



Brick Township Public Schools

Board of Education Policy Manual

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Administration

Series 2000

Concepts & Roles in Administration:
Goals & Objectives

Policy 2000/2010

Date Adopted: November 20, 2008

Date Revised:

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Date Reviewed:

The Board of Education shall establish policies that govern all aspects of district operations. The Board expects the educational administration to direct, coordinate and supervise pupils and staff in their efforts to reach the goals and objectives adopted by the Board.

Within the guidelines of Board policy, negotiated agreements and New Jersey law, the Board expects the educational administration to:

1. Provide up-to-date information and sound professional advice to the Board, as an aid in rational decision making;
2. Plan, organize, implement and evaluate the educational programs established by Board policy, in order to provide optimum educational opportunities to the pupils of the district;
3. Provide these optimum educational opportunities at a reasonable cost;
4. Use efficient administrative management procedures, pursuant to law and regulations, and developed after consultation with and among the Board, administrators and appropriate staff members;
5. Coordinate the resources of the community and the district.
6. Keep the Board informed of all new legislative actions or changes in federal, state and local laws that affect the policies, programs or operations of the district.

Legal References

NJSA 18A:7A-3 et al. Public School Education Act of 1975 □
18A:7F-1 et seq. Comprehensive Education Improvement and Financing Act of 1996 □
18A:11-1 General mandatory powers and duties □
18A:12-21 et seq. School Ethics Act □

NJAC 6A:8-1.1 et seq. Standards and Assessment □
6A:28-1.1 et seq. School Ethics Commission □ N.J.
6A:30-1.1 et seq. Evaluation of the Performance of School Districts □
6A:32-1.1 et seq. School District Operations □

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Administrative Team Development

Policy 2110.1

Date Adopted:

Date Revised:

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Date Reviewed:

Among the criteria used in annual evaluation of members of the administrative team, Board of Education policy includes personal professional growth; keeping the public and the Board informed about modern educational practices and trends; maintaining and enhancing the districts standing in all its major internal and external relationships.

The Board recognizes that a valuable source of the information necessary to accomplish these objectives is attendance and participation by district staff at state, regional and national educational conferences, conventions, workshops and seminars.

Therefore, the Superintendent of Schools shall develop forms and regulations to permit each administrative team member to attend such events at district expense subject to the following conditions:

1. Superintendent of Schools approval of the relevancy and value of the event;
2. Duration of total absence not to exceed six consecutive school days;
3. Mileage allowance in accordance with the current NJ OMB Circular and Board Policy 3335 – Travel Expenses;
4. Coach accommodation when traveling by train or plane;
5. Mid-fare accommodation at hotels and motels; when pairs of team members are of the same sex, shared accommodations;
6. Participation must be approved by the Board.

These conditions shall apply to travel accommodations and reimbursement procedures for all district-paid attendance at such events.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

NJAC 6A:8-1.1 et seq. Standards and Assessment

6A:9-12.3 Authorization

6A:9-12.4 School administrator

6A:30-1.1 et seq. Evaluation of the Performance of School Districts

6A:32-1.1 et seq. School District Operations

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Residency Requirements

Policy 2111.4

Date Adopted:

Date Revised:

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Date Reviewed:

In accordance with the provisions of NJSA 52:14-7 (PL 2011, c. 70), otherwise known as the “New Jersey First Act,” which became effective on September 1, 2011, employees are expected to have their primary residences within the confines of the State of New Jersey, with the exceptions noted within this policy.

A candidate for employment within this district is granted up to 365 days of the effective date of hire to establish his/her principal residence in the State of New Jersey and maintain this principal residence throughout their employment.

For the purposes of this policy, a principal residence shall be defined as:

1. The primary domicile or home location of the employee or employment candidate;
2. The location that is designated as his/her legal address and legal residence for voting;
3. The place where he/she spends the majority of his/her non-working time;
4. The place that is most clearly the center of his/her domestic life;

A New Jersey mailing address shall not, by itself, constitute a principal address in New Jersey.

Current Employees

Any current employee who relocates his/her principal residence outside of the State of New Jersey, shall forfeit his/her employment with this district.

New Employees and/or Employment Candidates

Any and all newly hired or contracted employee of this district must, as a condition of employment, be a resident of the State of New Jersey.

Exemptions

Current employees living outside of the State of New Jersey as of September 1, 2011 are exempted from the residency requirements of this law and as long as the current employee remains an employee of this district, he/she will continue to be exempted from these residency requirements.

A newly hired administrator shall be granted up to 365 days to establish his/her principal residence in New Jersey.

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Current employees, new employees and/or employment candidates may apply for an exemption on the basis of “critical need or hardship” to the residency requirements of this policy and state law by filing an “Application for Exemption from the Provisions of NJSA 52:14-7a. of the New Jersey First Act” with the Employee Residency Review Committee, NJ Department of Labor and Workforce Development, Office of Legal and Regulatory Services, PO Box 110, Trenton, NJ 08625-0110. Copies of this application shall be available from the appropriate District Office.

Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
- 18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
- 18A:6-6 No sex discrimination
- 18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
- 18A:13-40 General powers and duties of board of newly created regional districts
- 18A:16-1 Officers and employees in general
- 18A:26-1, -1.1, -2 Citizenship of teachers, etc.
- 18A:27-1 et seq. Employment and Contracts
- 52:14-7 New Jersey First Act
- 52:14-7a Exemptions
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
- 6A:9-8.1 et seq. Requirements for Instructional Certification
- 6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional Certificate
- 6A:9-12.1 et seq. Requirements for Administrative Certification
- 6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 6A:32-4.1 Employment of teaching staff
- 6A:32-4.8 Support residencies for regularly certified, inexperienced first-year principals
- 6A:32-5.1 Standards for determining seniority

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Organizational Chart / Lines of Responsibility

Policy 2120

Date Adopted: November 20, 2008

Date Revised:

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Date Reviewed:

The administration organization of the district shall be considered as an orderly means of achieving the district's primary objective: An effective program of instruction for pupils.

The Board of Education shall operate under a unit control system headed by the Superintendent of Schools.

Organization or function charts for the district shall be prepared by the Superintendent of Schools and approved by the Board of Education to designate clearly the relationships of all employees within the district organization. The organization or function charts shall be kept up-to-date and changes shall be approved by the Board of Education.

The authority of the Board of Education is transmitted through the Superintendent of Schools along specific paths from person to person as shown in the organization chart of the school district. The lines of authority represent direction of authority and responsibility. The lines are those approved by the Board of Education and are intended to establish clear understanding on the part of all personnel of the working relationships in the school system.

Personnel are expected to refer matters requiring administrative action to the administrator to whom they are responsible.

Personnel are expected to keep the person to whom they are immediately responsible informed of their activities by appropriate means.

The district organizational chart shall be reviewed and updated as appropriate.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

NJAC 6A:9-12.3 Authorization

6A:9-12.4 School administrator

6A:32-1.1 et seq. School District Operations

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Administrative Positions / Job Descriptions

Policy 2130

Date Adopted:

Date Revised:

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Date Reviewed:

All administrative and supervisory positions shall be established initially by the Board of Education upon recommendation of the Superintendent of Schools. Prior to creating a new position, the Board will approve a job description including a statement of job requirements as prepared by the Superintendent of Schools.

The Board directs the Superintendent of Schools to maintain a comprehensive, coordinated set of job descriptions for all positions to promote efficiency in the administration of the schools.

The Superintendent of Schools shall supervise development and implementation of the procedures necessary for evaluation of certified and non-certified administrators and supervisors.

Tenured certified administrators and supervisors shall be evaluated annually by appropriate procedures consistent with NJ statutes and the Administrative Code. Non-tenured certified administrators shall be evaluated by appropriate procedures consistent with NJ statutes and the Administrative Code.

This policy does not affect those classified positions subject to the provisions set forth in the New Jersey Civil Service Act, NJSA 11A:1-1 to :12-6.

Legal References

NJSA 18A:11-1 General mandatory powers and duties□
11A:1-1 to :12-6 NJ Civil Service Act

NJAC 6A:9-12.3 Authorization□
6A:9-12.4 School administrator□
6A:32-1.1 et seq. School District Operations□

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Duties of the Superintendent of Schools

Policy 2131 [M]

Date Adopted: November 20, 2008

Date Revised: July 31, 2014

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Date Reviewed:

The Superintendent of Schools shall have general supervision over the schools of the district.

General Powers and Duties

The Superintendent of Schools is the chief advisor to the Board of Education, the executive officer of the school district, and the educational leader of the community. He/she shall have the power to issue instructions to effectuate Board policies and regulations. In matters of immediate importance not covered by Board policy or where an emergency exists, the Superintendent of Schools shall act at his/her own discretion after consultation with the Board President and shall report his/her action(s) officially to the Board of Education as soon thereafter as possible but no later than at the next regularly scheduled Board of Education meeting. He/she shall keep the Board informed of all developments affecting the control and direction of school affairs and of matters to the relationship with the local government. He/she shall perform such other duties and the Board may determine or direct.

Educational Objectives

In relation to educational objectives, the Superintendent of Schools shall:

1. Devote the major portion of he/her time to instructional leadership;
2. Recommend and submit to the Board for approval, the best methods of arranging the curriculum, courses of study, and all textbooks to be purchased.
3. Interpret and implement the policies and regulations of the district for the Board of Education, public and staff and make recommendations for their revision as appropriate; and,
4. Develop and implement, with the help of his/her staff, all state-mandated programs.

Board of Education

In relation to the Board of Education, the Superintendent of Schools shall;

1. Attend all public meetings of the Board of Education, workshops and other meetings where his/her presence is requested, except as excused by the Board of Education when the terms and conditions of his/her own employment are being considered or at his/her own request. He/she shall not have the right to vote;
2. Formulate and present to the Board, policies, plans, programs and proposals to improve school conditions;
3. Keep the Board fully and regularly informed as to the effectiveness of existing policies;
4. In cooperation with the Board Secretary/Business Administrator, prepare and submit the annual school budget to the Board and administer the budget as approved by the Board and the voters of the district; and,
5. Express his/her opinion in Board or committee meetings and make recommendations on any subject that will, in any way, affect the administration of his/her office and the operation of the school system.

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Administrative Staff

In relation to the administrative staff, the Superintendent of Schools shall:

1. Nominate and assign, subject to Board appointment, all persons in a supervisory or administrative capacity;
2. Coordinate the work of all administrative personnel;
3. Be responsible for the preparation of a job analysis, operating philosophy and procedures for each area or department in the school system; and,
4. Conduct administrative staff meetings concerning the development, and modification and evaluation of any or all parts of the educational program.

Personnel

In relation to personnel, the Superintendent of Schools:

1. Shall be responsible for the recommendation to the Board of Education of all appointments, reappointment, suspensions, dismissals and transfers of personnel;
2. With the approval of the Board President, may suspend any Assistant Superintendent, School Business Administrator, Principal, Assistant Principal or Teacher and shall report suspension to the Board, after which, the Board, by a majority vote of all members, may take whatever action it deems proper, subject to tenure laws, and negotiated agreements;
3. Shall assign teachers to schools and grades; and,
4. Shall maintain a positive working relationship within the school system by keeping the staff informed.

Evaluation

In programs of evaluation, the Superintendent of Schools shall:

1. Maintain a continuous program of evaluation with recommendations regarding continuation of employment of non-tenured employees and the granting of salary adjustments and increments to all employees; and,
2. Maintain a continuous program of evaluation of the effectiveness of all phases of the total educational program.

Community Outreach

In the program of public relations, the Superintendent of Schools shall:

1. Keep the citizens of the district informed of the activities, successes and needs of the schools; and,
2. Maintain a wholesome and cooperative working relationship between the schools and the community.
3. Act as spokesperson for the district. The Superintendent of Schools may delegate this responsibility to another appropriate staff member as he/she deems appropriate.

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Delegation

The Superintendent of Schools may delegate any of the aforesaid provisions to the responsible personnel subject to review by the Board of Education.

Evaluation of the Superintendent of Schools

The Board of Education shall be responsible for the annual evaluation of the Superintendent of Schools. It is recommended that the Board follow the timeline suggested by the New Jersey School Boards Association; however, the evaluation will be completed no later than the date required by law. The evaluation shall provide the means to improve the quality of Education for the pupils and to promote professional excellence and improved skills of the Superintendent of Schools. After the Board Members complete the evaluation, a summary of all evaluations should be made by the President of the Board or by committee. The summary will then be approved by the Board and presented to the Superintendent of Schools.

The evaluation procedure and process shall be a joint effort between the Board and the Superintendent of Schools. The procedure shall include the specific criteria utilized for the evaluation of performance to the job description and the methods of data collection for review. The procedure shall also include the preparation of a plan for professional growth and development of the Superintendent of Schools based on the needs identified in the evaluation.

The Superintendent of Schools evaluation procedure shall also include an annual summary conference between the Superintendent of Schools and a majority of the Board. The conference shall be held in private, unless the Superintendent of Schools requests that it be held in public. The evaluation procedure shall include an annual written performance report based on the evaluation and summary conference between the Board and the Superintendent of Schools. The report shall be prepared by a majority of the Board and shall include performance areas of strength, areas requiring improvement, recommendations for professional growth, a summary of available indicators of pupil progress and growth and a provision for the Superintendent of Schools to include data relative to job performance.

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Legal References

NOTE: These legal references pertain primarily to the superintendent's employment and evaluation. Many specific responsibilities are assigned by other statutes and administrative code regulations.

- NJSA 18A:4-15 General rule-making power
18A:6-10 through 17 Dismissal and reduction in compensation of persons under tenure in public school system
18A:12-21 et seq. School Ethics Act
18A:17-15 through 21 Appointment of superintendents; terms;
18A:17-20 Tenured and non-tenured superintendents; general powers and duties
18A:17-24 Clerks in superintendent's office
18A:17-24.1 Shared Administrators, Superintendents
18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees; exceptions
18A:28-3 through 6.1 No tenure for noncitizens
18A:29-14 Withholding increments; causes; notice of appeals
40:8A-1 et seq. Interlocal Services Act
- NJAC 6A:9-12 Requirements for Administrative Certification
6A:28-1.1 et seq. School Ethics Commission
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 et seq. Employment and Supervision of Teaching Staff
6A:32-4.3 Evaluation of tenured and nontenured superintendent
6A:32-4.4 Evaluation of tenured teaching staff members
6A:32-4.5 Evaluation of nontenured teaching staff members
- 8 U.S.C. 1101 et seq. - Immigration and Nationality Act
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Evaluation of the Superintendent of Schools

Policy 2132 [M]

Date Adopted:	Date Revised:	Page 1 of 3
Date Reviewed:		

The Brick Township Board Education, in compliance with state law, will evaluate the superintendent at least annually. Every newly appointed or elected board member shall complete the New Jersey School Boards Association's training program on evaluation of Superintendents within six months of commencement of his/her term of office. The purpose of the evaluation shall be:

- A. To promote professional excellence and improve the skills of the Superintendent;
- B. To improve the quality of the education received by the students served by the district;
- C. To provide a basis for the review of the job performance of the superintendent.

Role and Responsibility of the Board

The role and responsibility of the board in this evaluation shall be:

- A. To complete a New Jersey School Boards Association training program on the evaluation of the Superintendent within six months of the commencement of newly appointed or elected district Board Member's term of office (N.J.S.A. 18A:17-20.3.b see Board policy 9200 Orientation and Training of Board Members);
- B. To review, revise and adopt procedures suggested by the superintendent for implementation of this policy;
- C. To determine whether the services of a qualified consultant will contribute substantially to the evaluation process and to engage such a consultant as deemed appropriate to assist the board. The evaluation itself shall be the responsibility of the Board;
- D. To adopt an individual plan for professional growth and development of the Superintendent, based in part upon any needs identified in the evaluation. This plan shall be mutually developed by the Board and the Superintendent. The duration of the plan will be three to five years, depending on the Superintendent's contract with the school district;
- E. To hold an annual summary conference between a majority of its total membership and the Superintendent. The annual summary conference shall be held before the written performance report is filed. The conference shall be held in private, unless the superintendent requests that it be held in public. The conference shall include, but not be limited to, review of the following:
 - Performance of the Superintendent based upon the job description;
 - Progress of the Superintendent in achieving and/or implementing the school district's goals, program objectives, policies, instructional priorities, State goals, and statutory requirements; and
 - Indicators of student progress and growth toward program objectives.
- F. To prepare, by July 1st, subsequent to the annual summary conference, an annual written performance report, approved by a majority of the full membership of the Board. This report shall include:

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- Performance areas of strength;
 - Performance areas needing improvement based upon the job description and evaluation criteria in “E” above;
 - Recommendations for professional growth and development;
 - A summary of available indicators of student progress and growth and a statement of how these available indicators relate to the effectiveness of the overall program and the performance of the Superintendent;
 - Provision for performance data, which have not been included in the report prepared by the Board of Education to be entered into the record by the Superintendent within 10 working days after the completion of the report.
- G. To add all written performance reports and supporting data, including, but not limited to, indicators of student progress and growth to a superintendent’s personnel file. The records shall be confidential and not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

Role and Responsibility of the Superintendent of Schools

The Board shall determine the role and responsibility in consultation with the Superintendent. The superintendent shall be to provide information and propose procedures for:

- A. Development of a job description and evaluation criteria, based upon the district's local goals, program objectives, policies, instructional priorities, state goals, statutory requirements, and the functions, duties and responsibilities of the Superintendent. The evaluation criteria shall include but not be limited to available indicators of student progress;
- B. Specification of methods of data collection and reporting appropriate to the job description;
- C. Design of evaluation instruments suited to reviewing the superintendent's performance based upon the job description;
- D. Establishing an evaluation calendar to include a date for the annual conference and including appropriate information to allow proper consideration of all the items to be included in the subsequent written performance report;
- E. After the Board's adoption of the annual written performance report, to provide all other appropriate information relative to evaluation of his/her performance not contained in the report.
- F. Preparation and review of the Professional Growth Plan for the administrator’s professional development.

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Legal References

- NJSA 18A:4-15 General rule-making power
18A:6-10 through 18A:6-17 Dismissal and reduction in compensation of persons under tenure in public school system
18A:12-21 et seq. School Ethics Act
18A:17-15 through 18A:17-21 Appointment of superintendents; terms;
18A:17-20 Tenured and non-tenured superintendents; general powers and duties
18A:17-24 Clerks in superintendent's office
18A:17-24.1 Shared Administrators, Superintendents
18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees; exceptions
18A:28-3 through 18A:28-6.1 No tenure for noncitizens
18A:29-14 Withholding increments; causes; notice of appeals
40:8A-1 et seq. Interlocal Services Act
40A:65-1 et seq. Uniform Shared Services and Consolidation Act
- NJAC 6A:9-12 Requirements for Administrative Certification
6A:10-7.1 Evaluation of superintendents
- 6A:28-1.1 et seq. School Ethics Commission
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 et seq. Employment and Supervision of Teaching Staff
6A:32-4.3 Evaluation of tenured and nontenured superintendent
6A:32-4.4 Evaluation of tenured teaching staff members
6A:32-4.5 Evaluation of nontenured teaching staff members
- 8 U.S.C. 1101 et seq. - Immigration and Nationality Act
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Acting Superintendent of Schools

Policy 2133

Date Adopted:

Date Revised:

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Date Reviewed:

~~In the absence of the Superintendent of Schools, an Acting Superintendent of Schools is automatically assigned according to an order established by the Superintendent of Schools and approved by the Board of Education and shall conform to Policy 2120 and the official organization chart of the district.~~

~~The Superintendent of Schools shall revise and update the order of succession and share this order of succession with the appropriate personnel and the Board of Education.~~

~~The role of Acting Superintendent of Schools shall be the same as for the Superintendent of Schools.~~

In the temporary absence of the Superintendent of Schools, by reason of illness or absence from the State, an Acting Superintendent of Schools according to an order established by the Superintendent of Schools within the Organizational Chart approved by the Board pursuant to policy 2120.

Legal References

NJSA 18A:11-1 General mandatory powers and duties□

NJAC 6A:9-12.3 Authorization□

6A:9-12.4 School administrator□

6A:32-2.1 Definitions (superintendent)

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Administrative Positions – Review of Contracts

Policy 2200

Date Adopted:

Date Revised:

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Date Reviewed:

In accordance with NJAC 6A:23A-3.1, the Executive County Superintendent shall review and approve the following item relative to the contracts of the Superintendent of Schools and the Business Administrator:

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

In the absence of an Executive County Superintendent, the Assistant Commissioner for Field Services shall review and approve all above contracts.

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

The public notice and public hearing required pursuant to NJSA 18A:11-11 is applicable to the Board of Education, when it renegotiates, extends, amends, or otherwise alters the terms of an existing contract with the Superintendent of Schools or Business Administrator. It does not apply to new contracts, including contracts that replace expired contracts for existing employees in one of these positions, whether tenured or not tenured. Nothing precludes the Board of Education from issuing a public notice and/or holding a public hearing on new contracts, including new contracts that replace expired contracts for existing tenured and non-tenured employees.

In connection with the Executive County Superintendent's review of the contract, the Board of Education shall provide the Executive County Superintendent with a detailed statement setting forth the total cost of the contract for each applicable year, including salary, longevity (if applicable), benefits and all other emoluments.

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The contract review and approval shall be consistent with the following additional standards:

1. Contracts for each class of administrative position shall be comparable with the salary, benefits and other emoluments contained in the contracts of similarly credentialed and experienced administrators in other districts in the region with similar enrollment, academic achievement levels and challenges, and grade span.
2. No contract shall include provisions that are inconsistent with the travel requirements pursuant to NJSA.18A:11-12 including but not limited to the provisions for mileage reimbursement and reimbursement for meals and lodging in New Jersey. Any contractual provision that is inconsistent with law is superseded by the law.
3. No contract shall include provisions for the reimbursement or payment of employee contributions that are either required by law or by a contract in effect in the district with other teaching staff members, such as payment of the employee's State or federal taxes, or of the employee's contributions to FICA, Medicare, State pensions and annuities (TPAF), life insurance, disability insurance (if offered), and health benefit costs.
4. No contract shall contain a payment as a condition of separation from service that is deemed by the Executive County Superintendent to be prohibited or excessive in nature. The payment cannot exceed the lesser of the calculation of three months pay for every year remaining on the contract with proration for partial years, not to exceed 12 months, or the remaining salary amount due under the contract.
5. No contract shall include benefits that supplement or duplicate benefits that are otherwise available to the employee by operation of law, an existing group plan, or other means; e.g., an annuity or life insurance plan that supplements or duplicates a plan already made available to the employee. Notwithstanding the provisions of this section, a contract may contain an annuity where those benefits are already contained in the existing contract between that employee and the district.
6. Contractual provisions regarding accumulation of sick leave and supplemental compensation for accumulated sick leave shall be consistent with NJSA 18A:30-3.5. Supplemental payment for accumulated sick leave shall be payable only at the time of retirement and shall not be paid to the individual's estate or beneficiaries in the event of the individual's death prior to retirement. Pursuant to NJSA 18A:30-3.2, a new Board of Education contract may include credit of unused sick leave days in accordance with the new Board of Education's policy on sick leave credit for all employees.
7. Contractual provisions regarding accumulation of unused vacation leave and supplemental compensation for accumulated unused vacation leave shall be consistent with NJSA 18A:30-9. Contractual provisions for payments of accumulated vacation leave prior to separation can be included but only for leave accumulated prior to June 8, 2007 and remaining unused at the time of payment. Supplemental payments for unused vacation leave accrued consistent with the provisions of NJSA 18A:30-9 after June 8, 2007 as well as unused vacation leave accumulated prior to June 8, 2007 that has not been paid, shall be payable at the time of separation and may be paid to the individual's estate or beneficiaries in the event of the individual's death prior to separation

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8. Contractual provisions that include a calculation of per diem for 12 month employees shall be based on a 260 day work year.
9. No provision for a bonus shall be made except where payment is contingent upon achievement of measurable specific performance objectives expressly contained in a contract approved pursuant to this section, where compensation is deemed reasonable relative to the established performance objectives and achievement of the performance objectives has been documented to the satisfaction of the Board of Education.
10. No provision for payment at the time of separation or retirement shall be made for work not performed except as otherwise authorized above.
11. No contract shall include a provision for a monthly allowance except for a reasonable car allowance. A reasonable car allowance cannot exceed the monthly cost of the average monthly miles traveled for business purposes multiplied by the allowable mileage reimbursement pursuant to applicable law and regulation and NJOMB circulars. If such allowance is included, the employee cannot be reimbursed for business travel mileage nor assigned permanently a car for official district business. Any provision of a car for official district business must conform with NJAC 6A:23A-6.12 and be supported by detailed justification. No contract can include a provision of a dedicated driver or chauffeur.
12. All Superintendent of Schools contracts shall include the required provision pursuant to NJSA 18A:17-51 which states that in the event the Superintendent of Schools' certificate is revoked, the contract is null and void.
13. Any actions by the Executive County Superintendent undertaken pursuant to this subchapter may be appealed to the Commissioner pursuant to the procedures set forth in NJAC 6A:3.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:11-12 Travel
18A:17-15.1 Superintendent's contract
18A:30-3.2 Unused sick leave
18A:30-3.5 Payment for unused sick leave
18A:30-9 Payment for accumulated vacation
- NJAC 6A:3 Controversies and disputes
6A:9-12.3 Authorization
6A:9-12.4 School administrator
6A:23A-3.1 Accountability Regulations
6A:23A-6.12 Accountability Regulations
6A:32-2.1 Definitions (superintendent)

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Administrative Leeway in Absence of Board Policy

Policy 2210

Date Adopted:

Date Revised:

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Date Reviewed:

In cases where action must be taken within the school system and where the Board of Education has provided no guides for administrative action, the Superintendent of Schools shall have the power to act, but those decisions shall be subject to review by the Board of Education at its next regular meeting.

It shall be the duty of the Superintendent of Schools to inform the Board of Education promptly of such action and of the need for possible additional policies or revisions of existing policies.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:17-20 General powers and duties
18A:30-3.2 Unused sick leave
- NJAC 6A:9-12.3 Authorization
6A:9-12.4 School administrator
6A:32-2.1 Definitions (superintendent)

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Representative & Deliberative Groups

Policy 2220

Date Adopted:

Date Revised:

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Date Reviewed:

The Board encourages staff and community participation in decision-making. The Superintendent of Schools shall recommend and the Board may establish such committees as are necessary to make recommendations for the proper functioning of the district.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:17-20 General powers and duties

NJAC 6A:9-12.3 Authorization
6A:9-12.4 School administrator
6A:32-2.1 Definitions (superintendent)

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Series 2000

Nondiscrimination / Affirmative Action

Policy 2224 [M]

Date Adopted: November 11, 1988

Date Revised: June 26, 2014

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Date Reviewed:

State and federal statutes and regulations prohibit school districts from discriminatory practices in employment or educational opportunity against any person without regard to any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes.

The Board of Education will continue to support its Affirmative Action Resolution and implement the districts Equal Educational Opportunity Policy, school and classroom practices plan and contract/employment practices plan in accordance with law and regulation.

The Board authorizes the Superintendent of Schools to develop and implement a comprehensive equity plan as mandated by the New Jersey Department of Education to ensure that the district provides equality in educational programs and to identify and correct, or assess and prevent, all bias, discrimination and impermissible isolation in policies, practices and facilities of the district. Upon approval of this plan by the state department of education, the Board shall adopt it by resolution. A copy of the districts affirmative action/equity plans and self-evaluation of their achievement shall be available in the office of the Board Secretary/Business Administrator.

Affirmative Action Officer(s)

~~The Board shall appoint annually a certified member of the staff as Affirmative Action Officer and a 504 Compliance Officer. The Board shall adopt the job description of the Affirmative Action Officer and 504 Compliance Officer, giving them the responsibility to facilitate, oversee and ensure the development of implementation of school and classroom practices plan, employment and contract practices plan, school and classroom practices plan, school desegregation plan and section 504 plan, as well as related inter-program coordination. The Affirmative Action Officer shall ensure that the district upholds all regulations, codes and law related to equity in the schools.~~

~~The Affirmative Action Officer(s) shall monitor compliance with this policy. The name, work location and telephone number of the district Affirmative Action Officer(s) shall annually be made known to staff, pupils and members of the community.~~

The Board shall appoint a member of the staff as the affirmative action officer and form an affirmative action team, of whom the affirmative action officer is a member. The affirmative action officer shall serve as affirmative action/504 officer and/or desegregation coordinator(s). The affirmative action officer must have New Jersey certification with an administrative, instructional, or education services endorsement. The board shall ensure that all members of the school community know who the affirmative action officer is and how to access him/her.

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The affirmative action officer shall:

- A. Coordinate the required professional development training for certificated and non-certificated staff;
- B. Notify all students and employees of district grievance procedures for handling discrimination complaints; and
- C. Ensure that the district grievance procedures, including investigative responsibilities and reporting information, are followed.

The affirmative action team shall:

- A. Develop the comprehensive equity plan in compliance with administrative code;
- B. Oversee the implementation of the district's comprehensive equity plan;
- C. Collaborate with the affirmative action office in coordinating the required professional development training;
- D. Monitor the implementation of the comprehensive equity plan; and
- E. Conduct the annual district internal monitoring to ensure continuing compliance with state and federal law and code.

Harassment

The Board of Education shall maintain an instructional and working environment that is free from harassment of any kind. Administrators and supervisors will make it clear to all staff, pupils and vendors that harassment is prohibited. Sexual harassment shall be specifically addressed in the affirmative action in-service programs required by law for all staff

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

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

Sexual harassment of staff or children interferes with the learning process and will not be tolerated in the school. Harassment by Board members, employees, parents, students, vendors and others doing business with the district is prohibited. Any child or staff member who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the Affirmative Action Officer or Building Principal. Anyone else who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the Superintendent of Schools or Board President. Employees whose behavior is found to be in violation of this policy will be subject to the investigation procedure, which may result in discipline, up to and including dismissal. Other individuals whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the

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Superintendent of Schools with warranted approval by the Board. This policy on sexual harassment shall be distributed to all staff members.

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

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

School and Classroom Practices

In implementing the affirmative action plan, the district shall:

- A. Identify and correct the denial of equity of educational opportunities for pupils solely on the basis of any classification protected by law;
- B. Continually reexamine and modify, as may be necessary, its school and classroom programs, location and use of facilities, its curriculum development program, its instructional materials, availability of programs for children, and equal access of all eligible pupils to all extracurricular programs.

Contract/Employment Practices

The Board directs the Superintendent of Schools to ensure that appropriate administrators implement the district's affirmative action policy by:

- A. Adhering to the administrative code on selection of vendors and suppliers, informing vendors and suppliers that their employees are bound by the districts affirmative action policies in their contracts with district, its staff and pupils;
- B. Continuing implementation and refinement of existing practices and affirmative action plan, making certain that all recruitment, hiring, evaluation, training, promotion, personnel-management practices and collective bargaining agreements are structured and administered in a manner which furthers equal employment opportunity principles and eliminates discrimination on any basis protected by law.
- C. Holding in-service programs on affirmative action for all staff in accordance with law.

Disabled

The district shall, as much as feasible, make facilities accessible to disabled pupils, employees, and members of the community as intended by Section 504 and as specified in the administrative code.

Report on Implementation

The Superintendent of Schools shall implement regulations including grievance forms and procedures to implement the district's affirmative action policies. He/she shall report to the Board annually on the effectiveness of this policy and implementing procedures.

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Legal References

- NJSA 2C:16-1 Bias intimidation
2C:33-4 Harassment
10:5-1 et seq. Law Against Discrimination
18A:6-5 Inquiry as to religion and religious tests prohibited
18A:6-6 Sexual discrimination
18A:18A-17 Facilities for handicapped persons
18A:26-1 Citizenship of teachers, etc
18A:26-1.1 Residence requirements prohibited
18A:29-2 Equality of compensation for male and female teachers
18A:37-14 through -19 Harassment, intimidation, and bullying defined
18A:36-20 Discrimination; prohibition
26:8A-1 et seq. Domestic Partnership Act
- NJAC 5:23-7.1 et seq. Barrier free subcode of the uniform construction code
6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services
- Executive Order 11246 as amended
29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended
20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Vinson v. Superior Court of Alameda County, 740 P.2d 404 (Cal. Sup. Ct. 1987)
State v. Mortimer, 135 N.J. 517 (1994)
Taxman v. Piscataway Bd. of Ed. 91 F. 3d 1547 (3d Cir. 1996)
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)
L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05 (Feb. 22, 2007)
Comprehensive Equity Plan, New Jersey Department of Education

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Series 2000

Research, Evaluation & Planning

Policy 2240

Date Adopted: November 20, 2008

Date Revised:

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Date Reviewed:

As required by New Jersey Quality Single Accountability Continuum (NJQSAC), the Superintendent of Schools shall annually direct development or review of district long and short-range goals and the plan of action to attain them. Objectives shall be developed with community participation and approved by the Board of Education; the plan of action shall be prepared in consultation with teaching staff members. The districts plans shall be discussed at a public meeting before the date required by law.

Further, the Superintendent of Schools shall coordinate continual research and evaluation of programs and facilities. The master plan shall be studied and revised periodically to keep it in accord with the changing circumstances and aspirations of the district.

New Jersey Quality Single Accountability Continuum

The Superintendent of Schools shall provide a QSAC report to the public at a regular meeting of the Board, in accordance with existing New Jersey law. The report shall include all information specified in the administrative code. This report shall be disseminated to all staff and parents, and made available to the media.

School-Level Planning

The principal of each school in the district shall coordinate development and implementation of a multi-year school-level plan based on state-required data. This plan shall include pupil performance objectives, a review of progress by teaching and administrative staff, and the involvement of parents.

The performance objectives shall be based on pupil performance or behavior standards as defined in the administrative code.

At least once per semester, the principal of each school shall conduct meetings by grade level, department, team or similarly appropriate group to review the school-level plan. The review shall include:

- A. School report card (or equivalent) data;
- B. Progress toward achieving pupil performance objectives;
- C. Progress toward achieving core curriculum content standards.

Each principal shall sign a statement of assurance attesting to these activities on the form prescribed by the Commissioner of Education.

The Superintendent of Schools shall submit each school's objectives to the Executive County Superintendent for review and approval. The report on the achievement of objectives or progress toward benchmarks for the previous year shall be contained in the state-mandated annual report.

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Policy 2240

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Legal References

- NJSA 18A:7A-10 Evaluation of performance of each school □
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills □
18A:7A-14 Review of evaluation of district performance □
18A:7F-4 Periodic review of core curriculum content standard by state board; establishment of thoroughness and efficiency standards and cost per pupil □
18A:7F-6 Approval of budget by Commissioner

- NJAC 6A:8-1.1 et seq. Standards and Assessments □
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts □
6A:26-2.1 et seq. Long-Range Facilities Plans □
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions □
6A:32-12.1 Reporting requirements □
6A:32-12.2 School-level planning □
6A:32-13.1 et seq. Student Behavior
6A:32-14.1 Review of mandated programs and services

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A., 6301 et seq
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Administration

Series 2000

**Needs Assessment of the District
& the Individual Programs / Facilities**

Policy 2241

Date Adopted:

Date Revised:

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Date Reviewed:

The Superintendent of Schools shall monitor continuously the program and equipment needs of the district and the individual programs/facilities. To this end he/she shall devise appropriate instruments to identify and prioritize these needs, and report them to the Board as necessary, but at least annually before the budget is finalized.

Legal References

NJSA 18A:7A-10 Evaluation of performance of each school □
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills □
18A:7A-14 Review of evaluation of district performance □
18A:7F-4 Periodic review of core curriculum content standard by state board; establishment of thoroughness and efficiency standards and cost per pupil □
18A:7F-6 Approval of budget by Commissioner

NJAC 6A:8-1.1 et seq. Standards and Assessments □
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts □
6A:26-2.1 et seq. Long-Range Facilities Plans □
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions □
6A:32-12.1 Reporting requirements □
6A:32-12.2 School-level planning □
6A:32-13.1 et seq. Student Behavior
6A:32-14.1 Review of mandated programs and services

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A., 6301 et seq
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District Policy Manual

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Action Planning for Thorough & Efficient Certification

Policy 2255

Date Adopted: November 20, 2008

Date Revised:

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The Superintendent of Schools shall be responsible for assembling all necessary documentation to meet state certification requirements.

He/she shall ensure the district's compliance with all indicators when it is within his/her power to do so. He/she shall inform the Board in a timely fashion of any areas in which Board action is required to bring the district into compliance and suggest to the Board feasible plan of action.

In the event that the district or a program/facility within the district, does not receive full approval in classification by the Commissioner of Education, the Board of Education shall develop and implement a plan for improvement pursuant to the New Jersey Administrative Code.

Equivalency and Waiver Procedures

Before submission to the New Jersey Department of Education, the Board may apply to the Commissioner for a waiver of a specific rule or an equivalent means of implementing a rule through alternate procedures so long as the following criteria are met:

- The spirit and intent of New Jersey statutes, applicable federal laws and regulations, and the administrative code are served by granting the equivalency or waiver;
- The provision of a thorough and efficient education to the students in the district is not compromised as a result of the equivalency or waiver; and,
- There will be no risk to student health, safety or civil rights by granting the equivalency or waiver.

All applications for equivalency and waivers shall be signed by the Superintendent of Schools and approved by the Board of Education.

Legal References

- NJSA 18A:7A-10 Evaluation of performance of each school
- 18A:7A-14 Review of evaluation of district performance
- 18A:7F-1 et al. Comprehensive Educational Improvement and Financing Act
- 18A:26-2 Certificates required; exception
- NJAC 6A:5-1.1 et seq. Regulatory Equivalency and Waiver
- 6A:8-1.1 et seq. Standards and Assessments
- 6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott Districts
- 6A:23-8.3 Commissioner to ensure achievement of the Core Curricular Content Standards
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 6A:32-2.1 Definitions
- 6A:32-12.1 Reporting requirements
- 6A:32-12.2 School-level planning
- 6A:32-14.1 Review of mandated programs and services
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A., 6301 et seq
- Manual for the Evaluation of Local School Districts
- New Jersey Quality Single Accountability Continuum (NJQSAC)

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Administration

Series 2000

Action Planning for State Monitoring - NJQSAC

Policy 2256

Date Adopted:

Date Revised:

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The Board of Education recognizes that it has important functions under the New Jersey state monitoring system: Quality Single Accountability Continuum (NJQSAC). The Board shall comply with the requirements of the Department of Education's three-year monitoring system by completing the District Performance Review (DPR). The district shall be assessed in the following five key areas:

- A. Operations;
- B. Instruction and Program;
- C. Governance;
- D. Fiscal managements;
- E. Personnel.

The Superintendent of Schools shall take the following steps to oversee the efficient completion of the District Performance Review every three years as required by law:

District Performance Review form shall be completed by the district committee. The Superintendent of Schools shall determine the total number of people that will serve on the committee. The Superintendent of Schools shall appoint the following persons to the committee, and, in his or her discretion, may include other persons on the committee with the approval of the Board of Education:

- A. Superintendent of Schools;
- B. One or more members of the administrative staff;
- C. One or more teaching personnel, representative of different grade levels and/or;
- D. The appropriate administrative team, as well as other appropriate personnel;
- E. One or more member representatives of the local collective bargaining unit of the educational staff selected by the local collective bargaining unit; which may include the teaching personnel otherwise appointed in "C" above; and
- F. One or more members of the Board selected by the Board.

The Superintendent of Schools shall:

- A. Ensure that the process used by the committee in completing the District Performance Review provides for participation and input by all committee members;
- B. Consult with the committee in formulating a response to all weighted quality performance indicators of each component of school district effectiveness;
- C. Ensure that the responses in District Performance Review encompass and reflect the circumstances that exist in the school district; and
- D. Ensure that all responses to the District Performance Review can be verified by data and supporting documentation or otherwise and provide this verification to the department upon request. In accordance with the provisions of NJAC 6A:30-3.2 District Performance Review.

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Additionally, the Superintendent of Schools shall ensure the district's compliance with all indicators when it is within his/her power to do so. He/she shall inform the Board in a timely fashion of any areas in which Board action is required to bring the district into compliance, and suggest to the Board feasible plans of action.

Upon completion of the proposed responses to the District Performance Review, the Board of Education shall fix a date, place and time for the holding of a public meeting, which may be a regularly scheduled meeting of the district Board of Education. The proposed responses to the District Performance Review and statement of assurance shall be presented to the Board for approval by resolution.

The Board shall ensure that:

- A. The proposed responses to the District Performance Review and statement of assurance shall be posted on its internet site, if one exists, at least five working days prior to the date fixed for the meeting, and shall make it available for examination by the public at the district Board offices or another reasonable location;
- B. Notice of the meeting shall be published as required by the Open Public Meetings Act and this notice shall inform the public that the District Performance Review and statement of assurance will be discussed at the meeting and the times and manner in which members of the public may view the proposed responses to the District Performance Review; and
- C. At the public meeting the public shall have the opportunity to comment and be heard with respect to the proposed responses to the District Performance Review. The public shall have the opportunity to submit written comments prior to the meeting, as well in accordance with the provisions of NJAC. 6A:30-3.2 District Performance Review.

If the school district fails to satisfy the evaluation criteria, the Board of Education shall cooperate in undertaking corrective action plans indicated by the executive county superintendent and pursuant to the New Jersey administrative code.

Certification requirements for teaching staff members shall not be violated.

Equivalency & Waiver Procedures

The Board may apply to the commissioner for a waiver of a specific rule or an equivalent means of implementing a rule through alternate procedures so long as the following criteria are met:

- A. The spirit and intent of New Jersey statutes, applicable federal laws and regulations, and the administrative code are served by granting the equivalency or waiver;
- B. The provision of a thorough and efficient education to the students in the district is not compromised as a result of the equivalency or waiver; and
- C. There will be no risk to student health, safety or civil rights by granting the equivalency or waiver.

All applications for equivalency and waivers shall be in accordance with NJAC 6A:5-1.4 and shall be signed by the Superintendent of Schools and approved by the Board of Education.

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Action Planning for State Monitoring - NJQSAC

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Legal References

- NJSA 18A:7A-10 Evaluation of performance of each school
18A:7A-14 Review of evaluation of district performance
18A:7F-1 et al. Comprehensive Educational Improvement and Financing Act
18A:26-2 Certificates required; exception
- NJAC 6A:5-1.1 et seq. Regulatory Equivalency and Waiver
6A:8-1.1 et seq. Standards and Assessments
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott Districts
6A:23-8.3 Commissioner to ensure achievement of the Core Curricular Content Standards
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning
6A:32-14.1 Review of mandated programs and services
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A., 6301 et seq
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)