20-2.13(d) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

3.4 Transfers

Whereas, the Superintendent of Schools recommends certain transfers among accounts in the 2020-2021 budget for June pursuant to Board of Education Policy 6422, now therefore be it

Resolved, that the Livingston Board of Education ratify transfers pursuant to N.J.S.A. 18A:22-8.1 and N.J.A.C. 6:20-2A.10:

<u>Object</u>	<u>Description</u>	<u>To</u>	<u>From</u>
220	Social Security Contributions		4,709
242	Other Retirement Contributions	4,709	
320	Purchased Prof Ed Services	25,000	
330	Purchased Prof Services		25,000
	TOTALS	\$29,709	\$29,709

3.5 Conferences and Overnight Trips

Resolved, that the Livingston Board of Education approves the virtual conferences as shown on **Attachment B**.

Resolved, that the Livingston Board of Education approves *Susan Burman*, Human Resources Manager, to attend the AASPA Conference from October 12 to 15, 2021, in Washington, D.C., at a cost not to exceed \$2,300.

3.6 Great Schools Partnership, Inc.

Resolved, that the Livingston Board of Education approves the contract with Great Schools Partnership, Inc. to provide coaching and technical assistance in support of the learning and planning efforts around educational equity, anti-racism, diversity and inclusion initiated by the district for the 2021-2022 school year.

3.7 Livingston Huaxia Chinese School

Resolved, that the Livingston Board of Education enters into a contract with the Livingston Huaxia Chinese School for the use of facilities at Mount Pleasant Middle School for the 2020-2021 school year.

3.8 Cafeteria/Vending Operations

Resolved, that the Livingston Board of Education enters into a contract with ARAMARK Education to provide food services for the 2021-2022 school year.

3.9 Travel and Conferences Expenses

Whereas, the State of New Jersey has enacted P.L. 2007 An Act Concerning School District Accountability requiring boards of education to annually approve the total amount of funds budgeted for travel and conferences for all faculty, staff, administration and board members; and

Whereas, the ACT became effective on March 15, 2007, and requires prior approval of all travel and conference costs before they are incurred; and

Whereas, there are three categories of travel and conferences that faculty, staff, administrators and board members generally attend, including routine meetings held on annually scheduled dates, meetings of an emergent nature with little prior notice, and meetings/conferences that can be scheduled with at least several weeks' notice; and

Whereas, it is practical to anticipate as many activities as possible, and receive annual approval for those and monthly approvals for unanticipated activities;

Now, Therefore, Be It Resolved, that the following budget amounts are acknowledged and costs of travel and conferences are approved for the 2021-2022 school year:

Total amount budgeted for travel and conferences 2021-2022	\$190,494
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Intra-district business mileage for administrators, and where required, for members of the faculty and staff, including but not limited to, faculty who teach in more than one school, child study team members, secretaries, etc. will be reimbursed at the rate permitted by the New Jersey Office of Management and Budget.

Out-of-district business travel for administrators, faculty and staff to attend conferences and professional development opportunities as approved by the superintendent will be reimbursed pursuant to N.J.A.C. 6A:23B-1.2(c)3.

3.10 Policies and Regulations

Resolved, that Livingston Board of Education approves the following Policies and Regulations for first reading:

Teaching Staff Members

Policy & Regulation #3222 - Evaluation of Teaching Staff Members, Excluding Teachers and Administrators (M) (with revisions)

Policy & Regulation #3223 - Evaluation of Administrators, excluding Principals, Vice Principals and Assistant Principals (M) (with revisions)

Policy & Regulation #3224 - Evaluation of Principals, Vice Principals and Assistant Principals (M) (with revisions)

Students

Regulation #5200 - Attendance (M)

Property

Policy #7510 - Use of School Facilities (M) (with revisions)

Resolved, that the Livingston Board of Education approves the following Bylaws, Policies and Regulations for second reading and adoption:

Bylaw

Bylaw #0131 - Bylaws, Policies & Regulations (with revisions)

Program

Policy #2431 - Athletic Competition (M) (with revisions)

Regulation #2431.1 - Emergency Procedures for Sports and other Athletic Activity (M) (with revisions)

Policy #2464 - Gifted & Talented Students (M) (with revisions)

Teaching Staff Members

Policy #3142 - Nonrenewal of Non Tenured Teaching Staff Members (with revisions)

Policy #3221 - Evaluation of Teachers (M) (with revisions)

Regulation #3221 - Evaluation of Teachers (M) (with revisions)

Finances

Policy #6440 - Cooperative Purchasing (M) (new to district)

Policy #6470.01 - Electronic Funds Transfer and Claimant Certification (M) (new to district)

Regulation #6470.01 - Electronic Funds Transfer and Claimant Certification (M) (new to district)

Operations

Regulation #8320 - Personnel Records (M) (new to district)

ROLL CALL VOTE**4. PERSONNEL**

The Superintendent recommends the following:

4.1 Resignations

Resolved, that the Livingston Board of Education accepts the resignations of:

Name	Position	Reason	Location	Last Day of Employment
<i>Laura Coreas</i>	School Psychologist	Resignation	MPMS	September 15, 2021 or earlier if a replacement can be found

<i>Stephanie Molaro</i>	School Counselor	Resignation	LHS	September 21, 2021 or earlier if a replacement can be found.
<i>Dr. Alexander Kuziola</i>	Teacher of Biological Science	Resignation	LHS	September 21, 2021 or earlier if a replacement can be found.
<i>Hila Gal</i>	School Nurse	Resignation	MPMS	September 23, 2021 or earlier if a replacement can be found
<i>James Page*</i>	Teacher of Math	Retirement	LHS	June 30, 2022
<i>Kristen De La Rosa</i>	Teacher of Social Studies	Resignation	LHS	September 30, 2021 or earlier if a replacement can be found
<i>Patricia Gillen</i>	Teacher of Health & PE	Resignation	LHS	September 23, 2021 or earlier if a replacement can be found
<i>Tara Freeman</i>	PRIDE Teacher	Resignation	BHE	September 30, 2021
<i>Alicia Kicklighter</i>	School Secretary	Resignation	RHE	June 30, 2021
<i>Shelly Carey</i>	Instructional Aide	Resignation	MPE	June 30, 2021
<i>Allie Beinhacker</i>	Instructional Aide	Resignation	HMS	June 30, 2021
<i>Sharon Treiber</i>	Campus Aide	Resignation	BHE	June 30, 2021
<i>Tania Hill</i>	Instructional Aide	Resignation	Harrison	June 30, 2021
<i>Nicole Griffin</i>	Instructional Aide	Resignation	Collins	June 30, 2021
<i>Melissa Kincaid*</i>	Administrative Assistant	Resignation	Central Office	July 23, 2021

**as amended from a previous agenda*

4.2 Leaves of Absences

Resolved, that the Livingston Board of Education approves the leaves of absences of:

Name	Position	Location	LOA w/pay and benefits	LOA w/o pay, but with benefits (if applicable)	Extended LOA w/o pay or benefits	Return Date
<i>Maria Lekhrajmal</i>	Custodian	RHE	7/26/2021-8/6/2021* *	NA	NA	8/9/2021
<i>Stephanie Brunn</i>	Teacher of ESL	HMS/LHS	1/3/2022-2/25/2022	2/28/2022-3/25/2022 & 3/28/2022-	NA	8/30/2022

				6/30/2022**		
<i>Taryn DePrecker*</i>	TOSD	MPE	10/18/2021-12/10/2021	12/13/2021-3/17/2022**	NA	3/18/2022
<i>Stephanie Crosby</i>	Reading Interventionist	Collins	10/19/2021-12/6/2021	12/7/2021-3/15/2022**	3/16/2022-4/8/2022	4/11/2022
<i>Angela Raiola</i>	Elementary School Teacher	Harrison	8/30/2021-9/22/2021 (.5)**	9/22/2021(.5) - 11/5/2021**	NA	11/8/2021

*as amended from a previous agenda

**Designates time counted toward NJFLA/FMLA

4.3 Appointments

Resolved, that the Livingston Board of Education approves the applications indicated below (*) for emergent hiring for the following appointments under the requirements of N.J.S.A. 18A:16-1 et. seq., N.J.S.A. 18A:39.17 et. seq.; N.J.S.A. 18A:6-4.13 et. seq. All appointments are contingent upon reference checks in accordance with P.L. 2018, c.5.

Name	Location	Title	Tenure Track/LOA or LT Replacement	Replacing	Guide	Step	Salary	Effective Date
<i>Marissa Jadrosich-Forgét</i>	LHS	Teacher of Business Education	First Year Tenure Track	M. Battist-Rock (promotion)	MA+32	5	\$70,158	8/30/2021
<i>Jaime Strumeier</i>	Collins	Elementary School Teacher	One Year Leave Replacement	S. Minniti	MA	1-2	\$61,884	8/30/2021
<i>Jill Mills</i>	BHE	Library Media Specialist	First Year Tenure Track	S. Edelberg	MA+32	11	\$88,108	8/30/2021
<i>Lara Schipior</i>	HMS	Teacher of English	First Year Tenure Track	J. Geller	MA	12	\$84,598	8/30/2021
<i>James Page</i>	LHS	Teacher of Business Education	Tenured	V. Pronko	MA+32	17	\$113,708, plus \$2,340 longevity	8/30/2021-6/30/2022
<i>Danielle DeGraw</i>	Elementary	Technology Coach	First Year Tenure Track	New position	MA	8	\$68,665	8/30/2021
<i>Gianna Agnello</i>	Harrison	Elementary School Teacher	First Year Tenure Track (beginning 10/1/2021)	K. Zavaglia	BA	1-2	\$54,550	8/30/2021
<i>Rachel Frieman</i>	Harrison	Elementary School Teacher	One Year Leave Replacement	D. Faber	MA	1-2	\$61,884	8/30/2021
<i>Kelly Correia</i>	MPE	Elementary School Teacher	One Year Leave Replacement	K. Carlin	MA	1-2	\$61,884	8/30/2021
<i>Christine Alamorian</i>	Elementary	Teacher of Health & PE	First Year Tenure Track	new position	MA+32	8	\$75,033	8/30/2021
<i>Elizabeth Murphy</i>	BHE	Elementary School Teacher	One Year Leave Replacement	L. Chin	BA	1-2	\$54,550	8/30/2021
<i>Denise Galluzzo</i>	MPE	School Counselor	Leave Replacement	J. Kelner	MA	1-2	\$61,884 (pro-rated)	8/30/2021-2/28/2022
<i>Michelle Robertson</i>	MP Complex	TOSD	First Year Tenure Track	New position	MA	7	\$65,692	8/30/2021
<i>David Rampolla</i>	LHS	PT Security Liaison	NA	D. Murray	Security >7/12	7	\$36,364* plus \$800 for degree	8/30/2021

<i>Erhya Jean Kang</i>	CO	Admin. Assistant - Technology	First Year Tenure Track	M. Kincaid	NA	NA	\$60,000 (pro-rated)	8/16/2021
<i>Karen Alessio</i>	LHS	Admin. Secretary	First Year Tenure Track	L. Mercer (transfer)	12 Mo Admin Secy >7/12	5	\$56,327 plus \$800 for degree (pro-rated)	8/30/2021
<i>Sendy Picado</i>	Transportation	25-Hr Bus Driver	NA	J. Layne	25-Hr Bus Driver	5	\$24,588	8/30/2021
<i>Maria DiStasio</i>	Harrison	Playground Aide	NA	NA	NA	NA	\$15.50/hr	9/1/2021

*(62.5% of Step 7 of Security >7/23 guide)

Resolved, that the Livingston Board of Education approves the appointment of the ABA Discrete Trial TA's and Instructional Aides as listed on **Attachment C**.

4.4 Transfers

Resolved, that the Livingston Board of Education approves the transfers as listed on **Attachment D**.

4.5 Substitutes

Resolved, that the Livingston Board of Education approves the appointment of the individuals listed below to serve as substitutes on an as-needed basis for the 2021-2022 school year:

Teachers

Talia Fischer

Resolved, that the Livingston Board of Education approves the appointment of the individual(s) listed below to serve as long-term substitutes as reflected below:

Name	Location	Title	Leave Replacement or Long Term Sub	Replacing	Salary	Effective Date
<i>Allison Sommer</i>	BHE	Elementary School Teacher	Long Term Substitute	S. Velardi	\$273/day	8/30/2021-11/12/2021

4.6 2021-2022 Renewals

Resolved, that the Livingston Board of Education approves the individual(s) on **Attachment E** for reappointment as Playground, Cafeteria and Media Aides for the 2021-2022 school year at the rates listed.

Resolved, that the Livingston Board of Education approves the reappointment of transportation staff for the 2021-2022 school year as shown on **Attachment F**.

4.7 Extra Work Pay

Resolved, that the Livingston Board of Education approves the following payments as listed on **Attachment G** for work performed.

4.8 Summer Work

Resolved, that the Livingston Board of Education approves *Doug Weber* to work over the summer of 2021 as substitute security aides at Livingston High School at \$25.00 per hour.

Resolved, that the Livingston Board of Education approves the individuals on **Attachment H** to participate in summer curriculum writing during the summer of 2021 at the approved rate.

Resolved, that the Livingston Board of Education approves the individuals listed on **Attachment I** for Extended School Year (ESY) and Summer Intervention staffing at the listed hourly rates.

4.9 Stipends

Resolved, that the Livingston Board of Education approves the individuals on **Attachment J** for co-curricular stipends at Heritage Middle School for the 2021-2022 school year in accordance with the contract between the LBOE and the LEA.

Resolved, that the Livingston Board of Education approves the individuals on **Attachment K** for athletic stipends at Livingston High School for the 2021-2022 school year in accordance with the contract between the LBOE and the LEA.

Resolved, that the Livingston Board of Education rescinds the appointment of *Anthony Grego* as Assistant Football Coach (.5) at Livingston High School for the 2021-2022 school year.

Resolved, that the Livingston Board of Education rescinds the appointment of *Robert Sunda* as Assistant Football Coach (.5) at Livingston High School for the 2021-2022 school year.

4.10 Contract Adjustments

Resolved, that the Livingston Board of Education approves the contract adjustments as listed on **Attachment L**.

4.11 Lateral Moves

Resolved, that the Livingston Board of Education approves the lateral movements as listed on **Attachment M**.

ROLL CALL VOTE

5. MISCELLANEOUS

The Superintendent recommends the following:

5.1 HIB Report

Resolved, that the Livingston Board of Education accepts the findings of HIB cases.

ROLL CALL VOTE

I. Public Comment ~ up to 15 minutes

An excerpt from Policy #0167 adopted on January 10, 2011 and reviewed on March 4, 2013 states that The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

Public participation shall be governed by the following rules:

1. A participant must be recognized by the presiding officer and must preface comments by an announcement of his/her name, place of residence, and group affiliation, if appropriate;
2. Each statement made by a participant shall be limited to three minutes' duration;
3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;
4. All statements shall be directed to the presiding officer; no participant may address or question Board members individually.

The portion of the meeting during which the participation of the public is invited shall be limited to fifteen minutes, or at the discretion of the presiding officer.

J. Old Business

K. New Business

III. ADJOURNMENT

EXECUTIVE SESSION

1. Legal Matters
2. Negotiations
3. Personnel

Whereas, N.J.S.A. 10:4-1 et seq., also known as the "Sunshine Law," authorizes a public body to meet in executive or private session under certain limited circumstances, and

Whereas, said law requires the Board to adopt a resolution at a public hearing before it can meet in such an executive or private session, now, therefore, be it

Resolved, by the Livingston Board of Education that:

- (A) It does hereby determine that it is necessary to meet in executive session on August 11, 2021 to discuss the matters stipulated, in conformance with the subsections of said act which are indicated.
 1. Matter rendered confidential by federal law, state statute or rule of court.
 2. Matter in which the release of information would impair a right to receive federal funds.
 3. Matter, the disclosure of which would constitute an unwarranted invasion of individual privacy unless the individual concerned shall request in writing that the same be disclosed publicly.
 4. Collective bargaining matter.
 5. Matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates, etc. where it would adversely affect the public interest if discussion were disclosed.
 6. Tactics and techniques utilized in protecting public property where disclosure could impair protection.
 7. Investigation of violations or possible violations of law.
 8. Pending or anticipated litigation or contract negotiation other than collective bargaining agreement.
 9. Personnel matters unless the individual employees or appointees affected requested that such matter be discussed at a public meeting.
 10. Deliberations occurring after a public hearing that may result in the imposition of a specific civil penalty.
- (B) The matters discussed will be made public when confidentiality is no longer required and formal action pursuant to said discussion shall take place only at a meeting to which the public has been invited.
- (C) No action will be taken.

PROPOSED FUTURE AGENDA ITEMS (dates subject to change)

September 1, 2021 (*voting*)

- Board Size

September 14, 2021 (*workshop*)

September 28, 2021 (*voting*)

- District Nursing Services Plan

October 12, 2021 (*workshop*)

- Public Hearing for District and School HIB Self-Assessment Report
- NJSLA (as per Policy 2610)

October 19, 2021 (*voting*)

- Conference with the Livingston Education Association
- Summer Curriculum Writing Update

November 9, 2021 (*workshop*)

- Board Budget Goals
- Assessment Update

November 23, 2021 (*voting*)

December 7, 2021 (*voting*)

- Comprehensive Annual Financial Report
- New Course Offerings
- Approval of Comprehensive Annual Financial Report (Corrective Action Plan)
- NJQSAC Statement of Assurance
- Bus Evacuation Drills

January 4, 2022 (*Reorganization*)

			School Year 2021-2022			Extraordinary Services			Extended School Year			
School	Program Type	Type	# of Stud	Tuition 2021-2022	Total Tuition	# of Stud		Aide(s)	# of Stud	ESY Tuition	Total ESY Tuition	Total School
Academy 360-Upper School	Multiple Disabilities	R				1	\$ 3,850.00	\$ 3,850.00	1	\$8,728.72	\$ 8,728.72	\$ 12,578.72
Bergen County Special Services	Autism	R / T	2	\$ 80,190.00	\$ 160,380.00	1	\$ 6,000.00	\$ 6,000.00	1	\$7,600.00	\$ 7,600.00	\$ 173,980.00
Celebrate the Children	Multiple Disabilities	R	2	\$ 74,160.00	\$ 148,320.00	1	\$ 27,000.00	\$ 27,000.00				\$ 175,320.00
Cornerstone Day School	Behavior Disabilities	R / T	5	\$ 78,006.31	\$ 390,031.55				4	\$11,843.89	\$ 47,375.56	\$ 437,407.11
ECLC of New Jersey	Multiple Disabilities	R	3	\$ 56,773.80	\$ 170,321.40	3	\$ 47,000.00	\$ 141,000.00	3	\$6,308.20	\$ 18,924.60	\$ 330,246.00
Morris Union Jointure Commission	Multiple Disabilities	R							1	\$16,311.00	\$ 16,311.00	\$ 16,311.00
REED Academy	Multiple Disabilities	ND	1	\$ 103,291.20	\$ 103,291.20				1	\$14,346.00	\$ 14,346.00	\$ 117,637.20
Shepard School	Behavioral Disabilities	R	2	\$ 55,858.92	\$ 111,717.84	2	\$ 33,066.27	\$ 66,132.54	1	\$9,157.20	\$ 9,157.20	\$ 187,007.58
Total			15		\$ 1,084,061.99	8		\$ 243,982.54	12		\$ 122,443.08	\$ 1,450,487.61

Type

Renewal (R) indicates that the student has been at that OOD school and is continuing to be placed there.

New (N) indicates that the student is a newly placed OOD student or an additional service has been added.

Transfer (T) indicates that the student has been OOD, but has transferred to another OOD school.

New to District (ND) indicated that the student moved in and was already placed OOD.

Conference	Attendee(s)	Date(s)	Location	Cost
Designing a Better Advisory System	Danielle Rosenzweig	July 20-22, 2021	Virtual	\$425
Designing a Better Advisory System	Marie Battist Rock	July 20-22, 2021	Virtual	\$425
Designing a Better Advisory System	Amro Mohammed	July 20-22, 2021	Virtual	\$425
Designing a Better Advisory System	Wendy Gelman	July 20-22, 2021	Virtual	\$425
Designing a Better Advisory System	Amy Kessler	July 20-22, 2021	Virtual	\$425
Designing a Better Advisory System	Patrick Catalano	July 20-22, 2021	Virtual	\$425
Designing a Better Advisory System	Jennifer Larsen	July 20-22, 2021	Virtual	\$425
Designing a Better Advisory System	Brittany Gajewski	July 20-22, 2021	Virtual	\$425
Designing Jewelry With Rhino	Noah Meineke	July 21, 2021	Virtual	\$250
Intermediate Virtual IMSE Orton-Gillingham Training	Allison Winka	August 16, 2021	Virtual	\$1,275
Annual Conference Council for Economic Education	Alex Lamon	September 29-October 1, 2021	Virtual	\$79

NEW HIRES FOR 2021-2022							
Last Name	First Name	LOC	Job Title	Step	Guide	Salary	Effective Date
ANAND	SWARANDEEP	LHS	INSTRUCTIONAL AIDE	1	I&KA	\$25,717	8/30/2021
BACH	EILEEN	RHE	INSTRUCTIONAL AIDE	1	I&KA	\$25,717	8/30/2021
CALDWELL	JENNIFER	HAR	INSTRUCTIONAL AIDE	1	I&KA	\$25,717	8/30/2021
HABER	KEVIN	LHS	INSTRUCTIONAL AIDE	1	I&KA	\$25,717	8/30/2021
KADAM	VAISHALI	RHE	INSTRUCTIONAL AIDE	1	I&KA	\$25,717	8/30/2021
RAKOS	MARY	LHS	INSTRUCTIONAL AIDE	1	I&KA	\$25,717	8/30/2021
RODRIGUEZ	VANESSA	BHE	ABA DISC TRIAL TA	1	TA	\$33,048	8/30/2021
ROMAN	ARTHUR	LHS	INSTRUCTIONAL AIDE	1	I&KA	\$25,717	8/30/2021
SCHIFFENHAUS	REBECCA	HAR	INSTRUCTIONAL AIDE	1	I&KA	\$25,717	8/30/2021
SCIFO	TIFFANY	RHE	KINDERGARTEN AIDE	1	I&KA	\$25,717	8/30/2021
SHEEHY	KRISTYN	LHS	INSTRUCTIONAL AIDE	1	I&KA	\$25,717	8/30/2021
TRANSFERS FOR 2021-2022							
CHAVIS	JAMAL	BHE	ABA DISC TRIAL TA	6	TA	\$37,814	8/30/2021
MAZZA	TIFFANY	BHE	CAMPUS AIDE	1	CAMPUS AIDE	\$20,687	8/30/2021
REAPPOINTMENTS FOR 2021-2022							
AVELLANAL	SOPHIA	BHE	ABA DISC TRIAL TA	6	TA	\$37,814	8/30/2021
CAVALIE*	MONICA	MPE	INSTRUCTIONAL AIDE	2	I&KA	\$26,309	9/9/2021
HAGLER	MIKIE	BHE	ABA DISC TRIAL TA	6	TA	\$37,814	8/30/2021
SLURZBERG	HEIDI	BHE	INSTRUCTIONAL AIDE	2	I&KA	\$26,309	8/30/2021

*amended from previous agenda

2021-22 TRANSFERS

Name	Position	Transferring From	Transferring To	Position	Replacing	Effective Date
Ben DeRuosi	Teacher of Tech Ed	LHS	HMS	Teacher of Tech Ed	NA	8/30/2021
James Merlo	Teacher of Health & PE	LHS	HMS	Teacher of Health & PE	NA	8/30/2021
James Page	Teacher of Math	LHS	LHS	Teacher of Business Education	V. Pronko	8/30/2021
Gina Rossell	Instructional Aide	BHE	LHS	Instructional Aide	NA	8/30/2021
Cassandra Szeles	Teacher of Health & PE	HMS	LHS	Teacher of Health & PE	NA	8/30/2021

**as amended from a previous agenda*

Last Name	First Name	Location	Job Title	Hourly Rate
ANDERSON	ELAINE	Heritage Middle School	Media Aide	\$17.50
BARLING	KAREN	Burnet Hill Elementary School	Playground Aide	\$15.50
GRUM	BETTE	Burnet Hill Elementary School	Playground Aide	\$17.50
MALASPINA	DAWN	Burnet Hill Elementary School	Playground Aide	\$17.50
MAZZA	TIFFANY	Burnet Hill Elementary School	Playground Aide	\$17.50
SICURELLO	ANNA	Burnet Hill Elementary School	Playground Aide	\$15.50
WALDMAN	PAUL	Burnet Hill Elementary School	Playground Aide	\$17.50
CRAWFORD	MICHELINA	Collins Elementary School	Playground Aide	\$17.50
DORFLAUER	PAULETTE	Collins Elementary School	Playground Aide	\$17.50
SALVAGNO	RAYMOND	Collins Elementary School	Playground Aide	\$17.50
ULIANO	ROSE	Collins Elementary School	Playground Aide	\$17.50
EPSTEIN	AUDREY	Harrison Elementary School	Playground Aide	\$17.50
HART	MYRAL	Harrison Elementary School	Playground Aide	\$15.50
KILROY	DOROTHY	Harrison Elementary School	Playground Aide	\$17.50
RAFFA	KAREN	Harrison Elementary School	Playground Aide	\$17.50
SAMAAN	MARSEL	Harrison Elementary School	Playground Aide	\$17.50
STECKI	ROBERT	Harrison Elementary School	Playground Aide	\$17.50
VARGHESE	SARAMMA	Harrison Elementary School	Playground Aide	\$17.50
AHLUWALIA	MONICA	Hillside Elementary School	Playground Aide	\$17.50
GIANDUSO	ADDY	Hillside Elementary School	Playground Aide	\$17.50
KOZAK	JANET	Hillside Elementary School	Playground Aide	\$17.50
LUNA	LUCILLE	Hillside Elementary School	Playground Aide	\$17.50
RETESS-COOPER	CYNTHIA	Hillside Elementary School	Playground Aide	\$17.50
ROBINSON	PERCIVAL	Hillside Elementary School	Playground Aide	\$17.50
SPIROU	HELEN	Hillside Elementary School	Playground Aide	\$17.50
VALESE	JILL	Hillside Elementary School	Playground Aide	\$17.50
HELLER	DEBRA	Mt Pleasant Elementary School	Playground Aide	\$17.50
LEHR	MAUREEN	Mt Pleasant Elementary School	Playground Aide	\$16.50
LODGE	STACY	Mt Pleasant Elementary School	Playground Aide	\$15.50
MAZZA	KARA	Mt Pleasant Elementary School	Playground Aide	\$17.50
MAZZA	MARGUERITE	Mt Pleasant Elementary School	Playground Aide	\$17.50
RAY	PAUL	Mt Pleasant Elementary School	Playground Aide	\$17.50
BACH	GEORGETTE	Riker Hill Elementary School	Playground Aide	\$17.50
DUFFORD	MEGHAN	Riker Hill Elementary School	Playground Aide	\$17.50
GRUBER	EVELYN	Riker Hill Elementary School	Playground Aide	\$17.50
KADAM	VAISHALI	Riker Hill Elementary School	Playground Aide	\$16.50
SELTZER	EILEEN	Riker Hill Elementary School	Playground Aide	\$17.50
DAVIS	MARY	Substitute	Playground Aide	\$17.50
DUKER	LINDA	Substitute	Playground Aide	\$17.50
FITZPATRICK	CATHERINE	Substitute	Playground Aide	\$17.50
SAMANSKY	CANDI	Substitute	Playground Aide	\$17.50

Last Name	First Name	Dept	Title	Step	Base Salary	Longevity	Stipends	Total Salary
LEKKAS	ANGELO	91	BUS DRIVER (25 HOUR)	9	\$30,842	\$2,340	\$0	\$33,182
LEKKAS	KONSTANTINA	91	BUS AIDE	6	\$14,700	\$780	\$0	\$15,480

NAME	DATE	POSITION	#HOURS WORKED	RATE	TOTAL AMOUNT
Sullivan, Joe	6/10/2021	PT/Security	3.75	\$25.00	\$93.75
					\$93.75

Summer Curriculum Writing 2021

WEB DESIGN

Raymond Snyder

Supervisor: Robert Rolling

Before July 1, 2021 \$48.88/hr

July 1, 2021 \$49.61/hr

2021 SUMMER ESY STAFFING

Attachment I

ESY Aides approved as subs	Pay Rate until 6/30	Pay Rate after 7/1
Cheri Ratner	\$60	\$60.90

ESY Teachers	Pay Rate until 6/30	Pay Rate after 7/1
Amanda Piscitelli	\$60	\$60.90

HERITAGE MIDDLE SCHOOL STIPENDS

Position	# of Positions	2021/2022 Amount	Name
Affirm. Action	1	\$318	Katy Hreha
Builders Club	1	\$1,017	Ekaterina Vorobiev
Classical Literature Book Club	1	\$762	Deanna Iacullo
Diversity Club	1	\$1,271	Ekaterina Vorobiev
Garden Club	1	\$1,271	Michelle Sapolnick
Femgineers	1	\$1,906	Ken Zushma
Jazz Band	1	\$1,906	Brendan Hughes
Lancer Jazz Band	1	\$1,906	Erik Donough
Math Counts	1	\$1,906	Jamie Wolek
Memory Book	1	\$5,083	Lori Bisconti
Newspaper	1	\$1,271	Lori Bisconti
Science Olympiad	1	\$1,906	Alex Kuziola
Select Chorus	1	\$1,906	Kristin Pelletier
Select Orchestra	1	\$1,906	Karin Kott
Spectrum	1	\$1,271	Emily Petrillo
Student Council	1	\$2,541	Breanne Mannes
Team Coord.- Core	8	\$3,812	Jamie Wolek
Team Coord.- Core	8	\$3,812	Kristin Bergen
Team Coord.- Core	8	\$3,812	Gregory Peters
Team Coord.- Core	8	\$3,812	Mike Carlin
Team Coord.- Core	8	\$3,812	Lori Bisconti
Team Coord.- Core	8	\$3,812	Martha Cuervo
Team Coord.- Core	8	\$3,812	Maureen Biss
Team Coord.- Core	8	\$3,812	Rob Rynone
Team Coord- 1 Sp. Ed (2/3 Spec Ed & 1/3 Counseling split) & 1 Cycle (PE & Cycle 50/50 split) Cycle	2	\$2,540	Brooke Newman 2/3
Team Coord- 1 Sp. Ed (2/3 Spec Ed & 1/3 Counseling split) & 1 Cycle (PE & Cycle 50/50 split)	2	\$318	Nicholas Guardabasco
Team Coord- 1 Sp. Ed (2/3 Spec Ed & 1/3 Counseling split) & 1 Cycle (PE & Cycle 50/50 split)	2	\$318	Mary Kate O'Brien
Team Coord- 1 Sp. Ed (2/3 Spec Ed & 1/3 Counseling split) & 1 Cycle (PE & Cycle 50/50 split)	2	\$318	Danielle Imbimbo
Team Coord- 1 Sp. Ed (2/3 Spec Ed & 1/3 Counseling split) & 1 Cycle (PE & Cycle 50/50 split)	2	\$318	Danielle Iannuzzi

Team Coord- 1 Sp. Ed (2/3 Spec Ed & 1/3 Counseling split) & 1 Cycle (PE & Cycle 50/50 split)	2	\$1,906	Erin Magalhaes 1/2
Team Coord- 1 Sp. Ed (2/3 Spec Ed & 1/3 Counseling split) & 1 Cycle (PE & Cycle 50/50 split)	2	\$1,906	Roger Rubinetti 1/2
Coordinator of Intramurals	1	\$2,541	James Merlo
Area/Reg./All State Musical Ensemble not to exceed 136 hours	4	\$40.65/hr	Erik Donough Karin Kott Brendan Hughes Kristin Pelletier

Sport	Title	#	Amount	First Name	Last Name
Football	Assistant		\$9,530	Michael	Altomare
Football	Assistant (.5)		\$4,765	Kathy	Jackson (OD)
Girls Soccer	Assistant		\$8,259	David	Mead
Girls Soccer	VOLUNTEER			Dana	Lytle
Gymnastics	Advisor		\$25/hr (not to exceed \$1,200)	Jamie	Kruse

Last Name	First Name	Location	Title	Guide	Step	Salary	Effective Date
Khandelwal	Pankhuri	MPMS	Instructional Aide	I&KA	1	\$25,717	8/30/2021
Kroeger	Steven	LHS	Job Coach	TA	3	\$35,061	8/30/2021
Theodore	Laurensa	BHE	ABA Discrete Trial TA	TA	5	\$36,942	8/30/2021

Emp #	Base Salary	Longevity	Total Salary	Effective dates
4523	\$ 71,752	\$ 3,490	\$ 75,242	7/1/2021-8/20/2/21
6347	\$ 56,525	\$ 1,600	\$ 58,125	7/1/2021-8/20/2/21

Last Name	First Name	Position	School	Old Scale	Old Step	Old Base Salary	Longevity	Other	Total Salary	New Scale	New Step	New Base Salary	Longevity	Other	Total Salary	Effective Date
Beinhacker	Keri	TOSD	HMS	BA+16	8	\$63,350	\$0	\$0	\$63,350	BA+32	8	\$65,820	\$0	\$0	\$65,820	9/1/21
Cirincione	Paul	Teacher of Health & PE	LHS	BA+16	11	\$73,250	\$0	\$0	\$73,250	BA+16	11	\$75,250	\$0	\$0	\$75,250	9/1/21
Costanzo	Kimberly	Teacher of Social Studies	LHS	BA	7	\$58,350	\$0	\$0	\$58,350	BA+16	7	\$60,350	\$0	\$0	\$60,350	9/1/21
Donough	Erik	Teacher of Music	HMS	MA	14	\$92,694	\$0	\$0	\$92,694	MA+16	14	\$96,161	\$0	\$0	\$96,161	9/1/21
Febrizio	Laura	TOSD	BHE	MA	6	\$65,005	\$0	\$0	\$65,005	MA+16	6	\$68,670	\$0	\$0	\$68,670	9/1/21
Fennell	Teresa	Teacher of Spanish	LHS	MA+16	15	\$99,820	\$0	\$0	\$99,820	MA+32	15	\$104,908	\$0	\$0	\$104,908	9/1/21
Feeney	Kelly	Reading Specialist	Collins	MA	9	\$72,562	\$0	\$0	\$72,562	MA+16	9	\$75,865	\$0	\$0	\$75,865	9/1/21
Ferraro	Dina	Teacher of English	MPMS	BA+32	15	\$93,155	\$0	\$0	\$93,155	MA+16	15	\$99,820	\$0	\$0	\$99,820	9/1/21
Flore	Victoria	Elementary School Teacher	Collins	MA+16	8	\$72,143	\$0	\$0	\$72,143	MA+32	8	\$75,033	\$0	\$0	\$75,033	9/1/21
Klinman	Johanna	Teacher of Bio & Chem	LHS	MA+16	6	\$68,670	\$0	\$0	\$68,670	MA+32	6	\$71,133	\$0	\$0	\$71,133	9/1/21
Merlo-Chiaramonte	Jayne	TOSD	HMS	MA+16	11	\$84,024	\$0	\$0	\$84,024	MA+32	11	\$88,108	\$0	\$0	\$88,108	9/1/21
Monaco	Nicole	Elementary School Teacher	MPE	MA+16	8	\$72,143	\$0	\$0	\$72,143	MA+32	8	\$75,033	\$0	\$0	\$75,033	9/1/21
Nelson	Andrew	Teacher of English	LHS	BA+16	3	\$57,250	\$0	\$0	\$57,250	BA+32	3	\$59,770	\$0	\$0	\$59,770	9/1/21
Soldiviero	Jessica	Elementary School Teacher	Collins	BA+16	5	\$58,700	\$0	\$0	\$58,700	MA	5	\$64,235	\$0	\$0	\$64,235	9/1/21
Stoddard	Samantha	TOSD	LHS	MA+16	8	\$72,143	\$0	\$0	\$72,143	MA+32	8	\$75,033	\$0	\$0	\$75,033	9/1/21
Velardi	Stephanie	Elementary School Teacher	BHE	MA	8	\$68,665	\$0	\$0	\$68,665	MA+16	8	\$72,143	\$0	\$0	\$72,143	9/1/21

EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND
ADMINISTRATORS (M)

**3222 EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING
TEACHERS AND ADMINISTRATORS (M)**

The Board of Education recognizes the importance of teaching staff member effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3222 for the evaluation of teaching staff members consistent with the Teacher Effectiveness and Accountability for the Children of New Jersey Act (TEACHNJ) and the AchieveNJ administrative codes. This Policy and Regulation provides the provisions and requirements for teaching staff member evaluations consistent with TEACHNJ and AchieveNJ.

For the purposes of Policy and Regulation 3222, “teaching staff member” includes, but is not limited to, educational services staff members, guidance counselors, school nurses, library/media specialists, occupational therapists, and other teaching staff members working under an educational services certificate. For the purposes of Policy and Regulation 3222, “teaching staff member” does not include teachers, Principals, Vice Principals, Assistant Principals, and administrators, including, but not limited to, directors and/or supervisors.

~~The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and no~~ No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives. All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees for the purpose of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

The Board shall annually adopt evaluation rubrics for all teaching staff members which shall be submitted to the Commissioner of Education by August ~~June~~ 1 for approval by August 15 of each year. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The Board shall meet the requirements as outlined in N.J.A.C. 6A:10-2.2(a) for the annual evaluation of teaching staff members and shall ensure the training procedures as outlined in N.J.A.C. 6A:10-2.2(b) are followed when implementing the evaluation rubrics for all teaching staff members. A District Evaluation Advisory Committee may ~~shall~~ be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.



Teaching Staff Members
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EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND
ADMINISTRATORS (M)

The minimum requirements for the evaluation procedures for teaching staff members as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each teaching staff member rated ineffective or partially effective on the annual summative evaluation rating, as measured by the evaluation rubrics, a corrective action plan shall be developed in accordance with the provisions of N.J.A.C. 6A:10-2.5.

Observations and evaluations for non-tenured teaching staff members shall be in accordance with the provisions of N.J.S.A. 18A:27-3.1 and N.J.A.C. 6A:10-6.2. Evaluations for non-tenured teaching staff members shall be completed prior to the May 15 notice requirement date for continued employment. Evaluations for tenured teaching staff members shall be completed prior to June 30.

The Superintendent shall annually notify all teaching staff members of the adopted evaluation policies and procedures/regulations no later than October 1. If a teaching staff member is hired after October 1, the Superintendent shall notify the teaching staff member of the policies and procedures/regulations at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy and procedures/regulations within ten teaching staff member working days of adoption.

N.J.S.A. 18A:6-117 et seq.; N.J.S.A. 18A:27-3.1
N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5

Adopted: January 27, 2014
Revised: July 19, 2017



REGULATION

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EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)

R 3222 EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)

Definitions – N.J.A.C. 6A:10-1.2 The following words and terms shall have the following meanings when used in Policy and Regulation 3222 unless the context clearly indicates otherwise:

“Announced observation” means the person conducting an evaluation for the purpose of evaluation will notify the teaching staff member of the date and the time period the observation will be conducted.

“Annual performance report” means a written appraisal of the teaching staff member's performance prepared by the teaching staff member's supervisor based on the evaluation rubric for his or her position.

“Annual summative evaluation rating” means an annual evaluation rating that is based on appraisals of educator practice and student performance, if applicable, and includes all measures captured in a teaching staff member's evaluation rubric. The four summative performance categories are ineffective, partially effective, effective, and highly effective.

“Chief School Administrator” means the Superintendent of Schools or the Administrative Principal if there is no Superintendent.

“Commissioner” means Commissioner of the New Jersey Department of Education.

“Corrective Action Plan” means a written plan developed by the designated supervisor in collaboration with the teaching staff member to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual teaching staff member and the school district for implementing the plan, and specific support that the district shall provide as defined in N.J.S.A. 18A:6-119.

“Department” means the New Jersey Department of Education.

“District Evaluation Advisory Committee” means a group created to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2.3.



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“Educator practice instrument” means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from the educator practice instrument may be components of the teaching staff member’s evaluation rubrics and the scores may be included in the summative evaluation rating for the individual.

“Evaluation” means an appraisal of an individual’s professional performance in relation to his or her job description and professional standards based on, when applicable, the individual’s evaluation rubric.

“Evaluation rubrics” means a set of criteria, measures, and processes used to evaluate all teaching staff members in a specific school district or local education agency. Evaluation rubrics consist of measures of professional practice, based on educator practice instruments and student outcomes. Each Board of Education will have an evaluation rubric specifically for teachers, another specifically for Principals, Vice Principals, and Assistant Principals, and evaluation rubrics for other categories of teaching staff members.

“Indicators of student progress and growth” means the results of assessment(s) of students as defined in N.J.A.C. 6A:8, Standards and Assessment.

“Individual professional development plan” means a written statement of goals developed by a teaching staff member serving in a supervisory capacity in collaboration with a teaching staff member, that: aligns with professional standards for teachers set forth in N.J.A.C. 6A:9-3.3 and the New Jersey Professional Development Standards; derives from the annual evaluation process; identifies professional goals that address specific individual, district or school needs, or both; and grounds professional development activities in objectives related to improving teaching, learning, and student achievement. The individual professional development plan shall include timelines for implementation, responsibilities of the employee and the school district for implementing the plan, and specific support and periodic feedback that the district shall provide.

“Job description” means a written specification of the function of a position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and school district.



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EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)

“Observation” means a method of collecting data on the performance of a teaching staff member's assigned duties and responsibilities. An observation for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by an individual employed in the school district in a supervisory role and capacity and possessing a school administrator, Principal, or supervisor endorsement as defined in N.J.A.C. 6A:9-1.1.

“Post-observation conference” means a meeting, either in-person or remotely, between a supervisor who conducted the observation and the teaching staff member for the purpose of evaluation to discuss the data collected in the observation.

“Scoring guide” means a set of rules or criteria used to evaluate a performance, product, or project. The purpose of a scoring guide is to provide a transparent and reliable evaluation process. Educator practice instruments include a scoring guide that an evaluator uses to structure his or her assessments and ratings of professional practice.

“Signed” means the name of one physically written by oneself or an electronic code, sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

“Student growth objective” is an academic goal that teaching staff members and designated supervisors set for groups of students.

“Superintendent” means Superintendent of Schools or Chief School Administrator.

“Supervisor” means an appropriately certified teaching staff member, as defined in N.J.S.A. 18A:1-1, employed in the school district in a supervisory role and capacity, and possessing a school administrator, Principal, or supervisor endorsement as defined in N.J.A.C. 6A:9-1.2.

“Teaching staff member” means a member of the professional staff of any district or regional Board of Education, or any county vocational school district Board of Education, holding office, position, or employment of such character that the qualifications for such office, position, or employment require him or her to hold a valid, effective, and appropriate standard, provisional, or emergency certificate issued by the State Board of Examiners. Teaching staff members include the positions of school nurse and school athletic trainer. There are three different types of certificates that teaching staff members work under:



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EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS (M)

1. An instructional certificate (holders of this certificate are referred to in N.J.A.C. 6A:10-1.1 et seq. as “teachers”);
2. Administrative certificate; and
3. Educational services certificate.

For the purposes of Policy 3222 and this Regulation, “teaching staff member” includes, but is not limited to, educational services staff members, guidance counselors, school nurses, library/media specialists, occupational therapists, and other teaching staff members working under an educational services certificate and does not include teachers, Principals, Vice Principals, Assistant Principals, and administrators, including, but not limited to, Directors and/or Supervisors.

“Unannounced observation” means the person conducting an observation for the purpose of evaluation will not notify the teaching staff member of the date or time the observation will be conducted.

B. Applicability of Rules on Collective Bargaining Agreements – N.J.A.C. 6A:10-1.3

~~The rules in N.J.A.C. 6A:10-1.1 et seq. shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts entered into by a school district in effect on July 1, 2013.~~ No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives.

C. Educator Evaluation Data, Information, and Annual Performance Reports – N.J.A.C. 6A:10-1.4

All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees of the Board of Education for the purposes of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential. Such information shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Nothing contained in N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the Department from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e or distributing aggregate statistics regarding evaluation data.



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D. Evaluation of Teaching Staff Members – N.J.A.C. 6A:10-2.1

1. The Board of Education ~~shall~~ annually ~~shall~~ adopt evaluation rubrics for all teaching staff members. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.
2. Evaluation rubrics shall be submitted to the Commissioner by ~~August~~ ~~June~~ 1 for approval by August 15 of each year.

E. Duties of the Board of Education – N.J.A.C. 6A:10-2.2

1. The Board of Education shall meet the following requirements for the annual evaluation of teaching staff members, unless otherwise specified:
 - a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-1.1 et seq.
 - b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c):
 1. The Superintendent shall develop policies and procedures that, at a minimum, ensure student performance data on the Statewide assessment is, upon receipt, promptly distributed or otherwise made available to staff members who were primarily responsible for instructing the applicable students in the school year in which the assessment was taken, as well as to staff members who are or will be primarily responsible for instructing the applicable students in the subsequent school year.
 - c. Ensure the Superintendent annually notifies all teaching staff members of the adopted evaluation policies and procedures no later than October 1. If a teaching staff member is hired after October 1, the Board/Superintendent shall notify the teaching staff member of the policies and procedures at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy and procedures within ten ~~teaching staff member~~ working days of adoption.



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- d. Annually adopt by June 1, any Commissioner-approved educator practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department which instruments will be used as part of the school district's evaluation rubrics.
 - e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31 and shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2.
 - f. Ensure data elements are collected from the implementation of the educator practice instrument and store the data in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation.
 - g. Ensure each Principal in the district certifies any observer who conducts an observation of a teaching staff member for the purpose of evaluation as described in; N.J.A.C. 6A:10-4.4; and N.J.A.C. 6A:10-5.4 and N.J.A.C. 6A:10-6.2, shall meet the statutory observation requirements of N.J.S.A. 18A:6-119; 18A:6-123.b(8); and N.J.S.A. 18A:27-3.1 and the teacher member of the School Improvement Panel requirements of N.J.A.C. 6A:10-3.2.
2. The Board of Education, through the Superintendent, shall ensure the following training procedures are followed when implementing the evaluation rubric for all teaching staff members and, when applicable, applying the Commissioner-approved educator practice instruments:
- a. Annually provide training on and descriptions of each component of the evaluation rubric for all teaching staff members who are being evaluated in the school district and provide more thorough training for any teaching staff member who is being evaluated for the first time. Training shall include detailed descriptions of all evaluation rubric components including, when applicable, detailed descriptions of student achievement measures and all aspects of the educator practice instruments;
 - b. Annually provide updates and refresher training for supervisors who are conducting evaluations in the school district and more thorough training for any supervisor who will evaluate teaching staff members for the first



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time. Training shall be provided on each component of the evaluated teaching staff member's evaluation rubric before the evaluation of a teaching staff member, and

- b. The Superintendent shall annually certify to the Department that all supervisors of teaching staff members in the school district who are utilizing evaluation rubrics have completed training and have demonstrated competency in applying the evaluation rubrics.

F. District Evaluation Advisory Committee – N.J.A.C. 6A:10-2.3

1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel. Members also shall include the Superintendent, a special education administrator, a parent, and a member of the Board of Education.
2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups.
3. ~~Beginning in 2018-2019, the~~ District Evaluation Advisory Committees ~~is not shall no longer be required~~ and the Board of Education shall have the discretion to ~~establish a~~ ~~continue the~~ District's Evaluation Advisory Committee.

G. Evaluation Procedures for Teaching Staff Members – N.J.A.C. 6A:10-2.4

1. The provisions outlined in Policy and Regulation 3222 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation procedures for teaching staff members.
2. Evaluation policies and procedures requiring the annual evaluation of all teaching staff members shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:



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- a. Roles and responsibilities for implementation of evaluation policies and procedures;
 - b. Job descriptions and applicable evaluation criteria based upon school district goals, student achievement, instructional priorities, and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;
 - c. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the processes for observations for the purpose of evaluation and post-observation conference(s) by the teaching staff member's supervisor, or his or her designee;
 - d. Process for developing and scoring student growth objectives;
 - e. The process for preparation of individual professional development plans; and
 - f. The process for preparation of an annual written performance report by the teaching staff member's supervisor or designee, and an annual summary conference between the teaching staff member and his or her supervisor, or the supervisor's designee.
3. The annual summary conference between the supervisor and the teaching staff member shall be held before the annual performance report is filed. The conference shall occur on or before June 30 of each school year and shall include, but not be limited to, a review of the following:
 - a. The performance of the teaching staff member based upon the job description and the scores or evidence compiled using the teaching staff member's evaluation rubric, when applicable:
 - 1) The ~~teaching staff member's~~educator's practice instrument; and,
 - 2) Available indicators or student achievement measures such as student growth objective scores and student growth percentile scores.



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- b. The progress of the teaching staff member toward meeting the objectives of the individual professional development plan or, when applicable, the corrective action plan; and
 - c. The preliminary annual written performance report.
 4. If any scores for the teaching staff member's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.
 5. The annual performance report shall be prepared by the teaching staff member's supervisor and shall include, but not be limited to:
 - a. A summative rating based on the evaluation rubric;
 - b. Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the teaching staff member's evaluation rubric; and
 - c. The teaching staff member's individual professional development plan or a corrective action plan from the evaluation year being reviewed in the report; and
 6. The teaching staff member and the preparer of the annual written performance report shall sign the report within five **teaching staff member** working days of the review.
 7. The Board of Education shall include all performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of the teaching staff member's personnel file or in an alternative, confidential location. If reports and data are stored in an alternative location, the personnel file shall clearly indicate the report's location, the personnel file shall clearly indicate the report's location and how it can be easily accessed.
The records shall be confidential and shall not be subject to public



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inspection or copying pursuant to the Open Public Records Act,
N.J.S.A. 47:1A-1 et seq.

H. Corrective Action Plans for Teaching Staff Members – N.J.A.C. 6A:10-2.5

1. For each teaching staff member rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by the teaching staff member and the teaching staff member's designated supervisor. If the teaching staff member does not agree with the corrective action plan's content, the designated supervisor shall make a final determination.
2. The corrective action plan shall be developed and the teaching staff member and his or her supervisor shall meet to discuss the corrective action plan by October 31 of the school year following the year of the evaluation, except:
 - a. If the ineffective or partially effective summative evaluation rating is received after October 1 of the school year following the year of evaluation, a corrective action plan shall be developed, and the teaching staff member and his or her supervisor shall meet to discuss the corrective action plan within twenty-five teaching staff member working days following the school district's receipt of the teaching staff member's summative rating.
3. The content of the corrective action plan shall replace the content of the individual professional development plan required pursuant to N.J.A.C. 6A:9C-4.3(a) and 4.4(a) and shall:
 - a. Address areas in need of improvement identified in the teaching staff member evaluation rubric;
 - b. Include specific, demonstrable goals for improvement;
 - c. Include responsibilities of the evaluated employee and the school district for the plan's implementation; and
 - d. Include timelines for meeting the goal(s).
4. The teaching staff member's supervisor, or his or her designee, and the teaching staff member on a corrective action plan shall discuss the teaching staff member's progress toward the goals outlined in the corrective action



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plan during each required post-observation conference. The teaching staff member and his or her designated supervisor may update the goals outlined in the corrective action plan to reflect and change(s) in the teaching staff member's progress, position, or role.

5. Progress toward the teaching staff member's goals outlined in the corrective action plan:
 - a. Shall be documented in the teaching staff member's personnel file and reviewed at the annual summary conference and the mid-year evaluation. Both the teaching staff member on a corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the teaching staff member's progress toward his or her corrective action plan goals; and
 - b. May be used as evidence in the teaching staff member's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.
6. Responsibilities of the evaluated teaching staff member on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the teaching staff member's supervisor.
7. The corrective action plan shall remain in effect until the teaching staff member received his or her next summative evaluation rating.
8. There shall be no minimum number of teaching staff member working days a teacher's corrective action plan can be in place.

~~I. Required Observations for Teaching Staff Members Observations and Evaluations —~~ N.J.A.C. 6A:10-6.2

1. The Superintendent shall determine the duration of observations required pursuant to N.J.S.A. 18A:27-3.1 for nontenured teaching staff members, except teachers, Principals, Vice Principals and Assistant Principals. Observations include, but are not limited to, observations of meetings, student instruction, parent conferences, and case-study analysis of a significant student issue. The observation shall:
 - a. Be at least twenty minutes in length;
 - b. Be followed within fifteen teaching staff member working days by a conference between the supervisors who made the observation and the non-tenured teaching staff member;



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- c. Be followed by both parties to such a conference signing the written or electronic observation report and each retaining a copy of his or her records; and
 - d. Allow the nontenured teaching staff member to submit his or her written objection(s) of the evaluation within ten teaching staff member working days following the conference. The objection(s) shall be attached to each party's copy of the annual performance report.
- 2. All tenured teaching staff members shall receive at least one observation per school year.
- 3. All non-tenured teaching staff members shall receive at least three observations, as required pursuant to N.J.S.A. 18A:27-3.1.
 - a. The required observations and evaluations for nontenured teaching staff members shall take place before April 30 of each year. These observations and evaluations may cover that period between April 30 of one year and April 30 of the succeeding year except in the case for the first year of employment where the three observations and evaluations must have been completed prior to April 30.
 - b. The number of required observations and evaluations for nontenured teaching staff members may be reduced proportionately when an individual teaching staff member's term of service is less than one academic year.
- 4. Evaluations for tenured teaching staff members must be completed prior to June 30.
- 75. The number of required observations and the annual evaluation for nontenured teaching staff members may be reduced proportionately when an individual teaching staff member's term of service is less than one academic year.
- 86. Evaluations for nontenured teaching staff members shall be completed prior to May 15.
- 97. Evaluations for tenured teaching staff shall be completed prior to June 30.



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- ~~810~~. Each evaluation of nontenured and tenured teaching staff members shall be followed by a conference between that teaching staff member and the administrative or supervisory staff member who has made the observation and written evaluation. Both parties to such a conference shall sign the written evaluation report and each shall retain a copy for his or her records. The purpose of this procedure is to recommend as to reemployment, identify any deficiencies, extend assistance for correction, and improve professional competence.
- ~~911~~. The teaching staff member may submit his or her written objection(s) of the evaluation within ten teaching staff member working days following receipt of the written document. The objection(s) shall be attached to each party's copy of the annual written performance report.

Adopted: 08 December 2014

Revised: 17 July 2017



EVALUATION OF ADMINISTRATORS, EXCLUDING PRINCIPALS, VICE PRINCIPALS, AND
ASSISTANT PRINCIPALS (M)

3223 EVALUATION OF ADMINISTRATORS, EXCLUDING PRINCIPALS, VICE
PRINCIPALS, AND ASSISTANT PRINCIPALS (M)

The Board of Education recognizes the importance of administrator effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3223 for the evaluation of administrators consistent with the Teacher Effectiveness and Accountability for the Children of New Jersey Act (TEACHNJ) and the AchieveNJ administrative codes. This Policy and Regulation provides the provisions and requirements for administrator evaluations consistent with TEACHNJ and AchieveNJ.

For the purposes of Policy and Regulation 3223, “administrator” means an appropriately certified staff member, as defined in N.J.S.A. 18A-1.1, employed in the school district in an administrative and/or supervisory role and capacity, and holding a valid and effective standard, provisional, or emergency administrative certificate. An “administrator” may be a director, supervisor, or any other administrative or supervisory position in the district. For the purposes of Policy and Regulation 3223 and N.J.A.C. 6A:10-1.1 et seq., “administrator” is not a Principal, Vice Principal, or Assistant Principal.

~~The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and n~~No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives. All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees for the purpose of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

The Board shall annually adopt evaluation rubrics for all administrators which shall be submitted to the Commissioner of Education by August 1~~June 1~~ for approval by August 15 of each year. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The Board shall meet the requirements as outlined in N.J.A.C. 6A:10-2.2(a) for the annual evaluation of administrators and shall ensure the training procedures as outlined in N.J.A.C. 6A:10-2.2(b) are followed when implementing



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the evaluation rubrics for all administrators. A District Evaluation Advisory Committee ~~may~~^{shall} be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for administrators as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each administrator rated ineffective or partially effective on the annual summative evaluation rating, as measured by the evaluation rubrics, a corrective action plan shall be developed in accordance with the provisions of N.J.A.C. 6A:10-2.5.

Observations and evaluations for non-tenured administrators shall be in accordance with the provisions of N.J.S.A. 18A:27-3.1. Evaluations for non-tenured administrators shall be completed prior to the May 15 notice requirement date for continued employment. Evaluations for tenured administrators shall be completed prior to June 30.

The Superintendent annually shall notify all administrators of the adopted evaluation policies and procedures/regulations no later than October 1. If an administrator is hired after October 1, the Superintendent shall notify the administrator of the policies and procedures/regulations at the beginning of his or her employment. All administrators shall be notified of amendments to the policy and procedures/regulations within ten administrator working days of adoption.

N.J.S.A. 18A:6-117 et seq.; N.J.S.A. 18A:27-3.1

N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5

Adopted: January 27, 2014

Revised: July 19, 2017



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EVALUATION OF ADMINISTRATORS, EXCLUDING PRINCIPALS, VICE PRINCIPALS, AND ASSISTANT PRINCIPALS (M)

A. Definitions – N.J.A.C. 6A:10-1.2

The following words and terms shall have the following meanings when used in Policy and Regulation 3223 unless the context clearly indicates otherwise:

“Administrator” means an appropriately certified staff member, as defined in N.J.S.A. 18A-1.1, employed in the school district in an administrative and/or supervisory role and capacity, and holding a valid and effective standard, provisional, or emergency administrative certificate. An “administrator” may be a director, supervisor or any other administrative or supervisory position in the district. For the purposes of Policy and Regulation 3223 and N.J.A.C. 6A:10-1.1 et seq., “administrator” is not a Principal, Vice Principal, or Assistant Principal.

“Annual performance report” means a written appraisal of the administrator’s performance prepared by the administrator’s designated supervisor based on the evaluation rubric for his or her position.

“Annual summative evaluation rating” means an annual evaluation rating that is based on appraisals of educator practice and student performance, and includes all measures captured in an administrator’s evaluation rubric. The four summative performance categories are ineffective, partially effective, effective, and highly effective.

“Chief School Administrator” means the Superintendent of Schools or the Administrative Principal if there is no Superintendent.

“Commissioner” means Commissioner of the New Jersey Department of Education.

“Corrective Action Plan” means a written plan developed by the administrator’s designated supervisor in collaboration with the administrator to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual administrator and the school district for implementing the plan, and specific support that the district shall provide as defined in N.J.S.A. 18A:6-119.

“Department” means the New Jersey Department of Education.



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“Designated supervisor” means the supervisor designated by the Superintendent of Schools or designee as the administrator’s supervisor.

“District Evaluation Advisory Committee” means a group created to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2.3.

“Educator practice instrument” means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from educator practice instruments for ~~teaching staff members~~ administrators other than teachers, Principals, Vice Principals, and Assistant Principals may be applied to the administrator’s summative evaluation rating in a manner determined by the school district.

“Evaluation” means an appraisal of an individual’s professional performance in relation to his or her job description, professional standards, and Statewide evaluation criteria that incorporates analysis of multiple measures of student achievement or growth, if applicable, and multiple data sources.

“Evaluation” means an appraisal of an individual’s professional performance in relation to his or her job description, and professional standards and based on, when applicable, the individual’s evaluation rubric.

“Evaluation rubric” means a set of criteria, measures, and processes used to evaluate all administrators in a specific school district or local education agency. Evaluation rubrics consist of measures of professional practice, based on educator practice instruments and student outcomes. Each Board of Education will have an evaluation rubric specifically for teachers, another specifically for Principals, Vice Principals, and Assistant Principals, and evaluation rubrics for other categories of staff members.

“Indicators of student progress and growth” means the results of assessment(s) of students as defined in N.J.A.C. 6A:8, Standards and Assessment.

“Individual professional development plan” is as defined in N.J.S.A. 18A:6-119.



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“Job description” means a written specification of the function of a position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and school district.

“Observation” means a method of collecting data on the performance of an administrator's assigned duties and responsibilities. An observation for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by an individual employed in the school district in a supervisory role and capacity and possessing a school administrator, principal, or supervisor endorsement as defined in N.J.A.C. 6A:9-2.1 and as designated by the Superintendent.

“Post-observation conference” means a meeting, either in-person or remotely, between the supervisor who conducted the observation and the administrator for the purpose of evaluation to discuss the data collected in the observation.

“Scoring guide” means a set of rules or criteria used to evaluate a performance, product, or project. The purpose of a scoring guide is to provide a transparent and reliable evaluation process. Educator practice instruments include a scoring guide that an evaluator uses to structure his or her assessments and ratings of professional practice.

“Semester” means half of the school year.

“Signed” means the name of one physically written by oneself or an electronic code, sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

“Student growth objective” means an academic goal that teachers and designated supervisors set for groups of students.

“Superintendent” means Superintendent of Schools or Chief School Administrator.

“Supervisor” means an appropriately certified staff member, as defined in N.J.S.A. 18A:1-1, or Superintendent employed in the school district in a supervisory role and capacity, and possessing a school administrator, Principal, or supervisor endorsement, as defined in N.J.A.C. 6A:9B-11.



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B. Applicability of Rules on Collective Bargaining Agreements – N.J.A.C. 6A:10-1.3

~~The rules in N.J.A.C. 6A:10-1.1 et seq. shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts entered into by a school district in effect on July 1, 2013.~~ No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives.

C. Educator Evaluation Data, Information, and Annual Performance Reports – N.J.A.C. 6A:10-1.4

All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees of the Board of Education for the purposes of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including but not limited to, digital records, shall be confidential. Such information shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Nothing contained in N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the Department or a school district from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e or distributing aggregate statistics regarding evaluation data.

D. Evaluation of Administrators – N.J.A.C. 6A:10-2.1

1. The Board of Education shall annually adopt evaluation rubrics for all administrators. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.
2. Evaluation rubrics shall be submitted to the Commissioner by ~~June~~ August 1 for approval by August 15 of each year.

E. Duties of the Board of Education – N.J.A.C. 6A:10-2.2

1. The Board of Education shall meet the following requirements for the annual evaluation of administrators, unless otherwise specified:



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- a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2 et seq;
- b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c)
 1. The Superintendent shall develop policies and procedures that, at a minimum, ensure student performance data on the Statewide assessment is, upon receipt, promptly distributed or otherwise made available to staff members who were primarily responsible for instructing the applicable students in the school year in which the assessment was taken, as well as to staff members who are or will be primarily responsible for instructing the applicable students in the subsequent school year.
- c. Ensure the Superintendent annually notifies all administrators of the adopted evaluation policies and procedures no later than October 1. If an administrator is hired after October 1, the Board/Superintendent shall notify the administrator of the policies and procedures at the beginning of his or her employment. All administrators shall be notified of amendments to the policy and procedures within ten administrator working days of adoption;
- d. Annually adopt by June 1, any Commissioner-approved educator practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department which instruments will be used as part of the school district's evaluation rubrics;
- e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31 and shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2;
- f. Ensure data elements are collected and stored in an accessible and usable format. Data elements shall include, but not be limited to,



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scores or evidence from observations for the purpose of evaluation and student growth objective data; and

- g. Ensure the Superintendent or designee certifies to the Department that any observer who conducts an observation of an administrator for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4; N.J.A.C. 6A:10-5.4 and N.J.A.C. 6A:10-6.2 shall meet the statutory observation requirements of N.J.S.A. 18A:6-119; 18A:6-123.b(8); and N.J.S.A. 18A:27-3.1 and the teacher member of the School Improvement Panel requirements of N.J.A.C. 6A:10-3.2.

- 2. The Board of Education, through the Superintendent, shall ensure the following training procedures are followed when implementing the evaluation rubric for all administrators and, when applicable, applying the Commissioner-approved educator practice instruments:

- a. Annually provide training on and descriptions of each component of the evaluation rubric for all administrators who are being evaluated in the school district and provide more thorough training for any administrator who is being evaluated for the first time. Training shall include detailed descriptions of all evaluation rubric components including, when applicable, detailed descriptions of student achievement measures and all aspects of the educator practice instruments;
- b. Annually provide updates and refresher training for any supervisors who are conducting evaluations in the school district and more thorough training for any supervisor who will evaluate administrators for the first time. Training shall be provided on each component of the evaluated administrator's evaluation rubric before the evaluation of an administrator;
- c. The Superintendent shall annually certify to the Department that all supervisors of administrators in the school district who are utilizing evaluation rubrics have completed training on and have demonstrated competency in applying the evaluation rubrics.

- F. District Evaluation Advisory Committee – N.J.A.C. 6A:10-2.3



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1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel. Members also shall include the Superintendent, a special education administrator, a parent, and a member of the Board of Education.
2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups and to individuals.
3. ~~Beginning in 2018-2019, A the District Evaluation Advisory Committee is not shall no longer be required~~ and the Board of Education shall have the discretion to ~~establish~~ ~~a continue the~~ District's Evaluation Advisory Committee.

G. Evaluation Procedures for Administrators – N.J.A.C. 6A:10-2.4

1. The provisions outlined in Policy and Regulation 3223 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation of administrators.
2. Evaluation policies and procedures requiring the annual evaluation of all administrators shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:
 - a. Roles and responsibilities for implementation of evaluation policies and procedures;
 - b. Job descriptions evaluation rubrics for administrators, the process for calculating the summative ratings and each component, and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;
 - c. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, Principals, Vice Principals and Assistant



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- Principals for calculating the median and school-side student growth percentile;
- d. Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;
 - e. Process for developing and scoring student growth objectives;
 - f. The process for preparation of individual professional development plans; and
 - g. The process for preparation of an annual performance report by the Superintendent or designated supervisor, and an annual summary conference between the administrator and his or her designated supervisor.
3. The annual summary conference between designated supervisor and the administrator shall be held before the annual performance report is filed. The conference shall occur on or before June 30 of school each year and shall include, but not be limited to, a review of the following:
- a. The performance of the administrator based upon the job description and the scores or evidence compiled using the administrator's evaluation rubric, including, when applicable;
 - 1. The educator's practice instrument;
 - 2. Available indicators or student achievement measures such as student growth objective scores and student growth percentile scores.
 - b. The progress of the administrator toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan; and
 - c. The preliminary annual written performance report.
4. If any scores for the administrator's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.



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5. The annual performance report for the administrator shall be prepared by the designated supervisor and shall include, but not be limited to:
 - a. A summative rating based on the evaluation rubric;
 - b. Performance area(s) of strength and area(s) needing improvement based upon the job description, and components of the administrator's evaluation rubric; and
 - c. The administrator's individual professional development plan or a corrective action plan from the evaluation year being reviewed in the report.
6. The administrator and the designated supervisor shall sign the report within five **administrator** working days of the review.
7. The Board of Education shall include all performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of his or her personnel file, or in an alternative, confidential location. If reports and data are stored in an alternative, confidential location, the personnel file shall clearly indicate the report's location and how it can easily be accessed. The records shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

H. Corrective Action Plans for Administrators – N.J.A.C. 6A:10-2.5

1. For each administrator rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by administrator and the Superintendent or the designated Supervisor. If the administrator does not agree with the corrective action plan's content, the designated supervisor shall make a final determination.
2. The corrective action plan shall be developed and the administrator and his or her shall meet to discuss the corrective action plan by October 31 of the school year following the year of the evaluation except:



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- a. If the ineffective or partially effective summative evaluation rating is received after October 1 of the school year following the year of evaluation, a corrective action plan shall be developed, and the administrator and his or her designated Supervisor shall meet to discuss the corrective action plan within twenty-five administrator working days following the school district's receipt of the administrator's summative rating.
3. The content of the corrective action plan shall replace the content of the individual professional development plan required pursuant to N.J.A.C. 9C:4.3(a) and 4.4 (a) and shall:
 - a. Address areas in need of improvement identified in the administrator evaluation rubric;
 - b. Include specific, demonstrable goals for improvement;
 - c. Include responsibilities of the evaluated employee and the school district for the plan's implementation; and
 - d. Include timelines for meeting the goal(s).
4. The administrator's designated Supervisor, and the administrator on a corrective action plan shall discuss the administrator's progress toward the goals outlined in the corrective action plan during each required post-observation conference. The administrator and his or her designated supervisor may update the goals outlined in the corrective action plan to reflect any change(s) in the administrator's progress, position, or role.
5. Progress toward the administrator's goals outlined in the corrective action plan:
 - a. Shall be documented in the administrator's personnel file and reviewed at the annual summary conference and the mid-year evaluation. Both the administrator on a corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the administrator's progress toward his or her corrective action plan goals; and
 - b. May be used as evidence in the administrator's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.



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6. Responsibilities of the evaluated administrator on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the administrator's designated Supervisor.
7. The corrective action plan shall remain in effect until the administrator receives his or her next summative evaluation rating.
8. There shall be no minimum number of administrator working days an administrator's corrective action plan can be in place.

I. Administrator Observations and Evaluations – N.J.A.C. 6A:10-6.2

1. The Superintendent shall determine the duration of observations required pursuant to N.J.S.A. 18A:27-3.1 for nontenured administrators. Observations include, but are not limited to, observations of meetings, student instruction, parent conferences, and case-study analysis of a significant student issue. The observation shall:
 - a. Be at least twenty minutes in length;
 - b. Be followed within fifteen administrator working days by a conference between the supervisors who made the observation and the non-tenured administrator;
 - c. Be followed by both parties to such a conference signing the written or electronic observation report and each retaining a copy of his or her records; and
 - d. Allow the nontenured administrator to submit his or her written objection(s) of the evaluation within ten administrator working days following the conference. The objection(s) shall be attached to each party's copy of the annual performance report.
2. All tenured administrators shall receive at least one observation per school year.
3. All non-tenured administrators shall receive at least three observations, as required pursuant to N.J.S.A. 18A:27-3.1.
 - a. The required observations and evaluations for nontenured administrators shall take place before April 30 each year. These observations and evaluations may cover that period between April 30 of one year and



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April 30 of the succeeding year excepting in the case of the first year of employment where the three evaluations and observations must have been completed prior to April 30.

- b. The number of required observations and evaluations for nontenured administrators may be reduced proportionately when an individual administrator's term of service is less than one academic year.
4. Evaluations for tenured administrators shall be completed prior to June 30.

Adopted: December 8, 2014

Revised: January 23, 2017

Revised: July 17, 2017



EVALUATION OF PRINCIPALS, VICE PRINCIPALS AND ASSISTANT PRINCIPALS (M)

3224 EVALUATION OF PRINCIPALS, VICE PRINCIPALS AND ASSISTANT PRINCIPALS (M)

The Board of Education recognizes the importance of Principal, Vice Principal, and Assistant Principal effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3224 for the evaluation of Principals, Vice Principals, and Assistant Principals consistent with the Teacher Effectiveness and Accountability for the Children of New Jersey Act (TEACHNJ) and the AchieveNJ administrative codes. This Policy and Regulation provides the provisions and requirements for Principal, Vice Principal, and Assistant Principal evaluations consistent with TEACHNJ and AchieveNJ.

~~The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and no~~ No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives. All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees for the purpose of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to digital records, shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

The Board shall annually adopt evaluation rubrics for all Principals, Vice Principals, and Assistant Principals which shall be submitted to the Commissioner of Education by ~~August June~~ 1 for approval by August 15 of each year. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The Board shall meet the requirements as outlined in N.J.A.C. 6A:10-2.2(a) for the annual evaluation of Principals, Vice Principals, and Assistant Principals and shall ensure the training procedures as outlined in N.J.A.C. 6A:10-2.2(b) are followed when implementing the evaluation rubrics for all Principals, Vice Principals, or Assistant Principals. A District Evaluation Advisory Committee may ~~shall~~ be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for Principals, Vice Principals, and Assistant Principals as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each Principal, Vice Principal, or Assistant Principal rated ineffective or partially effective on the annual summative evaluation rating, as measured by the evaluation rubrics, a corrective action plan shall be developed in accordance with the provisions of N.J.A.C. 6A:10-2.5.



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The components of the principal evaluation rubrics as described in N.J.A.C. 6A:10-5.1 shall apply to Principals, Vice Principals, and Assistant Principals. Measures of student achievement, as outlined in N.J.A.C. 6A:10-5.2, shall be used to determine impact on student learning. Principal, Vice Principal, and Assistant Principal observations shall be conducted in accordance with the provisions of N.J.A.C. 6A:10-5.4. The Superintendent or designee shall conduct observations for the evaluation of Principals pursuant to N.J.S.A. 18A:6-121 and he or she shall be trained pursuant to N.J.A.C. 6A:10-2.2(b). A Principal, or the Superintendent or designee, shall conduct observations for the evaluation of Vice Principals and Assistant Principals pursuant to N.J.S.A. 18A:6-121.

The principal practice instrument approved by the Department of Education shall meet the criteria as outlined in N.J.A.C. 6A:10-6.3.

The Superintendent annually shall notify all Principals, Vice Principals, or Assistant Principals of the adopted evaluation policies and procedures/regulations no later than October 1. If a Principal, Vice Principal, or Assistant Principal is hired after October 1, the Superintendent shall notify the Principal, Vice Principal, or Assistant Principal of the policies and procedures/regulations at the beginning of his or her employment. All Principals, Vice Principals, and Assistant Principals shall be notified of amendments to the policy and procedures/regulations within ten Principal, Vice Principal, or Assistant Principal working days of adoption.

N.J.S.A. 18A:6-117 et seq.

N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5

N.J.A.C. 6A:10-5.1 through 5.4

N.J.A.C. 6A:10-6.1 and 6.3

Adopted: January 27, 2014

Revised: July 17, 2019



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EVALUATION OF PRINCIPALS, VICE PRINCIPALS, AND ASSISTANT PRINCIPALS (M)

EVALUATION OF PRINCIPALS, VICE PRINCIPALS, AND ASSISTANT PRINCIPALS (M)

A. Definitions – N.J.A.C. 6A:10-1.2

The following words and terms shall have the following meanings when used in Policy and Regulation 3224 unless the context clearly indicates otherwise:

“Annual performance report” means a written appraisal of the Principal’s, Vice Principal’s, or Assistant Principal’s performance prepared by the designated supervisor based on the evaluation rubric for his or her position.

“Annual summative evaluation rating” means an annual evaluation rating that is based on appraisals of educator practice and student performance, and includes all measures captured in a Principal, Vice Principal, or Assistant Principal evaluation rubric. The four summative performance categories are ineffective, partially effective, effective, and highly effective.

“Calibration” in the context of educator evaluation means a process to monitor the competency of a trained evaluator to ensure the evaluator continues to apply an educator practice instrument accurately and consistently according to the standards and definitions of the specific instrument.

“Chief School Administrator” means the Superintendent of Schools or the Administrative Principal if there is no Superintendent.

“Commissioner” means Commissioner of the New Jersey Department of Education.

“Corrective Action Plan” means a written plan developed by the Superintendent or a designated supervisor in collaboration with the Principal, Vice Principal, and Assistant Principal to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual Principal, Vice Principal, and Assistant Principal and the school district for implementing the plan, and specific support that the district shall provide as defined in N.J.S.A. 18A:6-119.

“Department” means the New Jersey Department of Education.

“Designated supervisor” means the supervisor designated by the Superintendent of Schools or designee as the administrator’s supervisor.



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“District Evaluation Advisory Committee” means a group created to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2.3.

“Educator practice instrument” means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies.

“Evaluation” means an appraisal of an individual's professional performance in relation to his or her job description and professional standards and based on, when applicable, the individual's evaluation rubric.

“Evaluation rubrics” means a set of criteria, measures, and processes used to evaluate all Principals, Vice Principals, and Assistant Principals in a specific school district or local education agency. Evaluation rubrics consist of measures of professional practice, based on educator practice instruments and student outcomes. Each Board of Education will have an evaluation rubric specifically for teachers, another specifically for Principals, Vice Principals, and Assistant Principals, and evaluation rubrics for other categories of teaching staff members.

“Indicators of student progress and growth” means the results of assessment(s) of students as defined in N.J.A.C. 6A:8, Standards and Assessment.

“Individual professional development plan” is as defined in N.J.S.A. 18A:6-119.

“Job description” means a written specification of the function of a position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and school district.

“Observation” means a method of collecting data on the performance of a Principal's, Vice Principal's, and Assistant Principal's assigned duties and responsibilities. An observation for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by the Superintendent or designee.

“Post-observation conference” means a meeting, either in-person or remotely, between the supervisor who conducted the observation and the Principal, Vice



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Principal, and Assistant Principal for the purpose of evaluation to discuss the data collected in the observation.

“Principal practice instrument” means an assessment tool that provides scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from the principal practice instrument are components of the evaluation rubrics and the scores are included in the summative evaluation rating for the individual.

“Scoring guide” means a set of rules or criteria used to evaluate a performance, product, or project. The purpose of a scoring guide is to provide a transparent and reliable evaluation process. Educator practice instruments include a scoring guide that an evaluator uses to structure his or her assessments and ratings of professional practice.

“Semester” means half of the school year.

“Signed” means the name of one physically written by oneself or an electronic code, sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

“Student growth objective” means an academic goal that teachers and designated supervisors set for groups of students.

“Student growth percentile” means a specific metric for measuring individual student progress on Statewide assessments by tracking how much a student’s test scores have changed relative to other students Statewide with similar scores in previous years.

“Superintendent” means Superintendent of Schools or Chief School Administrator.

“Supervisor” means an appropriately certified teaching staff member as defined in N.J.S.A. 18A:1-1, or Superintendent employed in the district in a supervisory role and capacity, and possessing a school administrator, Principal, or supervisor endorsement as defined in N.J.A.C. 6A:9B-11 and certified to evaluate a Principal, Vice Principal, or Assistant Principal.

B. Applicability of Rules on Collective Bargaining Agreements – N.J.A.C. 6A:10-1.3



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No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives.

C. Educator Evaluation Data, Information, and Annual Performance Reports – N.J.A.C. 6A:10-1.4

All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees of the Board of Education for the purposes of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential. Such information shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Nothing contained in N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the Department or a school district from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e or distributing aggregate statistics regarding evaluation data.

D. Evaluation of Principals, Vice Principals, and Assistant Principals – N.J.A.C. 6A:10-2.1

1. The Board of Education shall annually adopt evaluation rubrics for all Principals, Vice Principals, and Assistant Principals. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.
2. The evaluation rubrics for Principals, Vice Principals, and Assistant Principals shall include all other relevant minimum standards set forth in N.J.S.A. 18A:6-123 (P.L. 2012, c. 26, § 17c).
3. Evaluation rubrics shall be submitted to the Commissioner by ~~June~~ August 1 for approval by August 15 of each year.

E. Duties of the Board of Education – N.J.A.C. 6A:10-2.2

1. The Board of Education shall meet the following requirements for the annual evaluation of Principals, Vice Principals, and Assistant Principals, unless otherwise specified:



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- a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2 et seq;
- b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c):

The Superintendent shall develop policies and procedures that, at a minimum, ensure student performance data on the Statewide assessment is, upon receipt, promptly distributed or otherwise made available to staff members who were primarily responsible for instructing the applicable students in the school year in which the assessment was taken, as well as to staff members who are or will be primarily responsible for instructing the applicable students in the subsequent school year.

- c. Ensure the Superintendent annually notifies all Principals, Vice Principals, and Assistant Principals of the adopted evaluation policies and procedures no later than October 1. If a Principal, Vice Principal, or Assistant Principal is hired after October 1, the Board/Superintendent shall notify all Principals, Vice Principals, and Assistant Principals of the policies and procedures at the beginning of his or her employment. All Principals, Vice Principals, and Assistant Principals shall be notified of amendments to the policy and procedures within ten **Principal, Vice Principal or Assistant Principal** working days of adoption;
- d. Annually adopt by June 1, any Commissioner-approved educator practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department which instruments will be used as part of the school district's evaluation rubrics;
- e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31 and



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shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2;

- f. Ensure data elements are collected and stored in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation and student growth objective data; and.
 - g. Ensure the Superintendent or designee certifies to the Department that any observer who conducts an observation of a Principal, Assistant Principal or Vice Principal for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4; N.J.A.C. 6A:10-5.4, and N.J.A.C. 6A:10-2 shall meet the statutory observation requirements of N.J.S.A. 18A:6-119; 18A:6-123.b(8); and N.J.S.A. 18A:27-3.1 and the teacher member of the School Improvement Panel requirements of N.J.A.C. 6A:10-3.2.
2. The Board of Education, through the Superintendent, shall ensure the following training procedures are followed when implementing the evaluation rubric for all Principals, Vice Principals, and Assistant Principals and, when applicable, applying the Commissioner-approved principal practice instrument:
- a. Annually provide training on and descriptions of each component of the evaluation rubric for all Principals, Vice Principals, and Assistant Principals who are being evaluated in the school district and provide more thorough training for any Principals, Vice Principals, and Assistant Principals who are being evaluated for the first time. Training shall include detailed descriptions of all evaluation rubric components including, when applicable, detailed descriptions of student achievement measures and all aspects of the principal practice instrument;
 - b. Annually provide updates and refresher training for supervisors who are conducting evaluations in the school district and more thorough training for any supervisor who will evaluate Principals, Vice Principals, or Assistant Principals for the first time. Training shall be provided on each component of the evaluated Principal's, Vice Principal's, or Assistant Principal's evaluation rubric before the evaluation of the Principal, Vice Principal, or Assistant Principal;



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- d. The Superintendent shall annually certify to the Department that all supervisors of Principals, Vice Principals, and Assistant Principals in the school district who are utilizing evaluation rubrics have completed training on and demonstrated competency in applying the evaluation rubrics.
- F. District Evaluation Advisory Committee – N.J.A.C. 6A:10-2.3
1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel. Members also shall include the Superintendent, a special education administrator, a parent, and a member of the Board of Education.
 2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups and to individuals.
 3. ~~Beginning in 2018-2019, the~~ A District Evaluation Advisory Committees ~~is not shall no longer be required~~ and the Board of Education shall have the discretion to ~~establish~~~~continue~~ the District's Evaluation Advisory Committee.
- G. Evaluation Procedures for Principals, Vice Principals, and Assistant Principals - N.J.A.C. 6A:10-2.4
1. The provisions outlined in Policy and Regulation 3224 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation procedures of Principals, Vice Principals, and Assistant Principals.
 2. Evaluation policies and procedures requiring the annual evaluation of Principals, Vice Principals, and Assistant Principals shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:



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- a. Roles and responsibilities for implementation of evaluation policies and procedures;
 - b. Job descriptions, evaluation rubrics for Principals, Vice Principals, and Assistant Principals, the process for calculating the summative ratings and each component and the evaluation regulations set forth in N.J.A.C. 6A:10-1. et seq.;
 - c. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, Principals, Vice Principals, Assistant Principals for calculating the median and school-wide student growth percentile;
 - d. Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;
 - e. Process for developing and scoring student growth objectives;
 - f. The process for preparation of individual professional development plans; and
 - g. The process for preparation of an annual performance report by the Superintendent or designated supervisor, and an annual summary conference between the Principal, Vice Principal, or Assistant Principal and the Superintendent or designee.
3. The annual summary conference between the designated Supervisor and the Principal, Vice Principal, or Assistant Principal shall be held before the annual performance report is filed. The conference shall occur on or before June 30 of each school year and shall include, but not be limited to, a review of the following:
 - a. The performance of the Principal, Vice Principal, or Assistant Principal based upon the job description and the scores or evidence compiled using the evaluation rubric, including, when applicable:
 1. The ~~educator's~~ principal's practice instrument; and
 2. Available indicators or student achievement measures such as student growth objective scores and student growth percentile scores.



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- b. The progress of the Principal, Vice Principal, or Assistant Principal toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan; and
 - c. The preliminary annual performance report.
 4. If any scores for the Principal's, Vice Principal's, or Assistant Principal's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.
 5. The annual performance report for the Principal, Vice Principal, or Assistant Principal shall be prepared by the designated Supervisor and shall include, but not be limited to:
 - a. A summative rating based on the evaluation rubric, including, when applicable, a total score for each component as described in N.J.A.C. 6A:10-5;
 - b. Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the Principal's Vice Principal's, or Assistant Principal's evaluation rubric; and
 - c. The Principal's Vice Principal's, or Assistant Principal's individual professional development plan, a corrective action plan from the evaluation year being reviewed in the report.
 6. The Principal, Vice Principal, or Assistant Principal and the designated Supervisor shall sign the report within five **Principal, Vice Principal or Assistant Principal** working days of the review.
 7. The Board of Education shall include all performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of the Principal's, Vice Principal's or Assistant Principal's personnel file, or in an alternative, confidential location. If reports and data are stored in an alternate location, the personnel fill shall clearly indicate the report's location



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and how it can be easily accessed. The records shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

H. Corrective Action Plans for Principals, Vice Principals and Assistant Principals – N.J.A.C. 6A:10-2.5

1. For each Principal, Vice Principal, and Assistant Principal rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by the Principal, Vice Principal, or Assistant Principal and the designated supervisor. If the Principal, Vice Principal, or Assistant Principal does not agree with the corrective action plan's content, the designated supervisor shall make the final determination.
2. The corrective action plan shall be developed and the Principal, Vice Principal, or Assistant Principal and his or her designated supervisor shall meet to discuss the corrective action plan by October 31 of the school year following the school year, except:
 - a. If the ineffective or partially effective summative evaluation rating is received after October 1 of the school year following the year of evaluation, a corrective action plan shall be developed, and the Principal, Vice Principal, or Assistant Principal and his or her designated supervisor shall meet to discuss the corrective action plan within twenty five Principal, Vice Principal, or Assistant Principal working days following the school district's receipt of the Principal's, Vice Principal's, or Assistant Principal's summative rating.
3. The content of the corrective action plan shall replace the content of the individual professional development plan required pursuant to N.J.A.C. 6A:9C-4.3(a) and 4.4 (a) and shall:
 - a. Address areas in need of improvement identified in the principal evaluation rubric;
 - b. Include specific, demonstrable goals for improvement;
 - c. Include responsibilities of the evaluated employee and the school district for the plan's implementation; and



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- d. Include timelines for meeting the goal(s).
4. The designated supervisor and the Principal, Vice Principal, or Assistant Principal on a corrective action plan shall discuss the Principal's, Vice Principal's, or Assistant Principal's progress toward the goals outlined in the corrective action plan during each post-observation conference, when required by N.J.S.A. 18A:27-3.1 or N.J.A.C. 6A:10-5.4.
7. Progress toward the Principal's, Vice Principal's, or Assistant Principal's goals outlined in the corrective action plan :
 - a. shall be documented in the Principal's, Vice Principal's, or Assistant Principal's personnel file and reviewed at the annual summary conference and the mid-year evaluation. Both the Principal, Vice Principal, or Assistant Principal on a corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the Principal's, Vice Principal's, or Assistant Principal's progress toward his or her corrective action plan goals; and
 - b. May be used as evidence in the Principal's, Vice Principal's, or Assistant Principal's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.
6. Responsibilities of the evaluated Principal, Vice Principal, or Assistant Principal on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the designated supervisor.
7. The Superintendent or his or her designee, and the Principal, as appropriate, shall conduct a mid-year evaluation of any Principal, Vice Principal, or Assistant Principal pursuant to N.J.S.A. 18A:6-121.c. The mid-year evaluation shall occur approximately midway between the development of the corrective action plan and the expected receipt of the next annual summative rating. The mid-year evaluation shall include, at a minimum a conference to discuss progress toward the Principal's, Vice Principal's, or Assistant Principal's goals outlined in the corrective action plan. The mid-year evaluation conference may be combined with a post-observation conference.
8. The Superintendent shall ensure Principals, Vice Principals, and Assistant Principals with a corrective action plan receive one observation and a



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post-observation conference in addition to the observations required in N.J.A.C. 6A:10-5.4 for the purpose of evaluation as described in N.J.A.C. 6A:10-1.2 and 5.4.

9. The corrective action plan shall remain in effect until the Principal, Vice Principal, or Assistant Principal receives his or her next summative evaluation rating.
10. There shall be no minimum number of Principals, Vice Principals or Assistant Principals working days a Principal's, Vice Principal's or Assistant Principal's corrective action plan can be in place.

I. Components of Principal Evaluation Rubrics – N.J.A.C. 6A:10-5.1

1. Unless otherwise noted, the components of the principal evaluation rubrics shall apply to teaching staff members holding the position of Principal, Vice Principal, or Assistant Principal and holding a valid and effective standard, provisional, or emergency administrative certificate.
2. The principal evaluation rubric shall meet the standards provided in N.J.S.A. 18A:6-123, including, but not limited to:
 - a. Measures of student achievement pursuant to N.J.A.C. 6A:10-5.2; and
 - b. Measures of principal practice pursuant to N.J.A.C. 6A:10-5.3 and 5.4.
3. To earn a summative rating, the Principal, Vice Principal, or Assistant Principal shall have a student achievement score, pursuant to N.J.A.C. 6A:10-5.2 and a principal practice score pursuant to N.J.A.C. 6A:10-5.3 and 5.4.
4. Each score shall be converted to a percentage weight so all measures make up 100 percent of the evaluation rubric. By August 31 prior to the school year in which the evaluation rubric applies, the Department shall provide on its website the required percentage weight of each component and the required summative rating scale. All components shall be worth the following percentage weights or fall within the following ranges:
 - a. If, according to N.J.A.C. 6A:10-5.2(b), the Principal, Vice Principal, or Assistant Principal receives a school-wide student growth percentile



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score as described in N.J.A.C. 6A:10-5.2(c), the score shall be at least ten percent and no greater than forty percent of evaluation rubric rating as determined by the Department.

- b. Measure of average student growth objective for all teachers, as described in N.J.A.C. 6A:10-5.2(d), shall be at least ten percent and no greater than twenty percent of evaluation rubric rating as determined by the Department.
- c. Measure of administrator goal, as described in N.J.A.C. 6A:10-5.2(e), shall be no less than ten percent and no greater than forty percent of evaluation rubric rating as determined by the Department.
- d. Measure of principal practice, as described in N.J.A.C. 6A:10-5.3(b), shall be thirty percent of evaluation rubric rating.

- 5. Standardized assessments, used as a measure of student progress, shall not be the predominant factor in determining a Principal's annual summative rating.
- 6. The Department shall periodically collect principal evaluation rubric data that shall include, but are not limited to, component-level scores and annual summative ratings.

J. Student Achievement Components of Principal Evaluation Rubrics – N.J.A.C. 6A:10-5.2

- 1. Measures of student achievement shall be used to determine impact on student learning and shall include the following components:
 - a. The school-wide student growth percentile of all students assigned to the Principal;
 - b. Average student growth objective scores of every teacher, as described in N.J.A.C. 6A:10-4.2(e), assigned to the Principal; and
 - c. Administrator goals set by Principals, Vice Principals, or Assistant Principals in consultation with their supervisor pursuant to N.J.A.C.



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6A:10-5.2(e), which shall be specific and measurable, based on student growth and/or achievement data.

2. The school-wide student growth percentile score shall be included in the annual summative rating of Principals, Vice Principal, and Assistant Principals who are assigned to a school as of October 15 and who are employed in schools where student growth percentiles are available for students in one or more grades. If the Principal, Vice Principal, or Assistant Principal is employed in more than one school, the Superintendent shall assign to the Principal, Vice Principal, or Assistant Principal, as appropriate, the school-wide student growth percentile from one school and shall notify the Principal, Vice Principal, or Assistant Principal at the beginning of the school year of the student growth percentile assignment.
3. The Department shall calculate the school-wide student growth percentile for Principals, Vice Principals, and Assistant Principals.
4. The average student growth objective scores of all teachers, as described in N.J.A.C. 6A:10-4.2(e), shall be a component of the Principal's annual summative rating. The average student growth objective scores for Vice Principals or Assistant Principals shall be determined according to the following procedures:
 - a. The Principal, in consultation with the Vice Principal or Assistant Principal, shall determine prior to the start of the year, which teachers, if not all teachers in the school, shall be linked to the Vice Principal's and Assistant Principal's average student growth objective score.
 - b. If the Vice Principal or Assistant Principal does not agree with the list of teachers linked to his or her name for the purposes of this measurement, the Principal shall make the final determination.
5. Administrator goals for Principals, Vice Principals, or Assistant Principals shall be developed and measured according to the following procedures:
 - a. The designated supervisor shall determine for all Principals, Vice Principals, or Assistant Principals, the number of required administrator goals which shall reflect the achievement of a significant number of students within the school. By August 31 prior to the school year in which the evaluation rubric applies, the



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3. Leadership practice shall be determined by a score on a leadership rubric, which will assess the Principal's, Vice Principal's, or Assistant Principal's ability to improve student achievement and teaching staff member effectiveness through identified leader behaviors. The rubric will be posted on the Department's website and annually maintained.
- L. Principal, Vice Principal, and Assistant Principal Observations – N.J.A.C. 6A:10-5.4
1. The Superintendent or his or her designee shall conduct observations for the evaluation of Principals pursuant to N.J.S.A. 18A:6-121 and he or she shall be trained pursuant to N.J.A.C. 6A:10-2.2(b).
 2. A Principal, or the Superintendent or his or her designee, shall conduct observations for the evaluation of Vice Principals and Assistant Principals pursuant to N.J.S.A. 18A:6-121.
 3. For the purpose of collecting data for the evaluation of a Principal, Vice Principal, or Assistant Principal, an observation, as described in N.J.S.A. 18A:6-119 and N.J.A.C. 6A:10-1.2, may include, but is not limited to: building walk-through, staff meeting observation, parent conference observation, or case study analysis of a significant student issue.
 4. Post-observation conferences shall include the following procedures:
 - a. A supervisor who is present at the observation shall conduct a post-observation conference with the Principal, Vice Principal, or Assistant Principal being observed. A post-observation conference shall occur no more than fifteen Principal, Vice Principal, or Assistant Principal working days following each observation.
 - b. The post-observation conference shall be for the purpose of reviewing the data collected at the observation, connecting the data to the principal practice instrument and the Principal's, Vice Principal's, or Assistant Principal's individual professional development plan, collecting additional information needed for the evaluation, and offering areas to improve effectiveness.
 - c. With the consent of the observed Principal, Vice Principal, or Assistant Principal, post-observation conferences for individuals who



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are not on a corrective action plan may be conducted via written communication, including electronic communication.

- d. One post-observation conference may be combined with the Principal's, Vice Principal's, or Assistant Principal's annual summary conference as long as it occurs within the required fifteen Principal, Vice Principal, or Assistant Principal working days following the observation.
 - e. A written or electronic observation report shall be signed by the supervisor who conducted the observation and post-observation and the Principal, Vice Principal, or Assistant Principal who was observed.
 - f. The Principal, Vice Principal, or Assistant Principal shall submit his or her written objection(s) of the evaluation within ten **Principal, Vice Principal, or Assistant Principal** working days following receipt of the written document. The objection(s) shall be attached to each party's copy of the annual performance report.
5. Each tenured Principal, Vice Principal, and Assistant Principal shall be observed as described in N.J.A.C. 6A:10-5.4, at least two times during each school year. Each nontenured Principal, Vice Principal, and Assistant Principal shall be observed as described in N.J.A.C. 6A:10-5.4 at least three times during each school year, as required by N.J.S.A. 18A:27-3.1. An additional observation shall be conducted pursuant to N.J.A.C. 6A:10-2.5(h) for Principals, Vice Principals, and Assistant Principals who are on a corrective action plan.

M. Principal Practice Instrument – N.J.A.C. 6A:10-7.3

1. The principal practice instrument approved by the Department shall meet the following criteria:
 - a. Incorporate domains of practice and/or performance criteria that align to the ~~2008 ISLLC~~ **2015** Professional Standards for **Educational School Leaders** developed by the **National Policy Board for Educational Administration (NPBEA)** ~~Interstate School Leadership Licensure Consortium~~ incorporated herein by reference., available at:



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~~http://www.ccsso.org/documents/2008/educational_leadership_policy_standards_2008.pdf~~;

- b. Include scoring guides for assessing principal practice that differentiate among a minimum of four levels of performance, and the differentiation has been shown in practice and/or research studies. Each scoring guide shall clearly define the expectations for each category and provide a conversion to four rating categories.
- c. Rely on, to the extent possible, multiple sources of evidence collected throughout the school year, ~~incuding~~including, but not limited to, evaluation of a Principal's leadership related to:
 - 1. Implementing high quality and standards aligned curriculum, assessments, and instruction; and
 - 2. Evaluating the effectiveness of teaching staff members and supporting their professional growth.
- d. Include descriptions of specific training and implementation details required for the instrument to be effective.

Adopted: December 8, 2014

Revised: January 23, 2017

Revised: July 17, 2017



R 5200 ATTENDANCE (M)

A. Definitions

1. For the purposes of school attendance, a “day in session” shall be a day on which the school is open and students are under the guidance and direction of a teacher or teachers engaged in the teaching process. Days on which school is closed for such reasons as holidays, teachers’ institutes, and inclement weather shall not be considered as days in session.
2. A “school day” shall consist of not less than four hours, except that one continuous session of two and one-half hours may be considered a full day of Pre-K.
3. “A day of attendance” shall be one in which the student is present for a full day under the guidance and direction of a teacher while school is in session.
 - a. Whenever over-crowded conditions make it necessary to hold two separate sessions with a different group of students in each session, a student attending for all of either session shall be regarded as having attended for the full day. An excused absence for any reason shall not be counted as a day of attendance in the school register.
4. A “half-day class” shall be considered the equivalent of a full day’s attendance only if in session for four hours or more, exclusive of recess periods or lunch periods.

B. Attendance Recording

1. A record of the attendance of all students on roll in a school register shall be kept each day that school is in session by a teacher or other authorized person. It shall be the duty of this person to keep the attendance records according to these rules and the specific instructions issued by the Commissioner of Education.
2. A student shall be recorded as absent in the school register when not in attendance at a session of the school while a member of the school, except students excused due to religious holidays who shall be recorded as excused.
3. A student shall be recorded as either present, absent, or excused for religious observance, every day the school is in session after the student enters until the date the student is transferred to another school, transferred to an individual home instruction record, or officially leaves the school system.
4. The Commissioner shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis.
5. The mere presence of a student at roll call shall not be regarded as sufficient attendance for compliance with N.J.A.C. 6A:32-8.3. In a school which is in session during both the morning and afternoon, a student shall be present at least one hour during both the morning and afternoon in order to be recorded as present for the full day. In a school



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which is in session during either the morning or the afternoon, a student shall be present at least two hours in the session in order to be recorded as present for the full day.

6. A student not present in school because of his/her participation in an approved school activity, such as a field trip, meeting, cooperative education assignment, or athletic competition will be considered to be in attendance.

C. Absence Categories and Descriptors

The charts below reflect categories of absences and how they will be recorded. The lists included in the charts are not exhaustive. A principal or his/her designee shall exercise administrative discretion when unique circumstances arise. Examples of absences may include, but are not limited to the following:

For Grades K-8

UNEXCUSED TRUANT (CHARGEABLE)	UNEXCUSED VERIFIED (CHARGEABLE)	ADMINISTRATIVELY EXCUSED (NON-CHARGEABLE)
<p>The following items will be marked as undocumented, and therefore count toward the retention threshold of 19 absences:</p> <ul style="list-style-type: none">● No note provided● Note not approved by administration● No note from doctor for 3+ consecutive days for illness● Truancy, as determined by the principal or designee	<p>The following items will be marked as Unexcused Verified and will count toward the retention threshold of 19 absences:</p> <ul style="list-style-type: none">● Illness for 1-2 days as documented by parent● Illness for 3+ consecutive days as documented by a physician● Family Illness● Written parental permission as approved by the administration	<p>The following items must be documented and will be listed on the attendance record for the student, but do not count against attendance:</p> <ul style="list-style-type: none">● Administrative exclusion or prerogative● Suspension● Court Appearance● Religious observance as documented by the parent and approved by State Guidelines● Death in the immediate family● Extraordinary opportunities as approved by the administration● School-sponsored field trips● School-provided Home Instruction



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For Grades 9-12

UNEXCUSED TRUANT (CHARGEABLE)	UNEXCUSED VERIFIED (CHARGEABLE)	ADMINISTRATIVELY EXCUSED (NON-CHARGEABLE)
<p>The following circumstances will be marked as Unexcused Truant and therefore count toward the loss-of-credit threshold of 14 absences for a full-year course and 7 absences for a semester course:</p> <ul style="list-style-type: none">• No note provided• Note not approved by administration• No note from doctor for 3+ consecutive days for illness• Truancy, as determined by the principal or his designee.	<p>The following circumstances will be marked as Unexcused Verified and will count toward the loss-of-credit threshold of 14 absences for a full-year course and 7 absences for a semester course:</p> <ul style="list-style-type: none">• Illness for 1-2 days as documented by parent• Illness for 3+ consecutive days as documented by a physician• Family illness• Written parental permission as approved by the administration• College visits	<p>The following circumstances <u>must be documented</u> and will be listed on the attendance record for the student, but do not count toward the loss-of-credit thresholds:</p> <ul style="list-style-type: none">• Administrative exclusion or prerogative• Suspension• Court appearance• Religious observance as documented by the parent and approved by State guidelines• Death in the immediate family• The NJ State Driving Exam (half day)• Extraordinary Opportunities as approved by the administration (see LHS Handbook)• School sponsored field trips• School-provided Home Instruction• Required college orientation/testing (official documentation required)

Tardiness

An unexcused tardy will constitute a portion of an unexcused truant absence. A verified tardy will constitute a portion of an unexcused verified absence.

D. Notice to School of a Student's Absence

1. The parent is expected to notify the school directly before the start of the student's school day by either calling the school directly, emailing the attendance officer or utilizing the parent portal in Genesis. ~~The parent is expected to call the school office before the start of the student's school day.~~
2. The parent of the student who will attend the morning session, but will not attend the afternoon session should call or provide notice to the school office before the start of the afternoon session.
3. The parent who anticipates a future absence or anticipates that an absence will be prolonged should notify the school office to arrange make-up work.



E. Readmission to School After an Absence

1. A note explaining a student's absence for a non-communicable illness for a period of more than three school days must be accompanied by a physician's statement of the student's illness with medical clearance to return to school.
2. A student who has been absent by reason of having or being suspected of having a communicable disease must present to the school nurse written evidence of being free of communicable disease, in accordance with Policy 8451.

F. Instruction

1. Teachers shall cooperate in the preparation of home assignments for students after a reasonable period of time, or in accordance with the School's handbook.
2. A student who anticipates an absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with Policy 2412. The parent must request home instruction.
3. Students absent for any reason are expected to make up the work missed in a timely manner. Elementary schools will determine a reasonable and consistent amount of time for work to be turned in; secondary schools will outline a timeline for makeup work in the student handbook. The parent or student is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.
4. In general, students will be allowed a reasonable amount of time to make up missed work. Guidelines will be included in the school handbook at the secondary level.
5. A student who missed a test or an exam shall be offered an opportunity to take the test, exam, or an appropriate alternate test within outlined timeframes.

G. Denial of Course Credit

1. A secondary student may be denied course credit when he/she has been absent from ten percent or more of the class sessions, whatever the reason for the absence, except administratively excused absences.
2. An elementary student may be retained at grade level, in accordance with Policy 5410, when he/she has been absent ten percent or more school days, except administratively excused absences.

H. Unexcused Verified Absences During the School Year

1. For up to four cumulative unexcused absences, the Principal or designee shall:



- a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;
 - b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent;
 - c. Identify, in consultation with the student's parents, needed action designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;
 - d. Proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potentially missing or abused child situation is detected; and
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
2. For between five and nine cumulative unexcused absences, the Principal or designee shall:
- a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;
 - b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent;
 - c. Evaluate the appropriateness of action taken pursuant to N.J.A.C. 6A:16-7.6(a)4.i.(3) and H.1.c. above;
 - d. Develop an action plan to establish outcomes based upon the student's patterns of unexcused chargeable absences and to specify the interventions for supporting the student's return to school and regular attendance, which may include any or all of the following:
 - i. Refer or consult with the building's Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
 - ii. Conduct testing, assessments, or evaluations of the student's academic, behavioral, and health needs;
 - iii. Consider an alternate educational placement;
 - iv. Make a referral to or coordinate with a community-based social and health provider agency or other community resource;
 - v. Refer to a court or court program pursuant to N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;
 - vi. Proceed in accordance with N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potential missing or abused child situation is detected; and
 - vii. Engage the student's family.



- e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
3. For ten or more cumulative unexcused absences, a student between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-25, and the Principal or designee shall:
- a. Make a determination regarding the need for a court referral for the truancy, per N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;
 - b. Continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance;
 - c. Cooperate with law enforcement and other authorities and agencies, as appropriate; and
 - d. Proceed in accordance with N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School, and other applicable State and Federal statutes, as required.
4. A court referral may be made as follows:
- a. When unexcused absences that count toward truancy are determined by school officials to be violations of the compulsory education law, pursuant to N.J.S.A. 18A:38-25, and the Board of Education's policies, in accordance with N.J.A.C. 6A:16-7.6(a), the parent may be referred to Municipal Court.
 - (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Municipal Court; or
 - b. When there is evidence of a juvenile-family crisis, pursuant to N.J.S.A. 2A:4A-22.g, the student may be referred to Superior Court, Chancery Division, Family Part.
 - (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Juvenile-Family Crisis Intervention Unit.
5. For a student with a disability, the attendance plan and its punitive and remedial procedures shall be applied, where applicable, in accordance with the student's IEP, pursuant to 20 U.S.C. §§ 1400 et seq., the Individuals with Disabilities Education Act; the procedural protections set forth in N.J.A.C. 6A:14; accommodation plan under 29 U.S.C. §§ 794 and 705(20); and individualized health care plan and individualized emergency healthcare plan pursuant to N.J.A.C. 6A:16-2.3(b)5.xii.
6. All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a), shall act in accordance with N.J.A.C. 6A:16-7.6(a)4.i. and H.1. above for each student with up to four cumulative unexcused absences that count toward truancy.
- a. For each student attending a receiving school with five or more cumulative unexcused absences that count toward truancy, the absences shall be reported to the sending school district.



- (i) The sending school district shall proceed in accordance with the Board of Education's policies and procedures pursuant to N.J.A.C. 6A:16-7.6(a) and H.5. above and the provisions of N.J.A.C. 6A:16-7.6(a)4.ii. through iv. and H.2. through H.5. above, as appropriate.

I. Recording Attendance

1. Teachers must accurately record the students present, tardy, or absent each day in each session or each class. Attendance records must also record students' attendance at out-of-school curricular events such as field trips.
2. A record shall be maintained of each administratively excused absence and each verified unexcused or unexcused truant absence.
3. A report card will record the number of times the student was absent and tardy.
4. A student's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

J. Appeal

1. Students may be subject to appropriate discipline for their school attendance record.
2. A student who has been retained at grade level for excessive absences may appeal that action in accordance with Policy 5410.
3. A high school student who has been denied course credit for excessive absences may appeal that action in accordance with the Handbook.

K. Attendance Records

1. Attendance records for the school district and each school will be maintained and attendance rates will be calculated as required by the New Jersey Department of Education. The school district will comply with all attendance requirements and any improvement plans as required by the Department of Education.

Adopted: October 14, 2019



7510 USE OF SCHOOL FACILITIES

The Board of Education recognizes the capital investment that the community has in its school buildings, facilities and grounds, and believes that community groups should be encouraged to use school facilities and grounds for worthwhile purposes, when such uses will not interfere with the school program or its related activities.

Organizations may apply for use of school facilities or grounds for activities of an educational, civic, philanthropic, social, or recreational nature that do not conflict with activities of the District.

Authorization for use of school facilities shall not be considered as endorsement of or approval of the activity, person, group or organization nor the purposes they represent.

Rental of School Facilities and Grounds

The District shall assess charges for use of school facilities and grounds by these organizations. The District, with the consent of the school Principal, School Business Administrator and Superintendent, shall publish a list of school facilities and grounds to be available for use. The District may choose to enter into a contractual agreement for fees and usage with a facility user that needs a high volume of square footage and/or is for an extended time period.

All school facilities and grounds shall be under the general supervision of the Superintendent, subject to the terms and provisions of this policy. The Superintendent or his/her designee shall have final approval of facility and ground use. No District employee may waive the requirements of this policy.

The Office of the Business Administrator shall consult with the school Principal to approve or deny availability of facilities at each location and to schedule events.

The Office of the Business Administrator shall review the application for facility and grounds use for compliance with this policy and inform the school Principal whether the application is in compliance.

Use of school facilities and grounds shall not be allowed for activities that may be detrimental or destructive to the facilities, grounds and contents or by any group that has damaged District property. Any use of school facilities or grounds can be canceled at the discretion of the Superintendent or his/her designee without advanced notice, if the activities are determined to be in conflict with District activities. In the case of cancellations,



the District assumes no liability other than the return of any previously paid fees for unused facilities. The District shall not be obligated to locate and/or provide substitute space for an approved organization should the space be required by an approved organization with higher priority.

The Board will permit the rental use of school facilities and grounds when such permission has been requested in writing and has been approved by the Superintendent or his/her designee. In weighing competing requests for the use of school facilities and grounds, the Board will give priority to the following uses, in the following priority order:

1. Uses and groups directly related to the schools and the operations of the schools;
2. Uses and organizations indirectly related to the schools;
3. Departments and agencies of municipal government;
4. Other governmental agencies;
5. Livingston community organizations formed for charitable, or social purposes;
6. Non-Livingston community organizations formed for charitable or social purposes;
7. Organizations developed for profit purposes.

The use of school facilities and grounds shall not be granted for partisan political activity, private social functions, or any purpose that is prohibited by law.

In the event a group not meeting the criteria above wishes to rent a school facility or utilize school grounds, and the Superintendent deems it advisable, he/she may forward the application to the Board of Education for action.

The Superintendent or Board of Education may refuse to grant the use of a school building or school grounds whenever, in their judgment, there is good reason why permission should be refused. They shall not be required to give a reason for such refusal.

Assignment of Personnel



The Office of the Business Administrator shall assign personnel including security, custodial, and maintenance support, as needed to maintain the facilities and grounds. Charges shall be borne by the organization where appropriate. Keys shall only be issued to District employees. Employees shall not accept payment of honorariums or “tips” in relation to facility or grounds use.

Use of Supplies and Equipment

Use of school supplies, furniture, and equipment shall be at the discretion of the Principal. No school equipment shall be removed from the facilities or any other school property without the written consent of the Superintendent. The Superintendent shall approve, annually update, and publish rates for facility and grounds use. Facility and grounds use fees shall include, but not be limited to, charges for use of buildings, staff, security personnel, equipment rental, utilities, and disposal services. No technical support will be provided. Fees and deposits shall be paid in accordance with administrative regulations.

Use of school equipment in conjunction with the use of school facilities and grounds must be specifically requested in writing and may be granted through the procedure by which permission to use facilities and grounds is granted. The users of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use, regardless of any assignment of negligence. Where rules so specify, no item of equipment may be used except by a qualified operator.

All facility and grounds use shall comply with State and local fire, health, safety and police regulations.

Permanent or Temporary Alteration of Existing School Facilities or Grounds

Individuals or groups utilizing or renting school facilities or school grounds may not establish or erect any permanent or temporary structures, signs or lights on the premises without explicit approval from the Board of Education.

Sale or Distribution of Merchandise, Food or Beverages

Permission for food, beverage or merchandise sales outside the approved school food service program shall be secured from the Building Principal and Superintendent. With the exception of school affiliated organizations, vendors interested in selling food, beverages or merchandise in school facilities or on school grounds must apply and be approved, in advance, by the Board of Education. The sale of food or beverages on school property during school hours shall comply with the District’s Policy 8505.



Funds raised by approved District or student organizations through the sales of foods, beverages and merchandise at events open to the public will accrue to the sponsoring organization. A percent of all funds from all food, beverage and merchandise sales made at any time by Board authorized independent vendors on school property or on school grounds shall accrue to the benefit of the District.

In order for the District to provide a clean and safe environment for all students, and minimize the risk of allergy producing agents, organizations scheduling events involving food must notify the Office of the Business Administrator, in advance, so that a proper common area can be assigned for the consumption of food. Food is not permitted in the buildings without prior approval of the Office of the Business Administrator.

Smoking and Alcoholic Beverages Prohibited

Smoking is prohibited on all school premises. No alcoholic beverages and/or illegal substances shall be brought or allowed to be brought onto any school property. The Board will report to law enforcement officials to prosecute as appropriate any person who violates the law and this policy, except that any pupil who possesses or uses or is under the influence of alcohol or illegal substance on school premises or at any school sponsored activity will be treated in accordance with law and Policy Nos. 3218, 4218 and 5530.

Furthermore, individuals who possess and consume alcoholic beverages and/or illegal substances at any function sponsored by the district, or wager on school premises will be prohibited from doing so.

Inappropriate Conduct

Individuals at a school event or on school premises whose conduct constitutes a disruption will be barred from attendance.

Insurance and Other Information Required for Use of School Facilities or Grounds

All users of school facilities or grounds shall comply with policies of this Board and the rules and regulations of this district and any restrictions imposed upon the use of the facility involved. Each user shall submit, with each request for facility usage, a Certificate of Insurance with a carrier acceptable to the Board, in limits of \$1,000,000 for bodily injury and \$1,000,000 for property damage, which certificate named the Livingston Board of Education as an additional named insured. Such insurance shall be in a company licensed to do business in the State of New Jersey.



The Board shall provide to all persons who supervise youth programs that are not sponsored by the school district, but operate a program in a district building before or after school hours, on the weekend, or during a period when school is not in session, information on the district's school practices and procedures in the event of a school safety or security incident at a school including non-confidential information on evacuation procedures, emergency response protocols, and emergency contact information in accordance with the provisions of N.J.S.A. 18A:41-7.

N.J.S.A. 18A:20-20; 18A:20-34; 18A:41-7.

Adopted: 09 January 2006
Revised: 09 March 2009
Revised: 04 June 2012



0131 BYLAWS, POLICIES AND REGULATIONS

The Board of Education shall exercise its rule-making power by adopting, revising, and abolishing bylaws, policies and regulations for the organization operation of the school district.

“Regulations” for the purpose of this Bylaw are only those regulations that are required to be adopted by the Board.

Adoption, Amendment, and Abolishment

Bylaws, policies, and regulations may be adopted and revised at any meeting of the Board, provided the proposed adoption or revision has been approved by the Board at a previous meeting of the Board.

Bylaws, policies, or regulations may be abolished at any meeting of the Board without the proposed abolishing of the proposed bylaw, policy, or regulation being approved by the Board at a previous meeting of the Board.]

The Board shall at its organization meeting or annually at a meeting of the Board and by a majority vote of those present and voting, readopt existing bylaws, policies, and regulations without prior notice.

The Board may, under emergency circumstances, suspend the operation of a bylaw, policy, or regulation and adopt, revise, or abolish a bylaw, policy, or regulation without prior notice. The emergency adoption, revision, or abolishment of a bylaw, policy, or regulation shall terminate at the next meeting of the Board or at such earlier date as may be specified by the Board unless further acted upon by the Board in accordance with this Bylaw.

The adoption, revision, abolishment, or suspension of a bylaw, policy, or regulation shall be recorded in the minutes of the Board. Any bylaw, policy, or regulation or part of a bylaw, policy, or regulation that is superseded by a term in a negotiated agreement or by a subsequently adopted bylaw, policy, or regulation shall no longer be in force and effect as a bylaw, policy, or regulation and shall be abolished by the Board in accordance with this Bylaw.

Promulgation and Distribution

The manual of bylaws, policies, and regulations shall be maintained. A copy of the manual of bylaws, policies, and regulations shall be available and accessible to each Board member,

the Superintendent, the School Business Administrator/Board Secretary, the Board Attorney, each Building Principal, and other individuals designated by the Superintendent.

The Superintendent shall institute a plan for the orderly promulgation of policies to staff members who are affected by them and shall provide staff members with access to an up-to-date manual of Board bylaws, policies, and regulations.

The manual of bylaws, policies, and regulations shall be considered a public record open to inspection in the office of the Business Administrator. The manual retained by the Business Administrator shall be considered the master copy of the manual.

Consideration of Bylaws, Policies, and Regulations

Bylaws, policies, and regulations will be considered for adoption by the Board in accordance with the following procedure:

1. A recommendation for a new or revised bylaw, policy, or regulation shall be recommended to the Board and/or Superintendent;
2. A recommendation for a new or revised bylaw, policy, or regulation may be referred, at the discretion of the Board President and as appropriate to the subject, to the Superintendent, a Board committee, or a public advisory committee for study and formulation of a recommendation to the Board. Any study of a new or revised recommended bylaw, policy, or regulation will consider whether the matter is adequately addressed in existing Board bylaw, policy, or regulation;
3. If a recommendation for a new or revised bylaw, policy, or regulation results from referral for study, a proposed draft will be referred to the Superintendent and at the discretion of the Board President and as appropriate to the subject, to a Board committee;
4. All proposed new and revised bylaws, policies, and regulations shall be submitted to the Superintendent. The Superintendent or designee will review all new and revised draft bylaws, policies, and regulations prior to the Board receiving a draft of new or revised bylaws, policies, or regulations for Board consideration;
5. The proposed draft bylaw, policy, or regulation approved by the Board on first reading will be submitted for adoption at a succeeding meeting of the Board. Revisions in the draft may be made at any meeting prior to

adoption by a simple majority vote of the Board. A revision at any succeeding meeting that alters the substantive meaning of the draft will constitute a new first reading, and the draft must be presented for adoption at a succeeding Board meeting. A change that is merely editorial may be followed by a vote to adopt the new or revised bylaw, policy, or regulation on second reading.

N.J.S.A. 18A:11-1

Adopted: 13 December 2004

2431 ATHLETIC COMPETITION (M)

The Board of Education recognizes the value of athletic competition for both boys and girls as an integral part of the school experience. Sports and other athletic activities provide opportunities to learn the values of competition and good sportsmanship.

For the purpose of this Policy, programs of athletic competition include all activities relating to competitive sports contests, games, events, or sports exhibitions involving individual students or teams of students when such events occur within or between schools within this district or with any schools outside this district. The programs of athletic competition shall include, but are not limited to, high school interscholastic athletic programs, middle school interscholastic athletic programs where school teams or squads play teams or squads from other school districts, intramural athletic programs within a school or among schools in the district, and any cheerleading program or activity in the school district.

The Board shall make school facilities, supplies, and equipment available and assign staff members for the support of a program of athletic activities for students in grades 7 through 12. The Board shall provide transportation for all regular season away interscholastic games. Students may be required to provide supplies and students may be required to assume all of the costs of travel and attendance at other athletic events and trips. If any additional costs are to be assumed by the Board of Education, they will be supplemental to those funds raised by the athletic group and will not be derived from any taxpayer monies (i.e., may come from student activity funds or vending proceeds). The Board of Education may assist in funding fees and registration costs or travel for local competitions. .

Eligibility Standards

A student who wishes to participate in athletic competition must submit, on a form provided by the district, the signed consent of his/her parent. The consent of the parent of a student who wishes to participate in interscholastic or intramural athletics must include an acknowledgment of the physical hazards that may be encountered in the activity in accordance with N.J.A.C. 6A:32-9.1(d) and (e).

Student participation in athletic competition shall be governed by the following eligibility standards:

To be eligible for participation in the interscholastic athletic program of a New Jersey State Interscholastic Athletic Association (NJSIAA) member school, all high school students must meet, at a minimum, all the eligibility requirements of the Constitution, Bylaws, and Rules and Regulations of the NJSIAA.

Home schooled children are not eligible to participate in the high school interscholastic athletic program of this district.

Secondary grades only:

1. A student in grade 10, 11, or 12 who in the previous school year (including make-up credits from summer school) earned twenty-five percent (30 credits) of the total number of credits required by the State for graduation is eligible for participation in sports in the fall and winter seasons. There are no academic requirements, per state guidelines, for 9th grade students who wish to participate in fall and winter sports. However, a 9th grade student who wishes to participate in spring sports must conform to the academic standards beginning with the spring season.. A student in grade 9, 10, 11, or 12 who in the fall semester earned twelve and one-half percent (15 credits) of the total number of credits required by the State for graduation is eligible for participation in sports in the spring season. A student who is eligible at the start of a sports season remains eligible for that entire sports season regardless of his/her grades at the end of a marking period.
2. A student who is absent for a school day may not participate in school district sponsored programs of athletic competition the afternoon or evening of that school day.
3. A student who is serving an in-school or out-of-school suspension may not participate in school district sponsored programs of athletic competition while serving the suspension.
4. A student in any grade who fails to demonstrate good citizenship or observe school rules for student conduct may forfeit his/her eligibility for participation in athletic competition.
5. All other eligibility requirement for participation shall be in accordance with the school handbook.

Notice of these eligibility requirements shall be given to students.

Required Examinations – Interscholastic or Intramural Team or Squad

Students enrolled in grades six to twelve must receive a medical examination, in accordance with the provisions of N.J.S.A. 18A:40-41.7, prior to participation on a school-sponsored interscholastic or intramural team or squad and any cheerleading program or activity.

An examination of each candidate for a school athletic squad or team shall be conducted within 365 days prior to the first practice session with examinations being conducted at the medical home of the student. The "medical home" is defined as a health care provider and that provider's practice site chosen by the student's parent for the provision of health care pursuant to N.J.A.C. 6A:16-1.3. If the student does not have a medical home, the school district shall provide the examination at the school physician's office or other comparably equipped facility. The parent may choose either the school physician or their own private physician to provide the medical examination. The medical examination shall be conducted in accordance with N.J.S.A. 6A:16-2.2(h)1 and 2. The medical required prior to participation shall be in accordance with the requirements outlined in N.J.A.C. 6A:16-2.2(h)-1 and regulation 2431.2 and shall be documented using the Preparticipation Physical Evaluation for required by the Department of Education.

The school district shall distribute the Commissioner of Education developed sudden cardiac arrest pamphlet to a student participating in or desiring to participate in an athletic activity, as defined in N.J.S.A. 18A:40-41.e., and the student's parent(s) shall each year and prior to participation by the student in an athletic activity comply with the requirements of N.J.S.A. 18A:40-41.d.

The school district shall annually distribute the Commissioner of Education developed educational fact sheet relative to use and misuse of opioid drugs for sports related injuries to parents of students who participate in athletic activities and comply with the requirements of N.J.S.A. 18A:40-41.10.

Information concerning a student's HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq. The health findings of this medical examination shall be maintained as part of the student's health record.

Emergency Procedures

Athletic coaches shall be trained in first aid to include sports-related concussion and head injuries, the use of a defibrillator, the identification of student-athletes who are injured or disabled in the course of any athletic program or activity, and any other first aid procedures or other health related trainings required by law or the Superintendent.

The Superintendent or designee shall establish and implement an emergency action plan for responding to a serious or potentially life-threatening sports-related injury in accordance with N.J.S.A. 18A:40-41.11. The plan shall document the proper procedures to be followed

when a student sustains a serious injury while participating in sports or other athletic activity in accordance with N.J.S.A. 18A:40-41.11.

The emergency action plan shall be reviewed annually and updated as necessary. The plan shall be rehearsed annually in each school by the individuals who will be responsible for executing the plan in an emergency pursuant to N.J.S.A. 18A:40-41.11.

The Superintendent or designee shall prepare procedures for responding to a non-serious or non-life-threatening injury sustained by a student while participating in sports or other athletic activity. These procedures shall be reviewed annually, updated as necessary, and disseminated to appropriate staff members.

Interscholastic Standards

The Board shall approve annually a program of interscholastic athletics and shall require that all facilities utilized in that program, whether or not the property of this Board, properly safeguard both players and spectators and are kept free from hazardous conditions.

The Board adopts the Constitution, Bylaws, Rules and Regulations of the New Jersey State Interscholastic Athletic Association and shall review such rules annually to ascertain that they continue to be in conformity with the objectives of this Board.

The Superintendent shall annually prepare, approve, and present to the Board for its consideration a program of intramural and interscholastic athletics. A complete schedule of all practices and competitions shall be maintained on the district's web site.

The Superintendent shall prepare rules for the conduct of students participating in interscholastic athletics that will conform to rules of the State Board of Education and the New Jersey State Interscholastic Athletic Association.

This entire policy shall be in accordance with NJSIAA regulations.

All individuals attending competitions shall be held to Policy #9150 – School Visitors and Policy # 9160 – Public Attendance at School Events. The District does not authorize live streaming within the schools or at school events without the prior approval of the Superintendent or his/her designee.

N.J.S.A. 2C:21-11

N.J.S.A. 18A:11-3 et seq.; 18A:40-41; 18A:40-41.10; 18A:40-41.11

N.J.A.C. 6A:7-1.7(d); 6A:16-1.3; 6A:16-2.1 et seq.; 6A:32-9.1

Adopted: March 22, 2010

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Scheduled for second reading and adoption on 8/11/2021*

POLICY

LIVINGSTON BOARD OF EDUCATION

Program
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ATHLETIC COMPETITION (M)

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REGULATION

BOARD OF EDUCATION EMERGENCY PROCEDURES FOR SPORTS AND OTHER ATHLETIC ACTIVITY (M)

R 2431.1 EMERGENCY PROCEDURES FOR SPORTS AND OTHER ATHLETIC ACTIVITY (M)

A. Definitions

1. "Athletic Activity" means interscholastic athletics; an athletic contest or competition, other than interscholastic athletics, that is sponsored by or associated with a school district or nonpublic school, including cheerleading and club-sponsored sports activities; and any practice or interschool practice or scrimmage for those activities.
2. "Health personnel" means the school nurse, the school medical inspector, the designated team doctor, a licensed physician, the licensed athletic trainer, and members of the first aid squad or ambulance team.
3. "Parent" means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s) or parent surrogate(s) of a student. Where parents are separated or divorced, "parent" means the person or agency who has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

B. Precautions

1. All coaches, including assistant coaches, and all staff who supervise sports and other athletic activity will be trained in first aid to include sports-related concussions and head injuries, the identification of injured and disabled student athletes, and any other first aid procedures required by statute, administrative code, or by the Superintendent.
2. Athletic coaches or supervising staff members are responsible at all times for the supervision of students to whom they have been assigned. Students shall not be left unattended at any time.
3. Students who participate in athletic competition shall be trained in proper athletic procedures, in the proper use of athletic equipment, and in the proper use of protective equipment and clothing.

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BOARD OF EDUCATION EMERGENCY PROCEDURES FOR SPORTS AND OTHER ATHLETIC ACTIVITY (M)

4. Student athletes shall be required to report promptly to the athletic coach or supervising staff member any injury occurring to the student himself/herself or to another student.
5. First aid supplies and equipment shall be readily available at all athletic activities and shall be maintained in proper condition.
6. First aid and emergency medical procedures will utilize universal precautions in handling blood and body fluids as indicated in Policy and Regulation No. 7420 and Regulation No. 7420.1.
7. Health personnel, including but not limited to, the licensed athletic trainer, school/team physician, and ambulance/first aid squad may be present at athletic activities and events as determined by the Superintendent.

C. Emergency Action Plan and Procedures

1. The Board of a school district with any of the grades six through twelve shall establish and implement an emergency action plan for responding to a serious or potentially life-threatening sports-related injury in accordance with N.J.S.A. 18A:40-41.11. The plan shall document the proper procedures to be followed when a student sustains a serious injury while participating in sports or other athletic activity. The plan shall be specific to the activity site and shall be developed in consultation with local emergency medical services personnel in accordance with N.J.S.A. 18A:40-41.11.
2. The following emergency action plan shall be established and implemented whenever a student is seriously injured when participating in sports or other athletic activity. The emergency action plan shall include the following:
 - a. A list of the employees, team coaches, and licensed athletic trainers in each school who are trained in first aid or cardio-pulmonary resuscitation.
 - b. Identification of the employees, team coaches, or licensed athletic trainers in each school who will be responsible for carrying out the emergency action plan and a description of their respective responsibilities.
 - c. Identification of the activity location or venue.
 - d. Identification of the equipment and supplies that may be needed to respond to the emergency, including the location of each item; and

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BOARD OF EDUCATION EMERGENCY PROCEDURES FOR SPORTS AND OTHER ATHLETIC ACTIVITY (M)

e. A description of the proper procedures to be followed after a student sustains a serious or life-threatening sports-related injury including, but not limited to, responding to the injured student, summoning emergency medical care, assisting emergency responders in getting to the injured student, and documenting the actions taken during the emergency.

3. The emergency action plan shall be reviewed annually and updated as necessary. The plan shall be rehearsed annually in each school by the individuals who will be responsible for executing the plan in an emergency pursuant to N.J.S.A. 18A:40-41.11.
4. The proper procedures to be followed after a student sustains a serious or life-threatening sports-related injury while participating in sports or other athletic activity shall include, but not be limited to, the following components:
 1. The athletic coach or supervising staff member shall immediately notify the health personnel present at the activity and the health personnel shall assume responsibility for the emergency treatment of the student.
 2. If no health personnel are present, or if none can be immediately summoned to the student's aid, the athletic coach or supervising staff member shall administer such first aid as may be necessary.
 3. If the student's injury requires more than routine first aid, the athletic coach or supervising staff member shall:
 - (1). Summon emergency personnel by calling 911; or
 - (2) Arrange for the student's transportation to the nearest hospital or the office of the school physician.
 4. The athletic coach or supervising staff member shall promptly notify the Athletic Director and the student's parent(s) of the student's injury and the condition and location of the student.
 5. An injured student who has been transported away from school premises must be accompanied by the athletic coach or supervising staff member, a member of the athletic department, a health professional, or other responsible adult known to the athletic coach or supervising staff member.

*Approved for first reading on 7/14/2021
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**EMERGENCY PROCEDURES FOR SPORTS AND OTHER ATHLETIC
ACTIVITY (M)**

6. These emergency procedures may be followed when the injured student is a member of a visiting team or district. In the event the visiting team has health personnel or staff members present, every effort shall be made to cooperate with the health personnel and/or staff of the district in which the student is enrolled.

D. Non-Serious or Non-Life-Threatening Injuries During an Athletic Program or Activity

The Superintendent or designee shall prepare procedures for responding to a non-serious or non-life-threatening injury sustained by a student while participating in sports or other athletic activity. These procedures shall be reviewed annually and updated as necessary and shall be disseminated to appropriate staff members.

E. Reports

1. The athletic coach or supervising staff member shall complete and file a report of every injury that occurs to a student in the course of his/her participation in sports or other athletic activity, regardless of the severity of the injury. The report shall include:
 - a. The date of the incident.
 - b. The name, age, and grade level, of each injured student.
 - c. The district in which the student is enrolled.
 - d. The name and district of each student involved in the incident.
 - e. A narrative account of the incident.
 - f. A detailed description of the injury.
 - g. The treatment given on school premises and the names of the health personnel, if any, who treated the student.
 - h. The place, if any, to which the student was taken and the persons who accompanied the student; and
 - i. How the notice was provided to the student's parent(s).

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BOARD OF EDUCATION EMERGENCY PROCEDURES FOR SPORTS AND OTHER ATHLETIC ACTIVITY (M)

2. Copies of the report shall be filed with the school nurse and the Building Principal within twenty-four hours or by the end of the next school day after the incident.
3. The Building Principal shall report the incident to the Superintendent, who may report the incident to the Board.
4. A copy of each report of an incident of student injury that occurs in the course of the sport or other athletic activity shall be maintained by the Principal or designee, who shall analyze reports for patterns that indicate a need for revision of the district's safety and/or athletics program. The Principal or designee shall report the findings of his/her analysis to the Superintendent on an annual basis.
5. The parent(s) of each injured will be given assistance in the completion and filing of insurance claim forms.

F. Readmission to Athletic Activities

A student who sustains a serious or potentially life-threatening injury while participating in a sport or other athletic activity will be permitted to resume participation upon submission of written medical clearance from the student's medical home, which shall be subject to review by school district health personnel. Written notice of that determination, approved by the school health personnel as appropriate, shall be given to the student's parent(s).

The prevention and treatment of suspected sports-related concussions and head injuries shall be in accordance with the provisions of N.J.S.A. 18A:40-41.1 et seq. and Policy and Regulation 2431.4.

Adopted: March 27, 2017

*Approved for first reading on 7/14/2021
Scheduled for second reading and adoption on 8/11/2021*

2464 GIFTED AND TALENTED PUPILS (M)

The Board of Education recognizes its responsibility to identify gifted and talented pupils within the school district and to provide these pupils appropriate instructional adaptations and services. To that end, the Board directs each such pupil in the school district to be identified and offered an appropriate educational program and services.

For purposes of this policy, gifted and talented pupils will be defined as those exceptionally able pupils who possess or demonstrate high levels of abilities, in one or more content areas, when compared to their chronological peers in the district and who require modification of their educational program if they are to achieve in accordance with their capabilities.

For the purpose of this Policy, “instructional adaptation” means an adjustment or modification to instruction enabling a student who is gifted and talented to participate in, benefit from, and demonstrate knowledge and application of the New Jersey Student Learning Standards in one or more content areas at the instructional level of the student, not just the student’s grade level.

The Superintendent of Schools or designee shall ensure that the appropriate instructional adaptations are designed for students who are gifted and talented.

~~The Superintendent will develop appropriate curricular and instructional modifications to be used for gifted and talented pupils indicating content, process, products and learning environments.~~

The Superintendent will develop procedures, using multiple measures, for an ongoing identification process and appropriate educational challenges for gifted and talented pupils initiated in Pre-Kindergarten in order to identify student strengths in intellectual ability, creativity, or a specific academic area. The district shall ensure equal access to a continuum of gifted and talented education services. The identification process shall include consideration of all students, including those who are English language learners and those with Individualized Education Plans or 504 Plans. ~~and reviewed annually through grade twelve. The identification methodology will be developmentally appropriate, non-discriminatory and related to the programs and services offered by the district. These procedures will be reviewed annually.~~

The Superintendent or designee will develop and document appropriate curricular and instructional modifications used for gifted and talented students indicating content, process, products, and learning environments, and including, but not limited to, additional education activities such as academic competitions, guest speakers, and lessons with a specialist.

The Superintendent or designee will take into consideration the Gifted Programming Standards, Position Statements, and White Papers of the National Association for Gifted Children in identifying and serving gifted and talented students.

The district will provide the time and resources to develop, review, and enhance instructional tools with modifications for helping gifted and talented students acquire and demonstrate mastery of the required knowledge and skills specified by the standards at the instructional level of the student.

The district will actively assist and support professional development for teachers, educational services staff, and school leaders in the area of gifted and talented instruction.

The district shall file with the New Jersey Department of Education Coordinator for Gifted and Talented Services a report by October 1, 2020 and thereafter on a schedule that coincides with the school district's New Jersey Quality Single Accountability Continuum (QSAC) review pursuant to N.J.S.A. 18A:7A-11. The report shall include, but not be limited to, the gifted and talented continuum of services, policies, and procedures implemented in the school district; the total number of students receiving gifted and talented services in each grade level Kindergarten through grade 12 disaggregated by race, gender, special education designation, and English language learner designation; the professional development opportunities provided for teachers, educational services staff, and school leaders about gifted and talented students, their needs, and educational development; and the number of staff employed by the school district whose job responsibilities include identification of and providing services to gifted and talented students. Programs for gifted and talented students will be periodically evaluated for their continuing efficacy and adjusted accordingly.

The parent of any student identified as gifted or talented shall be consulted regarding any program designed to address the student's particular needs.

An individual who believes that the district has not complied with the provisions of N.J.S.A. 18A:35-34 et seq. may file a complaint with the Board of Education. This policy for filing a complaint shall be linked to the home page of the Board's Internet website. The Board shall issue a decision, in writing, to affirm, reject, or modify the district's action in the matter. The individual may then file a petition of appeal of the Board's written decision to the Commissioner of Education through the Office of Controversies and Disputes in accordance with N.J.S.A. 18A:6-9 and the procedures set forth in State Board of Education regulations.

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The district shall make detailed information available on its website regarding the policies, procedures and criteria used to identify students as gifted and talented and the continuum of services offered to gifted and talented students. The educational program offered to gifted and talented students will encourage and challenge them in the specific areas of their abilities, but will not replace the basic instructional program of the various grades of this district. ~~The Superintendent will take into consideration the Pre-Kindergarten through Grade Twelve Gifted Programming Standards of the National Association for Gifted Children in developing programs for gifted and talented students. The educational program offered to gifted and talented students will encourage and challenge them in the specific areas of their abilities, but will not replace the basic instructional program of the various grades of this district. The program offered to a gifted and talented student may be infused into the student's regular instructional program or may include pull-out programming, provided that a written description of the infusion has been prepared and filed in the student's record.~~

~~Programs for the gifted and talented will be periodically evaluated for their continuing efficacy and adjusted accordingly.~~

POLICY

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~~The parent of any pupil identified as gifted or talented shall be consulted regarding any program designed to address the pupil's particular needs.~~

N.J.S.A. 18A:61A-2; 18A:35-4.16; 18A:35-34 through 39-

N.J.A.C. 6A:8-1.3; 6A:8-3.1(a)5.

P.L. 108-382, Sec. 10201 et seq.

Adopted: 18 June 2012

Revised: November 26, 2018

NONRENEWAL OF NONTENURED TEACHING STAFF MEMBER

3142 NONRENEWAL OF NONTENURED TEACHING STAFF MEMBER

The Board of Education recognizes its obligation to employ only those professional staff members best trained and equipped to meet the educational needs of the students of this district. The Board shall discharge that obligation by retaining in service only those nontenured teaching staff members who meet those standards. The Board will renew the employment contract of a nontenured teaching staff member only upon the recommendation of the Superintendent and by a recorded roll call majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons. A nontenured teaching staff member who is not recommended for renewal by the Superintendent is deemed nonrenewed.

When the nontenured teaching staff member's performance does not meet the standards of the school district, the Superintendent shall recommend not to renew the teaching staff member's contract. Prior to notifying the nontenured teaching staff member of the nonrenewal, the Superintendent will notify the Board of the recommendation not to renew the nontenured teaching staff member's contract and the reasons for the recommendation. The Superintendent may notify the Board in a written notice or in executive session at a full Board Meeting. In the event the Board is notified in executive session, the Superintendent will comply with the requirements of the Open Public Meetings Act and provide reasonable notice to the nontenured teaching staff member their employment will be discussed in executive session in order for the nontenured teaching staff member to exercise their statutory right to request a public discussion.

On or before May 15 of each year, each nontenured teaching staff member continuously employed by a Board of Education since the preceding September 30 shall receive a written notice from the Superintendent that such employment will not be offered if the Superintendent recommends the nontenured teaching staff member not be renewed. Any non-tenured teaching staff member receiving notice that a teaching contract for the succeeding year will not be offered may, within fifteen calendar days thereafter, request in writing a statement of the reasons for such non-employment which shall be given to the nontenured staff member in writing within thirty calendar days after the receipt of any such request.

Whenever the nontenured teaching staff member has requested in writing and received a written statement of reasons for non-reemployment, pursuant to N.J.S.A. 18A:27-3.2, the nontenured teaching staff member may request in writing an informal appearance before the Board. The written request shall be submitted to the Board within ten calendar days of the nontenured teaching staff member's receipt of the Board's statement of reasons. The

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informal appearance shall be scheduled within thirty calendar days from the nontenured teaching staff member's receipt of the Board's statement of reasons.

The Board is not required to offer reemployment or vote on reemployment after an informal appearance with a nontenured teaching staff member who was not recommended for reemployment by the Superintendent. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the nontenured teaching staff member reemployment after the informal appearance before the Board. Within three working days following the informal appearance, the Board shall notify the affected nontenured teaching staff member, in writing, of its final determination.

N.J.S.A. 18A:27-3.1; 18A:27-3.2; 18A:27-4.1; 18A:27-10 et seq.

N.J.A.C. 6A:10-9.1

ADOPTED: 09 October 2006

REVISED: 27 January 2014

3221 EVALUATION OF TEACHERS (M)

The Board of Education recognizes the importance of teacher effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3221 for the evaluation of teachers consistent with the Teacher Effectiveness and Accountability for the Children of New Jersey Act (TEACHNJ) and the AchieveNJ administrative codes. This Policy and Regulation provides the provisions and requirements for teacher evaluations consistent with TEACHNJ and AchieveNJ.

For the purposes of Policy and Regulation 3221, “teacher” means a teaching staff member holding the position of teacher and holding a valid and effective standard, provisional, or emergency instructional certificate.

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives. All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees for the purpose of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

The Board shall annually adopt evaluation rubrics for teachers which shall be submitted to the Commissioner of Education by August 1 for approval by August 15 of each year. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The Board shall meet the requirements as outlined in N.J.A.C. 6A:10-2.2(a) for the annual evaluation of teachers and shall ensure the training procedures as outlined in N.J.A.C. 6A:10-2.2(b) are followed when implementing the evaluation rubrics for all teachers. A District Evaluation Advisory Committee may be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for teachers as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each teacher rated ineffective or partially effective on the annual summative evaluation rating, as measured by the evaluation rubrics, a corrective action plan shall be developed in accordance with the provisions of N.J.A.C. 6A:10-2.5. A School Improvement Panel shall be established in accordance with N.J.A.C. 6A:10-3.1 with the responsibilities outlined in N.J.A.C. 6A:10-3.2.

The components of the teacher evaluation rubrics as described in N.J.A.C. 6A:10-4.1 shall apply to teachers. Measures of student achievement, as outlined in N.J.A.C. 6A:10-4.2, shall be used to determine impact on student learning. Teacher observations shall be conducted in accordance with the provisions of N.J.A.C. 6A:10-4.4 and N.J.S.A. 18A:27-3.1. Observers shall conduct the observations pursuant to N.J.S.A. 18A:6-123.b.(8) and N.J.A.C. 6A:10-2.5 and 3.2, and they shall be trained pursuant to N.J.A.C. 6A:10-2.2(b).

The teacher practice instrument approved by the Department of Education shall meet the criteria as outlined in N.J.A.C. 6A:10-6.2.

The Superintendent shall annually notify all teachers of the adopted evaluation policies and procedures/regulations no later than October 1. If a teacher is hired after October 1, the Superintendent shall notify the teacher of the policies and procedures/regulations at the beginning of his or her employment. All teachers shall be notified of amendments to the policy and procedures/regulations within ten teacher working days of adoption.

N.J.S.A. 18A:6-117 et seq.; N.J.S.A. 18A:27-3.1.

N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5

N.J.A.C. 6A:10-3.1 and 3.2; N.J.A.C. 6A:10-4.1 through 4.4

N.J.A.C. 6A:10-6.1 and 6.2

Adopted: January 27, 2014

Revised: July 19, 2017

REGULATION

R 3221 EVALUATION OF TEACHERS (M)

A. Definitions – N.J.A.C. 6A:10-1.2

The following words and terms shall have the following meanings when used in Policy and Regulation 3221 unless the context clearly indicates otherwise:

“Announced observation” means an observation in which the person conducting an observation for the purpose of evaluation will notify the teacher of the date and the class period the observation will be conducted.

“Annual performance report” means a written appraisal of the teacher’s performance prepared by the teacher’s designated supervisor based on the evaluation rubric for his or her position.

“Annual summative evaluation rating” means an annual evaluation rating that is based on appraisals of educator practice and student performance, and includes all measures captured in a teacher’s evaluation rubric. The four summative performance categories are ineffective, partially effective, effective, and highly effective.

“Calibration” in the context of educator evaluation means a process to monitor the competency of a trained evaluator to ensure the evaluator continues to apply an educator practice instrument accurately and consistently according to the standards and definitions of the specific instrument.

“Chief School Administrator” means the Superintendent of Schools or the Administrative Principal if there is no Superintendent.

“Commissioner” means Commissioner of the New Jersey Department of Education.

“Co-observation” means two or more supervisors who are trained on the practice instrument who observe simultaneously, or at alternate times, the same lesson or portion of a lesson for the purpose of training.

“Corrective Action Plan” means a written plan developed by the designated supervisor in collaboration with the teacher to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual teacher and the school

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district for implementing the plan, and specific support that the district shall provide as defined in N.J.S.A. 18A:6-119.

“Department” means the New Jersey Department of Education.

“Designated Supervisor” means the supervisor designated by the Superintendent of Schools or designee as the teacher’s supervisor.

“District Evaluation Advisory Committee” means a group created to oversee and guide the planning and implementation of the Board of Education’s evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2.3.

“Educator practice instrument” means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from the teacher practice instrument are components of the teacher’s evaluation rubric and the scores are included in the summative evaluation rating for the individual. The scores from educator practice instruments may be applied to the teacher’s summative evaluation rating in a manner determined by the school district.

“Evaluation” means an appraisal of an individual’s professional performance in relation to his or her job description, professional standards, and Statewide evaluation criteria that incorporates analysis of multiple measures of student achievement or growth and multiple data sources.

“Evaluation” means an appraisal of an individual’s professional performance in relation to his or her job description and professional standards based on, when applicable, the individual’s evaluation rubric.

“Evaluation rubrics” means a set of criteria, measures, and processes used to evaluate all teachers in a specific school district or local education agency. Evaluation rubrics consist of measures of professional practice, based on educator practice instruments and student outcomes. Each Board of Education will have an evaluation rubric specifically for teachers, another specifically for Principals, Vice Principals, and Assistant Principals, and evaluation rubrics for other categories of teaching staff members.

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“Indicators of student progress and growth” means the results of assessment(s) of students as defined in N.J.A.C. 6A:8, Standards and Assessment.

“Individual professional development plan” is as defined in N.J.S.A. 18A:6-119.

“Job description” means a written specification of the function of a position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and school district.

“Observation” means a method of collecting data on the performance of a teacher's assigned duties and responsibilities. An observation for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by an individual employed in the school district in a supervisory role and capacity and possessing a school administrator, Principal, or supervisor endorsement as defined in N.J.A.C. 6A:9-1.1.

“Post-observation conference” means a meeting, either in-person or remotely, between the supervisor who conducted the observation and the teacher for the purpose of evaluation to discuss the data collected in the observation.

“Scoring guide” means a set of rules or criteria used to evaluate a performance, product, or project. The purpose of a scoring guide is to provide a transparent and reliable evaluation process. Educator practice instruments include a scoring guide that an evaluator uses to structure his or her assessments and ratings of professional practice.

“Semester” means half of the school year.

“Signed” means the name of one physically written by oneself or an electronic code, sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

“Student growth objective” means an academic goal that teachers and designated supervisors set for groups of students.

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“Student growth percentile” means a specific metric for measuring individual student progress on Statewide assessments by tracking how much a student’s test scores have changed relative to other students Statewide with similar scores in previous years.

“Superintendent” means Superintendent of Schools or Chief School Administrator.

“Supervisor” means an appropriately certified teaching staff member, as defined in N.J.S.A. 18A:1-1, or Superintendent employed in the school district in a supervisory role and capacity, and possessing a school administrator, Principal, or supervisor endorsement as defined in N.J.A.C. 6A:9B-12.

“Teacher” means a teaching staff member who holds the appropriate standard, provisional, or emergency instructional certificate issued by the Board of Examiners and is assigned to a class roster of students for at least one particular course.

“Unannounced observation” means an observation in which the person conducting an observation for the purpose of evaluation will not notify the teacher of the date or time the observation will be conducted.

B. Applicability of Rules on Collective Bargaining Agreements – N.J.A.C. 6A:10-1.3

No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives.

C. Educator Evaluation Data, Information, and Annual Performance Reports – N.J.A.C. 6A:10-1.4

All information contained in annual performance reports and all information collected, compiled, and/or maintained by employees of the Board of Education for the purposes of conducting the educator evaluation process

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pursuant to N.J.A.C. 6A:10-1.1 et seq., including, but not limited to, digital records, shall be confidential. Such information shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Nothing contained in N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the Department or a School District from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e or distributing aggregate statistics regarding evaluation data.

D. Evaluation of Teachers – N.J.A.C. 6A:10-2.1

1. The Board of Education shall annually adopt evaluation rubrics for teachers. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.
2. The evaluation rubrics for teachers shall include all other relevant minimum standards set forth in N.J.S.A. 18A:6-123. (P.L. 2012, c. 26, § 17c).
3. Evaluation rubrics shall be submitted to the Commissioner by August 1 for approval by August 15 of each year.

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E. Duties of the Board of Education – N.J.A.C. 6A:10-2.2

1. The Board of Education shall meet the following requirements for the annual evaluation of teachers, unless otherwise specified:
 - a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2 et seq.;
 - b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c):
 - (1) The Superintendent shall develop policies and procedures that, at a minimum, ensure student performance data on the Statewide assessment is, upon receipt, promptly distributed or otherwise made available to teachers who were primarily responsible for instructing the applicable students in the school year in which the assessment was taken, as well as to teachers who are or will be primarily responsible for instructing the applicable students in the subsequent school year.
 - c. Ensure the Superintendent annually notifies all teachers of the adopted evaluation policies and procedures no later than October 1. If a teacher is hired after October 1, the Board/Superintendent shall notify the teacher of the policies and procedures at the beginning of his or her employment. All teachers shall be notified of amendments to the policy and procedures within ten teacher working days of adoption;
 - d. Annually adopt by June 1, any Commissioner-approved educator practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department which instruments will be used as part of the school district's evaluation rubrics;
 - e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to

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N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31 and shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2;

- f. Ensure data elements are collected and stored the data in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation and student growth objective data; and
 - g. Ensure the Superintendent or designee certifies to the Department that any observer who conducts an observation of a teacher for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4; N.J.A.C. 6A:10-5.4 and N.J.A.C. 6A:10-6-2, shall meet the statutory observation requirements of N.J.S.A. 18A:6-119; 18A:6-123.b(8); and N.J.S.A. 18A:27-3.1 and the teacher member of the School Improvement Panel requirements of N.J.A.C. 6A:10-3.2.
2. The Board of Education, through the Superintendent, shall ensure the following training procedures are followed when implementing the evaluation rubric for all teachers and, when applicable, applying the Commissioner-approved educator practice instrument:
- a. Annually provide training on and descriptions of each component of the evaluation rubric for all teachers who are being evaluated in the school district and provide more thorough training for any teacher who is being evaluated for the first time. Training shall include detailed descriptions of all evaluation rubric components including, when applicable, detailed descriptions of student achievement measures and all aspects of the educator practice instrument;
 - b. Annually provide updates and refresher training for any supervisors who are conducting evaluations in the school district and more thorough training for any supervisor who will evaluate teachers for the first time. Training shall be provided on each component of the evaluated teacher's evaluation rubric before the evaluation of the teacher;

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- c. Annually require each supervisor who will conduct observations for the purpose of evaluation of a teacher to complete at least two co-observations during the school year:
 - (1) Co-observers shall use the co-observation to promote accuracy and consistency in scoring;
 - (2) A co-observation may count as one required observation for the purpose of evaluation pursuant to N.J.A.C. 6A:10-4.4, as long as the observer meets the requirements set forth in N.J.A.C. 6A:10-4.3 and 4.4, but the co-observations shall not count as two or more required observations. If a co-observation counts as one required observation, the score shall be determined by the teacher's designated supervisor .
- e. The Superintendent shall annually certify to the Department that all supervisors of teachers in the school district who are utilizing evaluation rubrics have completed training on and have demonstrated competency in applying the evaluation rubrics.

F. District Evaluation Advisory Committee – N.J.A.C. 6A:10-2.3

- 1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel. Members also shall include the Superintendent, a special education administrator, a parent, and a member of the Board of Education.
- 2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups and to individuals.

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3. A District Evaluation Advisory Committees is not required and the Board of Education shall have the discretion to establish a District Evaluation Advisory Committee.
- G. Evaluation Procedures for Teachers – N.J.A.C. 6A:10-2.4
1. The provisions outlined in Policy and Regulation 3221 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation of teachers.
 2. Evaluation policies and procedures requiring the annual evaluation of all teachers shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:
 - a. Roles and responsibilities for implementation of evaluation policies and procedures;
 - b. Job descriptions, evaluation rubrics for teachers, the process for calculating the summative ratings and each component, and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;
 - c. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, Principals, Assistant Principals, and Vice Principals for calculating the median and school-wide student growth percentile;
 - d. Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;
 - e. Process for developing and scoring student growth objectives;
 - f. The process for preparation of individual professional development plans; and
 - g. The process for preparation of an annual performance report by the teacher's designated supervisor , and an annual

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summary conference between the teacher and his or her designated supervisor.

3. The annual summary conference between designated supervisors and teachers shall be held before the annual performance report is filed. The conference shall occur on or before June 30 of each school year and shall include, but not be limited to, a review of the following:
 - a. The performance of the teacher based upon the job description and the scores or evidence compiled using the teacher's evaluation rubric, including, when applicable:
 1. The educator's practice instrument; and
 2. Available indicators or student achievement measures such as student growth objective scores and student growth percentile scores.
 - b. The progress of the teacher toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan; and
 - c. The preliminary annual performance report.
4. If any scores for the teacher's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.
5. The annual performance report shall be prepared by the teacher's designated supervisor, and shall include, but not be limited to:
 - a. A summative rating based on the evaluation rubric, including, when applicable, a total score for each component as described in N.J.A.C. 6A:10-4;
 - b. Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the teacher's evaluation rubric, and

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- c. The teacher's individual professional development plan or corrective action plan from the evaluation year being reviewed in the report.
 6. The teacher and the designated supervisor shall sign the report within fifteen teacher working days of the review.
 7. The Board of Education shall include all annual performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of the teacher's personnel file, or in an alternative, confidential location. If reports and data are stored in an alternative location, the personnel file shall clearly indicate the report's location and how it can be accessed. The records shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.
- H. Corrective Action Plans for Teachers – N.J.A.C. 6A:10-2.5
1. For each teacher rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by the teacher and the principal and the teacher's designated supervisor. If the teacher does not agree with the corrective action plan's content, the designated supervisor shall make a final determination.
 2. The corrective action plan shall be developed and the teacher and his or her designated supervisor shall meet to discuss the corrective action plan by October 31 of the school year following the year of evaluation except:
 - a. If the ineffective or partially effective summative evaluation rating is received after October 1 of the school year following the year of evaluation, a corrective action plan shall be developed, and the teacher and his or her designated supervisor shall meet to discuss the corrective action plan within twenty-five teacher working days following the school district's receipt of the teacher's summative rating.

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3. The content of the corrective action plan shall replace the content of the individual professional development plan required pursuant to N.J.A.C. 6A:9C-4.3(a) and 4.4(a) and shall:
 - a. Address areas in need of improvement identified in the teacher evaluation rubric;
 - b. Include specific, demonstrable goals for improvement;
 - c. Include responsibilities of the evaluated employee and the school district for the plan's implementation; and
 - d. Include timelines for meeting the goal(s).
4. The teacher's designated supervisor and the teacher on a corrective action plan shall discuss the teacher's progress toward the goals outlined in the corrective action plan during each post-observation conference, pursuant to N.J.S.A. 18A:27-3.1 or N.J.A.C. 6A:10-4.4. The teacher and his or her designated supervisor may update the goals outlined in the corrective action plan to reflect any change(s) in the teacher's progress, position or role.
5. Progress toward the teacher's goals outlined in the corrective action plan:
 - a. shall be documented in the teacher's personnel file and reviewed at the annual summary conference and the mid-year evaluation. Both the teacher on the corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the teacher's progress toward his or her corrective action plan goals; and
 - b. May be used as evidence in the teacher's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.
6. Responsibilities of the evaluated teacher on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the teacher's designated supervisor.
7. The School Improvement Panel shall ensure teachers with a corrective action plan receive a mid-year evaluation as required by N.J.S.A.

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18A:6-120.c. The mid-year evaluation shall occur approximately midway between the development of the corrective action plan and the expected receipt of the next annual summative rating. The mid-year evaluation shall include, at a minimum, a conference to discuss progress toward the teacher's goals outlined in the corrective action plan. The mid-year evaluation conference may be combined with a post-observation conference.

8. The School Improvement Panel shall ensure teachers with a corrective action plan receive one observation, including a post-observation conference, in addition to the observations required in N.J.A.C. 6A:10-4.4 for the purpose of evaluation as described in N.J.A.C. 6A:10-1.2 and 4.4(a).
 9. Except where a school district employs only one administrator whose position requires a supervisor, principal, or school administrator endorsement, tenured teachers with a corrective action plan shall be observed by multiple observers for the purpose of evaluation as described in N.J.A.C. 6A:10-4.4(c)4.
 10. The corrective action plan shall remain in effect until the teacher receives his or her next summative evaluation rating.
 11. There shall be no minimum number of teacher working days a teacher's corrective action plan can be in place.
- I. School Improvement Panel – N.J.A.C. 6A:10-3 et seq.
1. School Improvement Panel Membership – N.J.A.C. 6A:10-3.1
 - a. The School Improvement Panel shall include the Principal, a Vice Principal, and a teacher who is chosen in accordance with b. below by the Principal in consultation with the majority representative. If an Assistant Principal or Vice Principal is not available to serve on the panel, the Principal shall appoint an additional member who is employed in the district in a supervisory role and capacity, in accordance with N.J.S.A. 18A:6-120.a. The Principal may appoint additional members to the School Improvement Panel as long as all members meet the criteria outlined in this section and

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N.J.S.A. 18A:6-120.a and the teacher(s) on the panel represents at least one-third of its total membership.

- b. The Principal annually shall choose the teacher(s) on the School Improvement Panel through the following process:
 - (1) The teacher member shall be a person with a demonstrated record of success in the classroom. A demonstrated record of success in the classroom means the teacher member shall have been rated effective or highly effective in the most recent available annual summative rating.
 - (2) The majority representative, in accordance with a. above, may submit to the Principal, teacher member nominees for consideration.
 - (3) The Principal shall have final decision-making authority and is not bound by the majority representative's list of nominees.
 - c. The teacher member shall serve a full school year, except in case of illness or authorized leave, but may not be appointed more than three consecutive school years.
 - d. All members of the School Improvement Panel shall be chosen by August 31 of each year.
2. School Improvement Panel Responsibilities – N.J.A.C. 6A:10-3.2
- a. The School Improvement Panel shall:
 - (1) Oversee the mentoring of teachers according to N.J.A.C. 6A:9C-5.3(a)2 and support the implementation of the school district mentoring plan;
 - (2) Conduct evaluations of teachers pursuant to N.J.A.C. 6A:10-2.4 and 4.4 (The teacher member will not conduct observations);

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- (3) Ensure corrective action plans for teachers are created in accordance with N.J.A.C. 6A:10-2.5; and ensure mid-year evaluations are conducted for teachers who are on a corrective action plan; and
- (4) Identify professional development opportunities for all teachers based on the review of aggregate school-level data, including, but not limited to, teacher evaluation and student performance data to support school-level professional development plans described in N.J.A.C. 6A:9C-4.2

J. Components of Teacher Evaluation Rubric – N.J.A.C. 6A:10-4.1

1. The components of the teacher evaluation rubric described in N.J.A.C. 6A:10-4.1 et seq. shall apply to teachers holding the position of teacher and holding a valid and effective standard, provisional, or emergency instructional certificate.
2. Evaluation rubrics for all teachers shall include the requirements described in N.J.S.A. 18A:6-123, including, but not limited to:
 - a. Measures of student achievement pursuant to N.J.A.C. 6A:10-4.2; and
 - b. Measures of teacher practice pursuant to N.J.A.C. 6A:10-4.3 and 4.4.
3. To earn a summative rating, a teacher shall have a student achievement score, including median student growth percentile and/or student growth objectives(s) scores, and a teacher practice score pursuant to N.J.A.C. 6A:10-4.4.
4. Each score shall be converted to a percentage weight so all components make up 100 percent of the evaluation rubric. By August 31 prior to the school year in which the evaluation rubric applies, the Department shall provide on its website the required percentage weight of each component and the required summative rating scale. All components shall be worth the following percentage weights or fall within the following ranges:

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- a. If, according to N.J.A.C. 6A:10-4.2(b), a teacher receives a median student growth percentile, the student achievement component shall be at least thirty percent, and no more than fifty percent of a teacher's evaluation rubric rating as determined by the Department.
 - b. If, according to N.J.A.C. 6A:10-4.2(b), a teacher does not receive a median student growth percentile, the student achievement component shall be at least fifteen percent, and no more than fifty percent of a teacher's evaluation rubric rating as determined by the Department.
 - c. Measures of teacher practice described in N.J.A.C. 6A:10-4.3 and 4.4 shall be at least fifty percent and no more than eighty-five percent of a teacher's evaluation rubric rating as determined by the Department.
5. Standardized tests, used as a measure of student progress, shall not be the predominant factor in determining a teacher's annual summative rating.

K. Student Achievement Components – N.J.A.C. 6A:10-4.2

1. Measures of student achievement shall be used to determine impact on student learning. The student achievement measures shall include the following components:
 - a. If the teacher meets the requirements of 2. below, the median student growth percentile of all students assigned to a teacher, which shall be calculated as set forth in 4. below; and
 - b. Student growth objective(s), which shall be specific and measurable, based on available student learning data, aligned to the NJ Student Learning Standards (NJSLS), and based on growth and/or achievement.
 - (1) For teachers who teach subjects or grades not covered by the NJSLS, student growth objective(s) shall align to standards adopted or endorsed, as applicable, by the State Board.

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2. The median student growth percentile shall be included in the annual summative rating of a teacher who:
 - a. Teaches at least one course or group within a course that falls within a standardized-tested grade or subject. The Department shall maintain on its website a course listing of all standardized-tested grades and subjects for which student growth percentile can be calculated pursuant to 4. below;
 - b. Teaches the course or group within the course for at least sixty percent of the time from the beginning of the course to the day of the standardized assessment; and
 - c. Has at least twenty individual student growth percentile scores attributed to his or her name during the school year of the evaluation. If a teacher does not have at least twenty individual student growth percentile scores in a given school year, the student growth percentile scores attributed to a teacher during the two school years prior to the evaluation year may be used in addition to the student growth percentile scores attributed to the teacher during the school year of the evaluation. Only student growth percentile scores from school year 2013-2014 or any year after shall be used to determine median student growth percentiles.
3. The Department shall periodically collect data for all teachers that include, but are not limited to, student achievement and teacher practice scores.
4. The Department shall calculate the median student growth percentile for teachers using students assigned to the teacher by the school district. For teachers who have a student growth percentile score:
 - a. The Board of Education shall submit to the Department final ratings for all components, other than the student growth percentile, for the annual summative rating; and
 - b. The Department then shall report to the employing district Board of Education the annual summative rating, including the median student growth percentile for each teacher who receives a median student growth percentile.

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5. Student growth objectives for teachers shall be developed and measured according to the following procedures:
 - a. The Superintendent shall determine the number of required student growth objectives for teachers, including teachers with a student growth percentile. A teacher with a student growth percentile shall have at least one and not more than four student growth objectives. A teacher without a student growth percentile shall have at least two and a maximum of four student growth objectives. By August 31, prior to the school year the evaluation rubric applies, the Department shall provide on its website the minimum and maximum number of required student growth objectives within this range.
 - b. A teacher with a student growth percentile shall not use the standardized assessment used in determining the student growth percentile to measure progress toward a student growth objective.
 - c. Each teacher shall develop, in consultation with his or her supervisor or a Principals' designee, each student growth objective. If the teacher does not agree with the student growth objectives, the Principal shall make the final determination.
 - d. Student growth objectives and the criteria for assessing teacher performance based on the objectives shall be determined recorded and retained by the teacher and his or her supervisor by October 31 of each school year, or within twenty-five teacher working days of the teacher's start date if the teacher begins work after October 1.
 - e. Adjustments to student growth objectives may be made by the teacher in consultation with his or her supervisor only when approved by the Superintendent or designee. Adjustments shall be recorded in the teacher's personnel file on or before February 15.

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 EVALUATION OF TEACHERS (M)

f. The teacher's designated supervisor shall approve each teacher's student growth objective score. The teacher's student growth objective score, if available, shall be discussed at the teacher's annual summary conference and recorded in the teacher's personnel file.

1. The teacher practice component rating shall be based on the measurement of the teacher's performance according to the school district's Commissioner-approved teacher practice instrument. Observations pursuant to N.J.A.C. 6A:10-4.4 shall be used as one form of evidence for the measurement.

1. For the purpose of teacher evaluation, observers shall conduct the observations pursuant to N.J.S.A. 18A:6-123.b.(8) and N.J.A.C. 6A:10-2.5 and 3.2, and they shall be trained pursuant to N.J.A.C. 6A:10-2.2(b).
2. Observation conferences shall include the following procedures:
 - a. A supervisor who is present at the observation shall conduct a post-observation conference with the teacher being observed. A post-observation conference shall occur no more than fifteen teacher working days following each observation.
 - b. The post-observation conference shall be for the purpose of reviewing the data collected at the observation, connecting the data to the teacher practice instrument and the teacher's individual professional development plan, collecting additional information needed for the evaluation of the teacher, and offering areas to improve effectiveness. Within a school year, the post observation conference shall be held

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prior to the occurrence of further observations for the purpose of evaluation.

- c. If agreed to by the teacher, one required post-observation conference and any pre-observation conference(s) for observations of tenured teachers who are not on a corrective action plan may be conducted by written communication, including electronic.
 - d. One post-observation conference may be combined with a teacher's annual summary conference, as long as it occurs within the required fifteen working days following the observation for the purposes of evaluation.
 - e. A pre-observation conference, when required, shall occur at least one but not more than seven teacher working days prior to the observation.
3. Each teacher shall be observed as described in N.J.A.C. 6A:10-4.4. For all teachers, at least one of the required observations shall be announced and preceded by a pre-observation

conference, and at least one of the required observations shall be unannounced. The Superintendent shall decide whether additional required observations are announced or unannounced, if applicable. The following additional requirements shall apply:

- a. Each observation required for the purpose of evaluation shall be conducted for at least 20 minutes.
- b. Nontenured teachers shall be observed at least three times each school year, but not less than once each semester. The observations shall be conducted in accordance with N.J.S.A. 18A:27-3.1.
 - 1. Except where a school district employs only one administrator whose position requires a supervisor, principal or school administrator endorsement, nontenured teachers shall be observed during the course of the year by more than one appropriately certified supervisor.

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- c. Tenured teachers shall be observed at least two times during each school year. Observations for all tenured teachers shall occur prior to the annual summary conference, which shall occur prior to the end of the academic school year.
 - (1) If a tenured teacher was rated highly effective on his or her most recent summative evaluation and if both the teacher and the teacher's designated supervisor agree to use this option, one of the two required observations may be an observation of a Commissioner-approved activity other than a classroom lesson. The Department of Education shall post annually to its web site a list of Commissioner approved activities that may be observed in accordance with N.J.A.C. 6A:10-4.4.
 - d. Teachers on a corrective action plan shall receive, in accordance with N.J.A.C. 6A:10-2.5(h), one additional observation, including a post-observation conference.
 - e. Upon receiving a final summative evaluation that necessitates a corrective action plan, in accordance with N.J.A.C. 6A:10-2.5(a), any remaining required observation(s) shall not be conducted until the corrective action plan has been finalized.
 - f. A written or electronic observation report shall be signed by the supervisor who conducted the observation and post-observation and the teacher who was observed.
 - g. The teacher shall submit his or her written objection(s) of the evaluation within ten teacher working days following receipt of the written evaluation. The objection(s) shall be attached to each party's copy of the annual performance report.
- 4. To earn a teacher practice score, a non-tenured teacher shall receive at least three observations.
 - a. If a non-tenured teacher is present for less than forty percent of the total student school days in a school year, he or she shall receive at least two observations to earn a teacher practice score.

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N. Teacher Practice Instrument – N.J.A.C. 6A:10-7.2

1. The teacher practice instrument approved by the Department shall meet the following criteria:
 - a. Include domains of professional practice that align to the New Jersey Professional Standards for Teachers pursuant to N.J.A.C. 6A:9-3;
 - b. Include scoring guides for assessing teacher practice that differentiate among a minimum of four levels of performance, and the differentiation has been shown in practice and/or research studies. Each scoring guide shall:
 - (1) Clearly define the expectations for each rating category;
 - (2) Provide a conversion to four rating categories;
 - (3) Be applicable to all grades and subjects; or to specific grades and/or subjects if designed explicitly for the grades and/or subjects; and
 - (4) Use clear and precise language that facilitates common understanding among teachers and administrators.
 - c. Rely on, to the extent possible, on specific, discrete, observable, and/or measurable behaviors of students and teachers in the classroom with direct evidence of student engagement and learning; and
 - d. Include descriptions of specific training and implementation details required for the instrument to be effective.

Adopted: 19 November 2014

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6440 COOPERATIVE PURCHASING (M)

The Board of Education recognizes that centralized, cooperative purchasing may maximize the value received for each dollar spent. The Board of Education is encouraged to seek savings that may accrue to the school district by means of joint agreements for the purchase of goods or services with the governing body of any municipality or county.

For the purpose of this Policy, “cooperative pricing system” means a purchasing system in which the lead agency advertises for bids, awards a master contract to the vendor providing for its own quantities and the estimated quantities submitted by the individual registered members.

For the purpose of this Policy, “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 subject to N.J.A.C. 5:34-7.1 et seq.

For the purpose of this Policy, “electronic data processing” means the storage, retrieval, combination, or collation of items of information by means of electronic equipment involving the translation of words, numbers, and other symbolic elements into electrical impulses or currents.

For the purpose of this Policy, “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. 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.

For the purpose of this Policy, “lead agency” means the contracting unit which is responsible for the management of the cooperative purchasing system.

For the purpose of this Policy, “registered members” means Boards of Education who have been approved by the Director of the New Jersey Department of Community Affairs for participation in the cooperative purchasing system.

When the lead agency is a Board of Education or Educational Service Commission and the entire membership of the cooperative purchasing system established and properly registered with the New Jersey Division of Local Government Services in the Department of Community Affairs are Boards of Education, the provision and performance of goods or

services shall be conducted pursuant to the Public Schools Contract Law. (N.J.S.A. 18A:18A-11 et seq.)

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

In accordance with the provisions of N.J.S.A. 18A:18A-12, a cooperative or joint purchase agreement(s) shall be entered into by resolution adopted by each participating Board of Education, municipality, or county, and shall set forth the categories of goods or services to be provided or performed; the manner of advertising for bids and the awarding of contracts; the method of payment by each participating Board of Education, municipality or county, and other matters deemed necessary to carry out the purposes of the agreement. Agreements for cooperative and joint purchasing will be subject to all bidding requirements imposed by law. Purchases made through the State Treasury Department may be made without bid.

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

In accordance with the provisions of N.J.S.A. 18A:18A-14.2, the Board may by contract or lease provide electronic data processing services for the Board of Education of another school district; and may undertake with such other Board, the joint operation of electronic data processing of their official records and other information relative to their official activities, services and responsibilities. The records and other information originating with any Board participating in such contract or lease may be combined, compiled, and conjoined with the records and other information of any and all participating local units for the purposes of such electronic data processing; and any provisions of law requiring such records to be kept confidential or to be retained by any Board or any officer or agency thereof shall be deemed to be isolated thereby.

A contract or lease to provide electronic data processing services shall set forth the charge for all services provided, or in the case of a joint undertaking the proportion of the cost each party thereto shall assume and specify all the details of the management of the joint undertaking, and any other matters that may be deemed necessary for insertion therein, and may be amended from time to time by the contracting parties in accordance with N.J.S.A. 18A:18A-14.3.

For the purpose of carrying into execution a contract or lease for a joint enterprise under N.J.S.A. 18A:18A-14.4, any party to such contract may act as agent for any or all parties in acquiring, by lease, purchase or otherwise, any property, facilities or services, in appointing such officers and employees as may be necessary and directing its activities, to the same extent as a Board of Education is authorized to do separately.

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

N.J.S.A. 18A:18A-11 through 14
N.J.S.A. 40A:11-1 et seq.
N.J.A.C. 5:34-7
N.J.A.C. 6A:23A-21.5

Adopted:

ELECTRONIC FUNDS TRANSFER AND CLAIMANT CERTIFICATION (M)

6470.01 ELECTRONIC FUNDS TRANSFER AND CLAIMANT CERTIFICATION (M)

The Board of Education permits the School Business Administrator/Board Secretary to use standard electronic funds transfer (EFT) technologies for EFTs for payment of claims pursuant to N.J.A.C. 5:30-9A.1 et seq. and 5:31-4.1, implementing N.J.S.A. 40A:5-16.5.

“Electronic funds transfer” for the purpose of Policy and Regulation 6470.01 means any approved method of transferring moneys permitted by N.J.A.C. 5:30-9A.1 et seq. that does not involve the physical presentation of a paper check, draft, or similar paper instrument including, but not limited to, wire transfers, e-checks, automated clearing house (ACH) transfers, and transactions initiated by phone or fax.

In accordance with N.J.S.A. 40A:5-16.5.b.(1), the Board of Education authorizes the use of only the forms of standard EFT technologies that are approved to be used by a Board of Education for EFTs for payment of claims. A Board of Education may not utilize procurement cards, charge cards, charge accounts, or any payment services such as PayPal or Venmo.

In accordance with N.J.S.A. 40A:5-16.5.b.(2), the Board designates the School Business Administrator/Board Secretary as being responsible for the oversight and administration of the provisions of N.J.S.A. 40A:5-16.5, N.J.A.C. 5:30-9A.1 et seq.; N.J.A.C. 5:31-4.1, and Policy and Regulation 6470.01.

The Board of Education will only initiate and approve electronic funds in accordance with N.J.A.C. 5:30-9A.1 et seq. Standard EFT technologies shall incorporate, at a minimum, the features and safeguards outlined in N.J.A.C. 5:30-9A.4(a). The Board will only utilize standard EFT technologies upon instituting, at a minimum, the fiscal and operational controls outlined in N.J.A.C. 5:30-9A.4(b).

The School Business Administrator/Board Secretary shall initiate a claim for payment by presenting a claim that has been approved by the Board, to be paid using an EFT technology. The School Business Administrator/Board Secretary shall submit the claim for payment with all supporting documentation to the Superintendent of Schools or a designee who is not under the direct supervision of the School Business Administrator/Board Secretary, who shall review the claim for payment and authorize, in writing, the EFT claim using an EFT method.

The Board of Education shall annually approve the School Business Administrator/Board Secretary as the person authorized to initiate a claim for payment and the Superintendent of Schools or a designee not under the direct supervision of the School Business

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Administrator/Board Secretary as the person responsible to review a claim for payment presented by the School Business Administrator/Board Secretary and authorize payment using an approved EFT method.

On no less than a weekly basis, activity reports on all transactions utilizing standard EFT technologies shall be reviewed by an individual designated and approved by the Board that is not under the direct supervision of the School Business Administrator/Board Secretary and is not empowered to initiate or authorize EFTs.

Claimant certification for a Board of Education shall be in accordance with the provisions of N.J.S.A. 18A:19-3 and rules promulgated by the New Jersey Department of Education.

Providers of Automated Clearing House (ACH) and wire transfer services must be financial institutions chartered by a State or Federal agency, with the further requirement that these financial institutions providing ACH and wire transfer services be covered under the Governmental Unit Deposit Protection Act (GUDPA), N.J.S.A. 17:9-41 et seq.

EFTs through ACH must utilize Electronic Data Interchange (EDI) technology, which provide transaction related details including invoice numbers, pay dates, and other identifying information as appropriate for each transaction. The Board must approve an ACH Origination Agreement with the financial institution(s).

N.J.S.A. 18A:19-3

N.J.S.A. 40A:5-16.5

N.J.A.C. 5:30-9A.1 et seq.

Adopted:

ELECTRONIC FUNDS TRANSFER AND CLAIMANT CERTIFICATION (M)

6470.01 ELECTRONIC FUNDS TRANSFER AND CLAIMANT CERTIFICATION (M)

A. Definitions – N.J.S.A. 40A:5-2 and N.J.A.C. 5:30-9A.2

For the purpose of Policy and Regulation 6470.01:

“Automated clearing house (ACH) transfer” means an electronic funds transfer initiated by the Board of Education authorizing a banking institution to push funds from the Board of Education bank account(s) into a vendor or claimant's bank account, executed through the ACH electronic clearing and settlement system used for financial transactions.

“Board of Education” means a Board of Education as defined by the “Public School Contracts Law,” N.J.S.A. 18A:18A-1 et seq.

“Charge account” or “charge card” means an account, linked to a credit card issued by a specific vendor to which goods and services may be charged on credit, that must be paid when a statement is issued.

“Check” means the instrument by which moneys of the Board of Education are disbursed.

“Chief Financial Officer” means the School Business Administrator/Board Secretary.

“Chief Executive Officer” means the Superintendent of Schools.

“Claimant certification” or “vendor certification” means verification of claims pursuant to N.J.S.A. 18A:19-3.

“Disbursement” means any payment of moneys, including any transfer of funds, by any means.

“Electronic Funds Transfer (EFT)” means any approved method of transferring moneys permitted by N.J.A.C. 5:30-9A.1 et seq. that does not involve the physical presentation of a paper check, draft, or similar paper instrument including, but not limited to, wire transfers, e-checks, automated clearing house (ACH) transfers, and transactions initiated by phone or fax.

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“Electronic Data Interchange (EDI)” means technology that provides transaction related details, including invoice number(s), pay dates, and other identifying information as appropriate for each transaction.

“Electronic Funds Transfer and Indemnification Agreement” means a signed legally binding indemnification agreement renewed on an annual basis between a Board of Education and a banking institution authorized to conduct business in New Jersey, which authorizes that institution to access bank accounts for the purpose of conducting EFTs through the ACH operating system.

“Governing body” means the Board of Education.

“Internal controls” means fiscal and operational controls that ensure safe and proper use of a standard EFT system and mitigate the potential for fraud and abuse. For purpose of N.J.A.C. 5:30-9A.1 et seq., internal controls shall include technological safeguards and cyber security practices, as well as processes affected by the governing body, management, and other personnel establishing fiscal and operational controls that reduce exposure to risk of misappropriation.

“Local Unit” means any county, municipality, special district, or any public body corporate and politic created or established under any law of this State by or on behalf of any one or more counties or municipalities, or any board, commission, department, or agency of any of the foregoing having custody of funds, but shall not include a school district.

“National Automated Clearing House Association (NACHA) file” means a file, formatted to NACHA specifications, which contains instructions for transferring funds between accounts.

“Payment documentation” means such documentation, including evidence of approvals and certifications, as is required by N.J.S.A. 40A:5-16.b, 40A:5-17, and 18A:19.1 et seq., and N.J.A.C. 5:30-9A.1 et seq. prior to the legal paying out of moneys.

“Procurement card” or “P-card” means an account or physical card that represents an account governed by characteristics specific to a procurement card. These characteristics include limits of time, amount, access, and purchase category controlled by the local unit, local authority, or county college in accordance with an agreement with an issuer. While such cards may have the appearance of a credit card, such as Visa, MasterCard, American Express, or Discover, such general-purpose cards do not feature the controls that procurement cards have and

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as such are not permitted under N.J.A.C. 5:30-9A.1 et seq. A "Procurement card" or "P-card" may not be used by a Board of Education.

"Reconciliation of activity" means the process used to determine that all transactions utilizing standard EFT technologies are accurate, authorized, and allocable to encumbered appropriations.

"Standard electronic funds transfer technologies" means technologies that facilitate the transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, initiated by means such as, but not limited to, an electronic terminal, telephone, computer, or magnetic tape for the purpose of ordering, instructing, or authorizing a financial institution to debit or credit an account, and incorporate, at a minimum, internal controls set forth in rules promulgated by the Local Finance Board. No general purpose credit or debit card shall be considered a standard EFT technology.

"Supervisory review" means the process performed by an individual in a supervisory capacity to confirm the propriety and accuracy of standard EFT technologies use initiated by subordinates.

"Transaction" means any activity that may result in demand for payment.

"Warrant" means the draft or check of any Board of Education used in warranting disbursement of moneys and shall, in every instance, be evidenced by the issuance of a check of the Board of Education. In no instance shall it be necessary for the Board of Education to refer to, or issue, a check separate and distinct from the warrant.

B. Authorization to Use Standard Electronic Funds Transfer Technologies for Electronic Funds Transfers – N.J.A.C. 5:30-9A.3

1. The Board of Education adopts Policy and Regulation 6470.01 to permit the School Business Administrator/Board Secretary to use only the forms of standard EFT technologies that are approved for New Jersey Boards of Education for EFTs for payment of claims pursuant to N.J.A.C. 5:30-9A.1 et seq. and 5:31-4.1, implementing N.J.S.A. 40A:5-16.5.

a. A Board of Education may not utilize procurement cards, charge cards, charge accounts, or any payment services such as PayPal or Venmo.

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2. N.J.A.C. 5:30-9A.1 et seq. does not authorize a Board of Education to exceed the maximum bid thresholds or other limits set forth in the Public School Contracts Law, N.J.S.A. 18A:18A-1 et seq.
 3. Providers of ACH and wire transfer services are to be financial institutions chartered by Federal or State authority. ACH and wire transfer services must be provided by a financial institution covered by the Governmental Unit Deposit Protection Act (GUDPA), N.J.S.A. 17:9-41 et seq.
- C. Standard Electronic Funds Transfer Technologies; Internal Controls and Conditions for Use – N.J.A.C. 5:30-9A.4
1. The Board of Education will only initiate and approve electronic funds in accordance with N.J.A.C. 5:30-9A.1 et seq. Standard EFT technologies shall incorporate, at minimum, the following features and safeguards:
 - a. The ability to designate specific individuals able to initiate disbursements, barring those not authorized to initiate disbursements from doing so.
 - (1) The Board of Education designates and approves the School Business Administrator/Board Secretary to be responsible to initiate a claim for payment using an EFT method that has been duly approved in accordance with N.J.S.A. 18A:19-1 et seq. and Policy and Regulation 6470.01.
 - (2) Each claim for payment approved or ratified by the Board shall indicate any payment made using an EFT technology, the type of EFT technology that will or has been utilized in paying the claim, along with a reference that permits tracking.
 - b. The ability to designate individuals who may authorize disbursement and segregate initiation and authorization functions. Password or other security controls shall be in place to restrict access based on an individual's authorized role.
 - (1) The School Business Administrator/Board Secretary shall initiate a claim for payment by presenting a claim that has been approved by the Board, to be paid using an EFT technology. The School Business Administrator/Board Secretary shall submit the claim for payment with all

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supporting documentation to the Superintendent of Schools or a designee who is not under the direct supervision of the School Business Administrator/Board Secretary.

- (2) The Superintendent of Schools or a designee who is not under the direct supervision of the School Business Administrator/Board Secretary shall review the claim for payment and authorize, in writing, the EFT claim that was initiated by the School Business Administrator/Board Secretary before the School Business Administrator/Board Secretary pays the claim using an EFT method.
 - (a) The School Business Administrator/Board Secretary will not pay a claim using an EFT method without written authorization from the Superintendent of Schools or the designee.
 - (3) The Board of Education shall annually approve the School Business Administrator/Board Secretary as the person responsible to initiate a claim for payment and the Superintendent of Schools or the designee not under the direct supervision of the School Business Administrator/Board Secretary as the person responsible to review a claim for payment presented by the School Business Administrator/Board Secretary and authorize the School Business Administrator/Board Secretary to make the payment using an EFT method.
 - (4) The Superintendent of Schools or the designee shall ensure passwords and security codes are in place to restrict access based on an individual's role.
- c. The ability to confirm receipt of payment by vendor.
- (1) The School Business Administrator/Board Secretary shall receive confirmation from the vendor an EFT payment has been received by the vendor. Documentation supporting receipt of an EFT payment received by a vendor shall be included with the claim's supporting documentation.

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- d. The ability to bar automatic debits from Board of Education accounts.
 - (1) The School Business Administrator/Board Secretary shall require all banking institutions approved by the Board of Education prohibit any automatic debits from any Board of Education bank account as each individual disbursement to a vendor must be preceded by instructions submitted to the bank.
- e. The ability for appropriate officials to view transaction history, generate activity reports, and conduct supervisory reviews of all transactions.
 - (1) On no less than a weekly basis, the School Business Administrator/Board Secretary shall prepare an Activity Report on all EFT-based transactions.
 - (2) All Activity Reports prepared by the School Business Administrator/Board Secretary shall be submitted and reviewed by an employee or non-employee (i.e. school auditor, accountant, Board President, etc.) approved annually by the Board of Education who is not under the direction of the School Business Administrator/Board Secretary and who is not empowered to authorize EFT transactions.
 - (3) The Activity Report shall include, but not be limited to:
 - (a) The name of the payee;
 - (b) The Board approval date approving the payment of the claim;
 - (c) The fund and account the payment is being paid from;
 - (d) The technology utilized in each EFT transaction; and
 - (e) The date of payment.

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- (4) A copy of all Activity Reports shall be provided to the Board of Education at the first regular monthly Board meeting following any EFT transactions.
- (5) All EFT Activity Reports and evidence of the review by the employee or non-employee (i.e. school auditor, accountant, etc.) designated and approved annually by the Board of Education who is not under the direction of the School Business Administrator/Board Secretary and who is not empowered to authorize EFT-based transactions are to be maintained and available for audit by the Board of Education's independent auditor.
- (6) The School Business Administrator/Board Secretary or designee shall perform a monthly reconciliation of the reviewed/approved weekly EFT Activity Reports of the EFT transactions appearing on bank statements and in the accounting records (i.e. general ledger, bank reconciliations, list of bills approved by Board, etc.).
 - (a) Evidence to support the performance of this monthly review must be maintained by the School Business Administrator/Board Secretary and available for audit by the Board of Education's independent auditor.
- f. The ability to back-up transaction data and store such data offline.
 - (1) The School Business Administrator/Board Secretary shall ensure all EFT transaction data is backed-up and stored offline.
 - (a) However, any ACH file that is in plain text format must not be stored on a Board of Education's local computer past the time the file is transmitted to the bank.
- g. Measures to mitigate risk of duplicate payment.
 - (1) The School Business Administrator/Board Secretary shall ensure an EFT payment is not duplicated by any other means.

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- (2) More than one EFT payment to the same vendor ratified or approved for payment by the Board of Education will be reviewed by the School Business Administrator/Board Secretary prior to payment to ensure there is no duplicate or multiple payments for the same goods or services.
- h. The creation and maintenance of an audit trail, such that transaction history, including demands for payment and payment initiation, authorization, and confirmation, can be independently tracked and detailed through the use of an EDI or functional equivalent.
 - (1) The Board of Education's EDI or functional equivalent will have the ability to create and maintain the required audit trail.
- i. The following cyber security best practice framework shall be followed:
 - (1) Any system supporting a standard EFT shall:
 - (a) Be hosted on dedicated servers or in a FedRAMP Moderate Impact Level Authorized Cloud. When using cloud services, the vendor shall check provider credentials and contracts;
 - (b) Encrypt stored and transmitted financial information and personal identification information;
 - (c) Maintain only critical personal identification information. Social Security numbers shall not be utilized as identification numbers for system purposes;
 - (d) Employ a resilient password policy;
 - (e) Undergo regular and stress testing;
 - (f) Have regular security updates on all software and devices carried out;
 - (g) Have back-up plans, information disposal, and disaster recovery procedures created and tested;

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- (h) Undergo regular security risk assessments for detecting compromises, along with regular monitoring for vulnerabilities, with necessary patches and updates being implemented; and
 - (i) Develop a Cybersecurity Incident Response Plan.
 - (2) The managing organization shall:
 - (a) Check provider credentials and contracts when using cloud services;
 - (b) Educate staff in good security measures and perform employee background checks; and
 - (c) Create a computer security incident response team, generally called a CSIRT.
- j. Financial institution providers of standard EFT technologies shall provide annual evidence of satisfactory internal control to the School Business Administrator/Board Secretary;
- k. ACH payments shall follow rules set forth by the National Automated Clearing House Association (NACHA) or an equivalent successor banking industry standard. In addition, the following safeguards shall be instituted:
 - (1) All EFTs through the ACH must utilize EDI technology and be subject to an Electronic Funds Transfer and Indemnification Agreement;
 - (2) A user that can generate an ACH file shall neither have upload rights nor access that permits editing of a vendor routing number or vendor account number;
 - (3) Each edit to vendor ACH information shall be approved by a separate individual and be logged showing the user editing the data, date stamp, IP address, and the approval of the edit;

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- (4) Any ACH file that is in plain text format shall not be stored on a local computer past the time transmitted to a bank; and
 - (5) If supported by the Board of Education's financial institution(s), said entities shall avail themselves of the ability to recall ACH payments via NACHA file.
- 2. The Board of Education will only utilize standard EFT technologies upon instituting, at a minimum, the following fiscal and operational controls:
 - a. Policy and Regulation 6470.01 shall be adopted authorizing and governing the use of standard EFT technologies consistent with N.J.A.C. 5:30-9A.1 et seq.;
 - b. The School Business Administrator/Board Secretary shall ensure that the minimum internal controls set forth in N.J.A.C. 5:30-9A.1 et seq., along with those internal controls set forth in Policy and Regulation 6470.01 are in place and being adhered to;
 - c. Initiation and authorization roles shall be segregated, and password-restricted.
 - (1) The School Business Administrator/Board Secretary shall be responsible for initiating all EFTs.
 - (2) When the School Business Administrator/Board Secretary initiates an EFT, the Superintendent or a designee not under the direct supervision of the School Business Administrator/Board Secretary shall be responsible for authorization of the EFT.
 - (a) The School Business Administrator/Board Secretary will not pay a claim using an EFT method without written authorization from the Superintendent of Schools or the designee.
 - (3) The Board of Education may designate and approve a backup officer/staff member in the event the School Business Administrator/Board Secretary or Superintendent or a designee not under the direct supervision of the School

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Business Administrator/Board Secretary who is approved to authorize the EFT payment is unavailable.

(4) All payment of claims, ordinances, or resolutions enacted pursuant to N.J.S.A. 40A:5-17.b shall, at a minimum, comply with the provisions of N.J.A.C. 5:30-9A.4.

(5) N.J.A.C. 5:30-9A.4 shall not be interpreted to prevent a Board of Education from requiring, authorizing, and approving more than one officer to authorize an EFT.

d. No Board of Education shall disburse funds unless the goods and services are certified as having been provided pursuant to N.J.S.A. 18A:19-1 et seq. and N.J.A.C. 5:30-9A.1 et seq.

e. On no less than a weekly basis, Activity Reports on all transactions utilizing standard EFT technologies shall be reviewed by an individual designated and approved by the Board that is not under the direct supervision of the School Business Administrator/Board Secretary and is not empowered to initiate or authorize EFTs.

(1) Reconciliations shall be performed on a monthly basis.

(2) All Activity Reports generated by the School Business Administrator/Board Secretary shall be monitored by another individual designated and approved by the Board who is not under the supervision of the School Business Administrator/Board Secretary.

f. A user that uploads an ACH file shall check the amounts and recipients against a register displaying ACH payments.

D. Claimant Certification; When Payment Can Be Made Without Claimant Certification - N.J.A.C. 5:30-9A.6

1. Claimant certification for a Board of Education shall be in accordance with the provisions of N.J.S.A. 18A:19-3 and rules promulgated by the New Jersey Department of Education.

E. Automated Clearing House (ACH) Transactions

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1. Providers of ACH and wire-transfer services must be financial institutions chartered by a State or Federal agency, with the further requirement that financial institutions providing ACH and wire transfer services be covered under the GUDPA, N.J.S.A. 17:9-41 et seq.
2. ACH payments shall follow rules set forth by the National Automated Clearing House Association (NACHA) or equivalent successor banking industry standard.
3. EFTs through ACH must utilize EDI technology which provides transaction related details including invoice numbers, pay dates, and other identifying information as appropriate for each transaction.
4. The Board of Education must approve an ACH Origination Agreement with the financial institution(s).
5. Users authorized to generate an ACH file shall neither have upload rights nor access permitting editing of a vendor routing number or vender account number.
6. Each edit to vendor ACH information must be approved by a separate individual and be logged showing the user editing the data, date stamp, IP address, and the approval of the edit.
7. Any user uploading an ACH file shall check the amounts and recipients against a register displaying ACH payments.
8. If supported by the financial institution, the Board of Education shall avail itself of the ability to recall ACH payments via NACHA file.

Adopted:

8320 – PERSONNEL RECORDS (M)

A. Content of Record

1. A personnel file shall be assembled and maintained for each person employed by this district. Each file shall contain the original or copies, as appropriate, of the following documents regarding the employee:

- a. The employee's current correct name, address, telephone number, and birthdate;
- b. Application form, including transcripts of all academic work, records of prior military service, and other supporting documents;
- c. Annual employment contract and/or annual salary notice, signed by the employee;
- d. Certificates and/or licenses required for employment;
- e. Documentation of fulfillment of requirements for any change in salary classification;
- f. Income tax forms;
- g. Retirement registration;
- h. Hospitalization forms;
- i. Annuity forms;
- j. Rate of compensation;
- k. Attendance record, including the starting and ending dates of all leaves of absence, whether the leave was paid or unpaid, and the purpose for which such leaves were granted;
- l. Assignment to positions, including position title and building to which assigned;
- m. Completed evaluations;

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- n. Reports of disciplinary incidents;
 - o. Records of special awards, commendations, or distinctions;
 - p. Oath of allegiance;
 - q. Reports of routine physical examinations; and
 - r. Reports of physical and mental examinations required for cause.
- 2. No information will be placed in an employees' file that does not pertain to the employee's position in this district and the performance of the employee's duties.
 - 3. The content of personnel files will be reviewed annually and material no longer required will be destroyed.
- B. Custodian of Personnel Records
- 1. The Superintendent is custodian of all personnel records.
 - 2. Personnel records shall be maintained in the office of the Manager of HR, who shall be records manager responsible for the day-to-day maintenance of the files and for supervising access to the files.
- C. Notice of Content of Files
- 1. Each employee shall be informed of the content of his/her personnel file.
 - 2. Each employee will be notified of the inclusion in his/her file of any document that was not received from the employee or at the direction of the employee.
 - a. No evaluation form will be placed in a personnel file until it has been reviewed and signed by the employee.

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b. No copy of a memorandum or letter sent by an administrator or other school official to an employee will be placed in the employee's file unless the original and copy include the notation "cc: Personnel File" or other clear indication of the author's intention to place the memorandum or letter in the employee's file.

c. No report or letter or memorandum from any source, other than documents referred to in paragraph C2b above, may be placed in an employee's file until a copy of the same has been delivered to the employee.

D. Employee Access to Personnel Records

1. Each employee shall be granted access to his/her personnel file in accordance with these regulations, except as may have been negotiated with the employee's majority representative.

2. Written request for access shall be submitted to the Manager of HR. Except in unusual circumstances, access shall be granted only during the regular working hours of the office in which the file is kept.

3. The employee shall review the record in the presence of the Manager of HR or his/her designee and, at the employee's request, a representative of the employee.

4. No alteration or addition or deletion may be made to the file, except that the employee may append to any document in the file his/her comment on that document.

5. The employee may hand copy any portion of his/her file and may receive photocopies of records on payment of the copying fees established for copies of public records.

E. Appeal of Content of the File

1. The employee may appeal to the Superintendent the exclusion or inclusion of any portion of his/her personnel file or the accuracy of any information in the file.

2. An appeal must be made in writing on a form available in the office of the Superintendent.

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3. The Superintendent shall render a decision on the appeal as soon as possible, but not later than 10 working days from the time the written appeal is submitted. The Superintendent's decision shall be in writing and shall be delivered to the employee and the records manager responsible for the employee's file.

4. Except as may be otherwise provided by contract negotiated with the employee's majority representative, the appellant may appeal the Superintendent's decision to the Board; a decision of the Board may be appealed to the Commissioner of Education.

F. Access by Board Members and School Officials

1. Personnel files may be inspected by school officials only as required in the discharge of their professional or statutory duties and to the extent required in the discharge of those duties.

2. Personnel files may be inspected by Board members when such inspection relates to the Superintendent's recommendation of a candidate for employment, promotion, transfer, dismissal, or discipline.

3. Much of the information included in an employee's file is confidential; access to the employee's file for professional reasons necessarily imposes on the person reviewing the file the duty to respect the confidentiality of the record.

G. Public Access to Employee Records and Information

1. A Board of Education and private agencies that provide educational services by means of public funds shall make employee records and information available for public access, pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act, but in accordance with N.J.S.A. 18A:6-120(d) and 121.(d) in accordance with N.J.A.C. 6A:32-4.3 and as outlined in this Regulation.

2. In accordance with the provisions of N.J.S.A. 47:1A-10, notwithstanding the provisions of N.J.S.A. 47:1A-1 et seq. or any other law to the contrary, the personnel or pension records of any individual in the possession of a public agency, including but not limited to, records relating to any grievance filed by or against an individual, shall not be

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considered a government record and shall not be made available for public access, except that:

a. An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, and the amount and type of any pension received shall be a government record;

b. Personnel or pension records of any individual shall be accessible when required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by the State of New Jersey or the United States, or when authorized by an individual in interest; and

c. Data contained in information which disclose conformity with specific experiential, educational, or medical qualification required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information, shall be a government record.

3. Information related to the evaluation of a particular employee shall be maintained by the school district, be confidential, and not be accessible to the public pursuant to N.J.S.A. 47:1A-1 et seq., as amended and supplemented, in accordance with N.J.S.A. 18A:6-120.d and 18A:6-121.d.

Adopted: