

BRADLEY BEACH BOARD OF EDUCATION

**515 Brinley Avenue
Bradley Beach, NJ 07720**

A G E N D A

**Regular Meeting
October 18, 2022**

I. Call To Order/ Open Public Meetings Act

In accordance with the Open Public Meetings Act, notice of this meeting has been given to the designated newspapers, *The Asbury Park Press* and *the Coast Star*, and posted in the school in a place reserved for this kind of notice.

II. Flag Salute/Roll Call

III. Discussion Items

- Presentation of 2021/22 NJSLA and ACCESS Scores
- Student Representative's Report

IV. Student Representative Report

V. Minutes:

Approval of Meeting Minutes

Resolved: That the Board approve the Minutes of:

Regular Meeting – September 20, 2022
Confidential Executive Sessions – September 20, 2022

MOTION: _____ SECOND: _____ VOTE: _____

VI. Superintendent's Report

Executive Session

A. Personnel

Note: All appointments of district staff are contingent upon satisfying the requirements of the New Jersey Criminal History Background Check Status

1. Resolved: That the Board approve the following personnel for stipend positions for the 2022/2023 school year as agreed in the BBEA Collective Bargaining Agreement, under the supervision of Mr. Michael Heidelberg, Principal / Superintendent: [B]

Position	Staff Member(s)	Payment
Boys Baseball	Mr. D. Grothues	\$3,576.00

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2. Resolved: That the Board approve the appointment of the following substitute teacher for the 2022/2023 school year, at a rate of \$100.00 per day, under the supervision of Mr. Michael Heidelberg, Principal / Superintendent:

- Ms. Joanne Papaianni

3. Resolved: That the Board approve the attendance and the registration cost of the following staff members for engagement in the designated professional training: [G]

Staff Member(s)	Date(s) of Event	Name/Title of Professional Training	Location	Cost
Amanda Bialek	11-30-22 1-25-23	Climate Change Workshop Series	Raritan Valley Community College	\$250
Ashley Fox, Courtney Hammell	10-20-22	AMTNJ Fall Conference	Crowne Plaza Princeton Conference Center	\$209
Jessica Whitman	12-02-22	Inclusion Leadership Conference	Cherry Hill, NJ	\$175
Emilee D'Angelo	12-01-22	Helping Struggling Readers Become More Successful Readers	Online	\$279
Amanda Bialek, Kathryn Skribner Heather Sauer	10-25-22	NJSBA Workshop	Atlantic City, NJ	(\$146.67 Each) Total \$440.01

4. Resolved: That the Board approve the following clinical practice placements for the 2022/23 school year, under the supervision of Ms. Morgan Maclearie-Gonzalez, Director of Curriculum and Instruction:

Name	University	Cooperating Teacher	Timeline
Ms. Cecelia Lacovara	Monmouth University	Ms. A. Bialek	October - December 2022

5. Resolved: That the Board accept, with regret, the resignation of Ms. Reveka Bojic-Medic, School Secretary effective, October 28, 2022. (Attachment VI-A.5)

6. Resolved: That the Board approve the appointment of Ms. Reveka Bojic-Medic, as a substitute School Secretary, effective October 28, 2022, paid at the per diem rate of \$100 per day, under the supervision of Mr. Michael Heidelberg, Principal / Superintendent.

7. Resolved: That the Board rescind the appointment of Ms. Jennifer Bennett, Preschool Paraprofessional, retroactive to October 3, 2022.

8. Resolved: That the Board approve the appointment of Ms. Maria Panetta to the position of Paraprofessional, replacing Ms. Jennifer Bennett, assigned to the Pre-K program for the 2022/23 school year, effective October 19, 2022, at a salary of \$26,876 prorated per

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start date, under the supervision of Mrs. Alison Zylinski, Director of Special Services and Mr. Michael Heidelberg, Principal / Superintendent. (Attachment VI-A.8) [B]

9. Resolved: That the Board approve the appointment of Ms. Melanie McCarthy, Administrative Assistant to the Superintendent / Principal, replacing Ms. Ruth Ramirez, for the 2022/23 school year, effective October 19, 2022, at a salary of \$46,000 prorated per start date, under the supervision of Mr. Michael Heidelberg, Principal / Superintendent. (Attachment VI-A.9) [B]

B. Curriculum

1. Resolved: That the Board approve the current written curriculum guides, textbooks, and e-textbooks for grades PreK-12 until such time as revisions, additions and/or deletions presented to the Board of Education for adoption for the 2022/23 school year, under the supervision of Ms. Morgan Maclearie-Gonzalez, Director of Curriculum and Instruction and Mr. Michael Heidelberg, Principal / Superintendent.
2. Resolved: That the Board approve the Annual Preschool Operational Plan Update for the 2023/24 school year to be provided to the Division of Early Childhood Services under the supervision of Mrs. Alison Zylinski, Director of Special Services and Mr. Michael Heidelberg, Principal / Superintendent. (Attachment VI-B.2)
3. Resolved: That the Board approve the Anti-Bullying Bill of Rights School Self-Assessment for the 2021/22 School Year. (Attachment VI-B.3)

MOTION: _____ SECOND: _____ VOTE: _____

C. Policy

1. Resolved: That the Board approve the following Policy for a first reading: (Attachment VI-C.1)

Policy/Regulation Number	Policy/Regulation Title
P 5512	Harassment, Intimidation, Or Bullying

2. Resolved: That the Board approve the Uniform State Memorandum of Agreement between Education and Law Enforcement Officials for the 2022/23 school year. (Attachment VI-C.2)

MOTION: _____ SECOND: _____ VOTE: _____

D. Students

1. Resolved: That the BBES Bullying Specialist reports no incidents of Harassment, Intimidation, and Bullying, with one (1) investigation in the Month of October 2022.

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2. Resolved: That the Board approve the following 2022/2023 student field trips that provide community onsite learning aligning with the New Jersey Student Learning Standards: [B]

Date	Grade	Location	Cost	Bus
10/19/22	PreK	Allaire Community Park 4265 Atlantic Ave. Farmingdale, NJ 07727	\$476	\$200
5/31/23	7th	Philadelphia: Independence Hall, National Constitution Center, Museum of American Revolution, Franklin Print Shop	\$350	\$1,900

MOTION: _____ SECOND: _____ VOTE: _____

VII. Business Administrator/Board Secretary's Report

A. Approval of Revised Three-Year Comprehensive Maintenance Plan

Resolved: That the Board approve the following resolution:

WHEREAS, the Department of Education requires New Jersey School Districts to have three-year maintenance plans documenting "required" maintenance activities for each of its public school facilities, and

WHEREAS, the required maintenance activities as listed in the attached document for the school facilities of the Bradley Beach Board of Education are consistent with these requirements, and

WHEREAS, all past and planned activities are reasonable to keep school facilities safe for use or in their original condition and keep their system warranties valid, and

NOW, THEREFORE, BE IT RESOLVED that the Bradley Beach Board of Education hereby authorizes the Business Administrator/Board Secretary to submit the attached Three-Year Comprehensive Maintenance Plan for the Bradley Beach Board of Education in compliance with Department of Education requirements. Said plan is on file for public inspection in the Office of the Business Administrator/Board Secretary.
 (Attachment VII-A)

MOTION: _____ SECOND: _____ VOTE: _____

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B. Approval of Annual Required Maintenance Budget Amount – Form M-1

Resolved: That the Board approve Form M-1, Annual Maintenance Budget Amount Worksheet, required per N.J.A.C. 6:24. (Attachment VII-B)

MOTION: _____ SECOND: _____ VOTE: _____

C. Approval of the Acceptance FY 2022 Elementary and Secondary Education (ESEA) Formula Grant Carry-Over Funds

Resolved: That the Board approve the acceptance of the FY 2022 ESEA Carry-Over funds in the following amount:

Program Name	Carry-Over Amount
Title IIA	\$3,747.13
Title IV	6,375.00

MOTION: _____ SECOND: _____ VOTE: _____

D. Approval to Delete Stale Dated Check

Resolved: That the Board approve the deletion of the following stale dated check from the Bradley Beach School Account ending in 0089:

Check Date	Check Number	Check Amount
10/15/2021	37223	\$67.60

MOTION: _____ SECOND: _____ VOTE: _____

E. Approval of Business Administrator/Board Secretary's Financial Report

Resolved: That the Financial Report of the Business Administrator/Board Secretary for the month ending September 30, 2022 is hereby approved and the Business Administrator/Board Secretary is instructed to file same. (Attachment VII-E)

MOTION: _____ SECOND: _____ VOTE: _____

F. Approval of Treasurer's Financial Report

Resolved: That the Financial Report of the Treasurer of School Funds for the month ending September 30, 2022 is hereby approved and the Business Administrator/Board Secretary is instructed to file same. The report is in agreement with the report of the Business Administrator/Board Secretary. (Attachment VII-F)

MOTION: _____ SECOND: _____ VOTE: _____

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G. Approval of Monthly Certification

Resolved: That pursuant to N.J.A.C. 6A:23A-16.10(c)3, we certify that as of September 30, 2022, after review of the Secretary's Monthly Financial Report (appropriations section) and upon consultation with the appropriate district officials, that to the best of our knowledge, no major account or fund has been over-expended in violation of N.J.A.C. 6A:23A-16.10(c)3; that no line item appropriation is in violation of N.J.A.C. 6A:23A-16.10(c)3, and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

MOTION: _____ SECOND: _____ VOTE: _____

H. Approval of Budget Transfers (2022/2023)

Resolved: That the Board approve the 2022/2023 budget transfers as listed on Attachment VII-H.

MOTION: _____ SECOND: _____ VOTE: _____

I. Approval of September 2022 Payroll

Resolved: That the Board approve the September 2022 gross payroll in the amount of \$395,277.35.

MOTION: _____ SECOND: _____ VOTE: _____

J. Approval of Bills Payment

Resolved: That the Board approve payment of the October 18, 2022 regular bills list and as certified and approved. (Attachment VII-J)

MOTION: _____ SECOND: _____ VOTE: _____

VIII. Old Business

IX. New Business

X. Committee Reports

XI. President's Report

XII. Public Comments (Agenda Items Only)

XIII. Public Comments (Other Items Only)

XIV. Executive Session (if required)

XV. Adjournment

Wednesday, September 28th, 2022

Dear Mr. Heidelberg,

Please accept this letter as formal resignation of my positions as Attendance Secretary at Bradley Beach Elementary School. My last day will be Thursday, October 27th, 2022.

It was a pleasure working with everyone and I appreciate getting the chance to work alongside everyone and learn from them.

Thank you very much,
Reveka Bojic-Medic

Maria A. Panetta

Special Education Paraprofessional

SKILLS

Interpersonal and communication skills, resourceful, team-oriented, patience, organization, assist in classroom and time management

EXPERIENCE

Monmouth Montessori Academy, Spring Lake Heights, NJ - Instructional Teacher's Assistant

SEPTEMBER 2015 - AUGUST 2020

- Assisted certified teachers in primary classroom (ages 3-6) and lower elementary classroom (ages 6-9) settings
- Aided in student supervision and promoted a positive learning environment through motivation and encouraging autonomy
- Helped minimize classroom disruptions and assisted teachers in conflict resolution amongst students
- Participated in the development of student self-directed activities using Montessori methods and principles

Old Mill Elementary School, Wall, NJ - Instructional Paraprofessional (Grades 1 and 2)

SEPTEMBER 2004 - JANUARY 2008

- Experience working with children with IEPs
- Assisted students with emotional, cognitive and physical needs, under the direction and supervision of certified teachers
- Helped provide a safe, productive and caring environment for the students
- Assisted in classroom management

Jersey Shore Medical Center, Neptune, NJ - PCA (ICU/CCU)

SEPTEMBER 1996 - NOVEMBER 1999

Royal Leamington Spa Rehabilitation Hospital, Warwickshire, UK - Registered Nurse

MAY 1993 - MARCH 1995

EDUCATION

Coventry University, Warwickshire, UK - Registered Nurse

MAY 1993

With over five years of team management experience in a face-paced, dynamic, and office environment, my abilities to multitask, organizational talents, and people skills are some of my strongest assets.

WORK EXPERIENCE

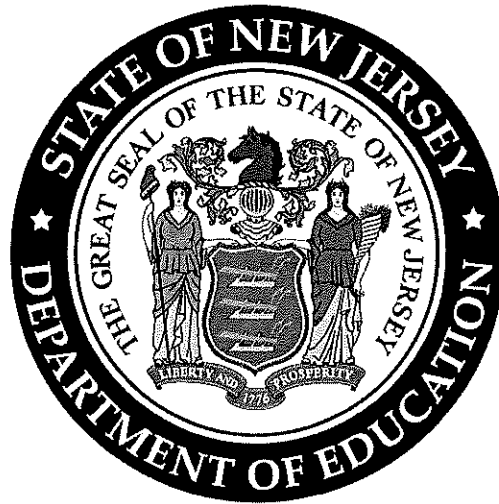
- HERCULES HVAC** - Office Manager July 2022 – Present
- Maintain accounts receivable/payable, scheduling and all customer service needs.
 - Recruit, Interview, Hire and schedule maintenance techs.
- OPTIMUM PROPERTIES** - Office Manager Sept. 2021 – July 2022
- Locate and research million-dollar multifamily investment opportunities, submitted letters of intent and assisted with underwriting prior to purchase. Made recommendations and prepared comps reports primarily using CoStar.
 - Monitor clerical, administrative and secretarial responsibilities.
- COSTAR GROUP (CSGP)** - Research Operations and Project Manager Mar. 2017 – Aug. 2021
- Managed day to day operations of a team of ten. Approved time off, verified schedules and submitted hours for pay.
 - Interviewed, hired, and coached new team members. Provided corrective action if needed.
 - Organized in office team functions, team outings and provided motivational encouragement when needed. Maintained confidentiality standard with regard to team members performance and personal needs.
 - Prioritized team success and client communication as we shifted from in-person to remote work during the pandemic. Regular team meetings and creative problem solving were essential.
 - Regular data clean-up projects were needed when errors were located. Project roll out and progress updates were directly reported to senior leadership often including PowerPoint presentations with analytical data, project timeliness and efficiency of the project. Formal recommendations for improvement were drafted and submitted as needed.
 - Formalized all newly created processes with SOP's to assist with rollout, change implementation and manage performance expectations.
 - Handled ad hoc assignments including data analysis, often cross functionally collaborating with peers to meet aggressive deadlines.
 - Identified when additional team support was needed, follow up included team meetings, reviewing metrics / expectations and revisiting workload if needed.
 - Assisted with in-person market visits in the absence of an available market manager. This visit included travel, hosting forums and being able to answer questions /explain processes for our clients.
 - Exceeded monthly Sales, Customer Service and Research goals month after month by setting small weekly attainable goals and creating friendly competition within the team.
- WEINSTEIN PROPERTIES** - Assistant Leasing Manager Feb. 2016 - Mar. 2017
- Worked closely with the property manager to review and maintain annual budgets / property inventory. Worked with the maintenance team to ensure property upkeep.
 - Executed lease contracts, processed rent payments and maintenance for a 400-unit apartment community with 98% occupancy.
- SEARCH DAY PROGRAM** - One on One Teacher Aide Mar. 2015 - Feb. 2016
- Assisted classroom teacher and working with individuals with autism.

EDUCATION

Master of Business Administration - *QUINNIPIAC UNIVERSITY* May 2017
Bachelor of Science - *UNIVERSITY OF CONNECTICUT* May 2012

SKILLS

Mac, PC, Google Suite, Microsoft Word, Excel, PowerPoint, Outlook, QuickBooks, & Salesforce.



Division of Early Childhood Services

Annual Preschool Operational Plan Update

Former Abbott's, Charter Schools, and PEA Districts

Due: November 15, 2022

Angelica Allen-McMillan, Ed.D.

Acting Commissioner

New Jersey Department of Education

Contact:

Cary A. Booker

Assistant Commissioner

Division of Early Childhood Services

Contact Number: (609) 376-9077

doeearlychild@doe.nj.gov

I. Introduction

1.1 Purpose

The purpose of the Three-Year Preschool Program Operational Plan is to provide a comprehensive description of how the school district will implement each component of a high-quality preschool program for three- and four-year-old children as detailed in the [New Jersey Administrative Code \(N.J.A.C.\) 6A:13A](#) and the [Preschool Program Implementation Guidelines](#).

The Department of Education requires the district to submit a Three-Year Preschool Program Operational Plan Annual Update for the 2023-2024 school year describing any changes to the originally submitted Three-Year Preschool Program Operational Plan. A school district's Preschool Program Operational Plan Update should be based on the results of data derived from program assessments, including the Early Childhood Environmental Rating Scale-revised (ECERS-3), curriculum-specific program assessment tools, the Self-Assessment and Validation System (SAVS) and/or, Grow NJ Kids self-assessment and any other source of information specific to the school district's preschool program. In addition to the Annual Update, districts must submit an annual district budget planning workbook and provider budget workbooks (if applicable) along with a board resolution approving the budget submission. The District Planning Workbook and certified board resolution approving the budget submission are due on March 10, 2023.

Helpful Hint: If you have formatting difficulties with the gray text areas, type your responses in a separate Word document first and then copy and paste the response into the text area using right-click copy + right-click paste on your mouse. Make sure to paste "Keep Text".

1.2 Submission Instructions

The district should provide detailed answers to the questions listed. The Three-year Plan Update is to be uploaded into Homeroom by November 15, 2022.

1.2a Title Page

Preschool Education Aid (PEA)

Part I: PEA Plan Update Title Page		
County and Code: 025		
District and Code: 0500		
Address		
515 Brinley Avenue		
City: Bradley Beach	State: NJ	Zip: 08735
Early Childhood Contact: Alison Zylinski		
Telephone Number: 732-775-4413	Fax#: 732-775-4413 x112	
Email: azylinski@bbesnj.org		
Business Administrator: David Tonzola Phone#: 732-775-4413 x112		
Email: dtonzola@bbesnj.org		
Date of Board Resolution: October 18, 2022		
Attach the Board-Certified Resolution or provide the date of the expected board resolution.		
Proposal Certification: To the best of my knowledge and belief, the information contained in the proposal is true and correct. The governing body of this agency has duly authorized this document, and we will comply with the attached assurances. I further certify that the proposal is complete.		
<hr/> Signature of Chief School Administrator	<u>Michael Heidelberg</u> Print Name	<u>October 18, 2022</u> Date

II. District-Wide Planning

Refer to [N.J.A.C. 6A:13A](#), including the Enrollment, Universe, and Program Planning sections and the Preschool Program Implementation Guidelines, when completing the following questions.

Provide an overview of 2023-2024 district-wide preschool program planning. Listed below are questions the district must address:

Please complete the tables below.
 Indicate any open position to be hired.
 Add rows as needed.

Table 1 – Primary Early Childhood Contact/Administrator for the District

Prefix and Full Name	Email address	Phone number	Title
Alison Zylinski	azyliniski@bbsnj.org	732-775-4413	Director of Special Services

Table 2 –Secondary Early Childhood Contact (if applicable)

Prefix and Full Name	Email address	Phone number	Title

Table 3 – Superintendent/Chief School Administrator

Prefix and Full Name	Email address	Phone number	Title
Michael Heidelberg	mheidelberg@bbsnj.org	732-775-4413	Superintendent

Table 4 – Business Administrator

Prefix and Full Name	Email address	Phone number	Title
David Tonzola	dtonzola@bbsnj.org	732-775-4413	Business Administrator

Table 5 – Early Childhood Fiscal Specialist (if applicable)

Prefix and Full Name	Email address	Phone number	Title

Table 6 – Early Childhood Supervisors

Prefix and Full Name	Email address	Phone number	Title

Table 7 – Preschool Instructional Coach (Formerly Master Teacher, 1:20 classroom ratio required)

Prefix and Full Name	Number of assigned classrooms	Date Preschool Instructional Coach Seminar Completed (Formerly Master Teacher Seminar)	Is this individual in a shared role? (Yes/No) i.e., PIRS, CPIS	Indicate the percentage of time this individual is in the Preschool Instructional Coach role.
Keri Lippman	2	July 13, 2016	No	One full day per month

Table 8 – Preschool Intervention and Referral Specialist (1:20 classroom ratio required)

Prefix and Full Name	Number of assigned classrooms	Date Preschool Intervention and Referral Specialist Seminar Completed	Is this individual in a shared role? (Yes/No) i.e., PIC, CPIS	Indicate the percentage of time this individual is in the Preschool Intervention and Referral Specialist role.
Jessica Whitman	2	February 8, 2018	Yes	Daily as needed

Table 9 – Community Parent Involvement Specialist

Prefix and Full Name	Number of preschool students enrolled	Is this individual in a shared role? (Yes/No) i.e., Social worker, PIRS	Indicate the percentage of time this individual is in the Community Parent Involvement Specialist role.
Vicki Curran	30	Yes	Daily as needed

Table 10 – Preschool Social Worker (1:250-300 ratio required)

Prefix and Full Name	Number of preschool students served	Is this individual in a shared role? (Yes/No) i.e., CPIS, PIRS	Indicate the percentage of time this individual is in the Preschool Social Worker role.
Alison Zylinski	30	Yes	Daily as needed

Table 11 – Preschool Nurse (1:300 ratio required)

Prefix and Full Name	Number of preschool students served	Name of school(s) assigned	Indicate the percentage of time this individual is in the Preschool Nurse role.
Mary McClatchey	30	Bradley Beach Elementary School	Daily as needed

1. What overall program quality improvements do you plan on addressing in the 2023-2024 school year?

Grow NJ Kids have not resumed the rating process and are still conducting provisional ratings. Our district will be submitting for regular rating when it resumes and through this process we will be able to identify areas for improvement. Our district is committed to continuing our curriculum based training in Tools of the Mind and

developing parent resources to further support the development of our students. Lastly, we will continue to examine our enrollment trends and determine ways to expand our universe should our data indicate.

- Does the district have sufficient capacity to serve 90% of your universe? If not, describe your district's short and long-term plans to serve additional children.

This year our enrollment indicates we are meeting almost 90% of our universe. We do have the ability to expand in district should our enrollment data indicate the need.

- To serve additional students, will the district partner with local childcare programs and/or Head Start? If not, why not?

We have not determined a need for additional preschool seats.

- If you are not enrolled in Grow NJ Kids, what is preventing your participation and what is the plan to move forward in the process?

We are enrolled in Grow NJ Kids and anticipating entering into the rating process this school year.

Facilities

All district and provider classrooms must meet facilities requirements of 950 square feet (inclusive of closets, bathroom, and built-in units) or at a minimum of 700 square feet of instructional space. Districts will be required to provide the total square footage for all projected PEA-funded preschool classrooms in-district and at contracted provider sites.

If the district has received a waiver approval for classroom size, please submit a copy of the approval with this document.

Facilities Chart

Site (School, Childcare Private Provider and/or Head Start) (i.e., name of provider or district building)	Class (i.e. Classroom #1)	Class size (i.e., total sq. footage)	Bathroom in classroom (Y/N)	Bathroom In line of sight, if not in the classroom Y/N/NA *in line of sight – is the bathroom visible from the classroom?	Floor Level
Bradley Beach Elementary School	# 1	688	N	Y	2 nd
Bradley Beach Elementary School	# 2	688	N	Y	2 nd

III. Community Collaboration and Planning

Refer to N.J.A.C. 6A:13A, including the sections on Family and Community Involvement and the Preschool Program Implementation Guidelines, when completing the following questions.

1. What, if any, changes will there be to the role and/or composition of the Early Childhood Advisory Council next year?

No changes to our ECAC are anticipated for our 23-24 school year.

2. How does the preschool program plan to involve community members in delivering services in the 2023-2024 school year?

Our preschool program will continue the programming we have in place, which includes a needs assessment, linkages to resources, and activities that involve our community members. We plan activities every quarter to involve the community with our preschool program. We link families to community based services as needs arise and facilitate regular parent training and support programs. The school has relationships with the our local library, recreation department, CCYC, local Food Pantry, Community Affairs, Child Care Resources, and local health clinics.

IV. Family Involvement

Refer to N.J.A.C. 6A:13A, including the sections on Family and Community Involvement and the Preschool Program Implementation Guidelines, when completing the following questions.

1. What strategies and activities does the district plan to implement to increase family engagement in the 2023-2024 school year?

Our school will continue to host child center activities on a quarterly basis to increase family engagement. The district has recognized recreationally based activities that include the children are well attended, as opposed to events that are solely for the parents; therefore we create opportunities for parental support and recreational child center activities to occur simultaneously.

2. What specific activities does the Community Parent Involvement Specialist (CPIS) plan to use in the 2023-2024 school year to increase family involvement in planning educational goals for their children?

The CPIS will work with the school social worker to plans events described above. The school has created a video library of parent information sessions for parents to access as needed when it is convenient for them.

3. How does the Community Parent Involvement Specialist (CPIS) work with family workers if the district contracts with private providers and/or Head Start?

NA

4. How does the Community Parent Involvement Specialist (CPIS) collaborate with other district family engagement staff, i.e., social workers, parent involvement coordinators, and guidance counselors? Please be as specific as possible.

We are a small educational facility, so all our professionals work in many of the roles listed and coordinate constantly in the planning of events and in the provision of resources based on the results of the needs assessment the ESI-R survey and teacher referral. We offer our families support with behavioral issues, meeting their basic needs, holiday assistance, and health/medical issues. To accomplish these tasks, the CPIS collaborates with the nurse and school social worker, as well as community partners and the teachers.

V. Curriculum Development and Implementation

Refer to [N.J.A.C. 6A:13A](#), including the sections on Curriculum and Assessment and the Preschool Program Implementation Guidelines, when completing the following questions.

1. What curriculum will the district implement in the 2023-2024 school year?

Tools of the Mind

2. What performance-based child assessment will the district implement?

GOLDS – Teaching Strategies

3. How will your curriculum implementation be supported in the 2023-2024 school year?

Our curriculum is supported through Tools of the Mind professional development, weekly preschool PLCs, and coaching. Our teachers are encouraged to use reflective practices and use the TPOT and ECERS to grow in their professional practice and deliver a high quality preschool program to our students.

4. What supports are in place for the preschool program's 2023-2024 school year for English Language Learners? Please be as specific as possible.

Our preschool program utilizes the suggestions in the Tools of the Mind curriculum, the NJ Preschool Classroom Teaching and Guidelines, and ECERS to guide our practice and support our English Language Learners. This includes books in multiple languages, items in class labeled in Native Language, use of pictures to guide directions, ESI-R provided in Native Language, and all communication home provided in Native Language.

5. How will the district incorporate equity and anti-bias practices as part of culturally- relevant teaching?

It is imperative our students have access to materials in their native language and students' cultural and religious obligations and traditions are acknowledged and celebrated. All our special education students are also included and provided access to our general education curriculum, with supports and services as indicated.

6. How will the district's child assessment system support curriculum implementation in the 2023-2024 school year?

The child assessments will assist teachers in differentiating instruction to scaffold their learning, as well as monitor the progress of students and identify students who may be in need of additional interventions.

7. Please describe how the Preschool Instructional Coach, Community Parent Involvement Specialist (CPIS) and Preschool Intervention and Referral Specialist (PIRS) positions plan to collaborate to improve the quality of instruction to preschool students in the 2023-2024 school year?

These individuals are all members of the Preschool PLC, who meet weekly to review student progress, develop intervention plans as needed, and plan for parents and community engagement activities.

8. Has there been any changes to the district’s plan to implement the developmentally based early childhood screening assessment noted in your district’s plan previously submitted?

No, our preschool program continues to use the ESI-R to screen our preschool students. Students are also provided health screenings early in the school year.

9. How is your district meeting the requirement of Erin’s Law (NJSA18A:35-4.5(a)) to provide sexual assault prevention education?

Our school counselor /CPIS will utilize the Second Step program to meet the requirements of Erin’s Law.

VI. Inclusion of Children with Disabilities in General Edu. Classrooms

Refer to N.J.A.C. 6A:13A, including the sections on Program Planning and Intervention and Support Services, as well as the Preschool Program Implementation Guidelines, when completing the following questions.

1. Describe how professional development and progress monitoring has improved student outcomes for inclusion students?

Our inclusion program in preschool has been supported by professional development, including Technical Assistance from the NJCIE on the inclusion of Autistic students, and TOM professional development focused on Diverse Learners.

2. How does your program design incorporate the principle of natural proportions in general education preschool classrooms? (2-3 children with disabilities in each classroom)

Due to our obligation to educate identified students referred from Early Intervention or from the community and only having two preschool classrooms, our “natural proportions” are dependent on the identified students in our community in need of Special Education and Related Services. For the 22-23 school year, we are aligned with natural proportions, but that has varied year to year. We are committed to our inclusive preschool and providing students with good models, access to the general education curriculum, and the least restrictive environment.

3. Describe transition activities for inclusion preschool students entering kindergarten?

The transition to kindergarten is not significant in our school because of our size. Our preschool classrooms are in the same building as our kindergarten classes. As students enter the spring before their transition to kindergarten, they have opportunities to visit the kindergarten classrooms. Additionally, the CST case manager remains the same for PK and K, and is able to facilitate articulation meetings with the teachers.

4. Share what district supports are available to students with IEPs surrounding social and emotional development.

The Tools of the Mind curriculum supports the social and emotional development of all students, including those with IEPs. The inclusive classroom provides students with IEPs opportunities to play, interact, and model from their typically developing peers.

VII. Professional Development and Training

Refer to N.J.A.C. 6A:13A, including the section on Program Planning and the Preschool Program Implementation Guidelines, when completing the following questions.

1. Describe the specialized training your administration, nurses, and other support staff will receive in the 2023-2024 school year.

The staff will be encouraged to access additional professional development opportunities through the NJDOE, Grow NJ Kids, Montclair State University basecamp, NJCIE and the NJCCIS system, which focus on Early Childhood Education. The preschool supervisor sits on the Grow NJ Kids advisory council.

2. What specific family education programs will the preschool nurse offer to families to educate them on health care issues and practices?

The school nurse will engage family in education sessions on health care issues and practices based on areas of assessed need with input from the parents need assessment and referrals from teachers.

3. What specific professional development opportunities will the preschool nurse offer to staff to educate them on health care issues and practices?

The school nurse educates our staff on medical issues as described in professional development mandates as outlined by the NJDOE.

4. How does the district plan to provide professional development to staff about Erin's law (N.J.S.A.18A:35-4.5(a))?

Our school district covers the topic if Erin's Law when providing the staff training in regards to mandatory reporting for Child Abuse and Neglect.

VIII. Additional Questions

Refer to [N.J.A.C. 6A:13A](#) as well as the Preschool Program Implementation Guidelines when completing the following questions.

1. What challenges does the district anticipate in quality program implementation for the 2023-2024 school year?

There are no anticipated problems identified at this time.

2. Please describe any challenges the district faces in creating an effective preschool through 3rd grade transition plan.

Due to our small size and being housed in one building, there are no challenges anticipated.

3. What health screenings will the preschool nurse complete?

The school nurse will continue to screen students for height, weight, vision and hearing concerns. She will also encourage families to establish a medical home if they do not have one, enroll in NJ FamilyCare if they do not have insurance, and provide resources to facilitate obtaining a medical home for their child(ren).

4. When will the health screenings be completed?

The preschool students will be a priority in health screenings and be completed within the first two months of school.

5. How is the district ensuring that all children, regardless of eligibility for free and reduced lunch, receive meals and snacks in the district and provider settings?

Students will never be allowed to go without meals and/or snacks. These will be provided by the National School Lunch Program regardless of eligibility or status of any meal payment.

6. Please describe any changes to the district's approved 2022-2023 Operational Plan that have not been addressed in the previous questions.

Our 22-23 Operational Plan is being implemented as anticipated.

Resources

[N.J.A.C. 6A:13A, Elements of High-Quality Preschool Programs Preschool Code \(PDF\)](#)

[Preschool Teaching and Learning Guidelines \(PDF\)](#)

[Grow NJ Kids Website](#)

[National Center Pyramid Model Innovations](#)

Statement of Assurances

As the duly authorized chief school administrator/school business administrator of the applicant agency, I am aware that submitting the accompanying document to the New Jersey Department of Education (NJDOE) constitute the creation of a public document, and I certify that the applicant agency:

- Has the legal authority to apply for the funds made available under the requirements of the announcement, and has the institutional, managerial and financial capacity to ensure proper planning, management and completion of the project described in this application.
- Will give the NJDOE, or its authorized representatives, access to, and the right to examine, all records, books, papers, or documents related to the award and will establish a proper accounting system in accordance with generally accepted accounting principles (GAAP).
- Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes, or presents the appearance of, personal or organizational conflict of interest, or personal gain.
- Will comply with provisions of the Public School Contracts Law: *N.J.S.A. 18A:18A-1, et seq.*, and other relevant state laws and regulations as well as its principals and subgrantees, for all grant awards in excess of \$25,000.00, is not presently debarred, proposed for debarment, declared ineligible, suspended, or voluntarily excluded by any federal agency from receiving federal funds in accordance with Executive Orders 12549 and 12689.
- Will comply with Section 6002 of the Resource Conservation and Recovery Act (RCRA), P.L. 94-580, codified at 42 U.S.C. 6962 if the applicant is an entity of the state and/or local government and will give preference to the purchase of recycled materials identified in U.S. EPA guidelines (40 CFR Part 247-254).
- Will comply with all federal and state statutes and regulations relating to nondiscrimination. These include, but are not limited to:
 - (A) Title VI of the Civil Rights Act of 1964 (P.L. 88-352; 34 CFR Part 100) which prohibits discrimination on the basis of race, color or national origin;
 - (B) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686; 34 CFR Part 106), which prohibits discrimination on the basis of sex;
 - (C) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794; 34 CFR Part 104), which prohibits discrimination on the basis of handicaps;
 - (D) Section 503 of the Rehabilitation Act of 1973, as amended (41 CFR Parts 60-741.5(a)), as applicable, which requires affirmative action in employment;
 - (E) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 *et seq.*; 45 CFR Part 90), which prohibits discrimination on the basis of age, and
 - (F) the Americans With Disabilities Act of 1990, as amended (P.L. 101-336), which guarantees equal opportunity for individuals with disabilities.
- Will comply with Executive Order 11246, "Equal Employment Opportunity," dated September 24, 1965, as amended by Executive Order 11375, dated October 13, 1967, and as supplemented by the regulations at 41 CFR Part 60.
- Will comply with the provisions of the Drug-Free Workplace Act of 1988, as implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610.
- Will comply with the provisions of the Drug Free Schools and Communities Act Amendments of 1989, as implemented at 34 CFR Part 86, Subparts A-E (institutions of higher education only).

- Will comply with the provisions set forth in the facilities efficiency standards wherein preschool classrooms shall have 950 square feet in total with a minimum of 750 square footage of usable space and shall be no higher than the second floor of a building as defined in N.J.A.C. 6A:26 and shall not be located in the basement.
- Will comply with the provisions of full day general education and full day self-contained classrooms.

Applicant Agency: _____

Signature of Chief School Administrator: _____

Applicant Agency: _____

Signature of School Business Administrator: _____

Date: _____

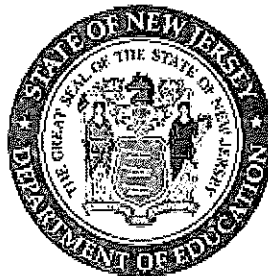
New Jersey Department of Education

School Self-Assessment for Determining Grades under the *Anti-Bullying Bill of Rights Act*

School Name: Bradley Beach Elementary School

District Name: Bradley Beach School District

School Year: July 1, 2021 - June 30, 2022



School Name: Bradley Beach Elementary School

District Name: Bradley Beach School District

School Year: July 1, 2021 - June 30, 2022

Core Element #1: HIB Programs, Approaches or Other Initiatives (N.J.S.A. 18A:37-17a)

Indicators	Score (0-3)
A. The school annually <i>established</i> HIB programs, approaches or other initiatives.	3
B. The school annually <i>implemented</i> and documented HIB programs, approaches, or other initiatives.	3
C. The school annually <i>assessed</i> HIB programs, approaches or other initiatives.	3
D. The school's HIB programs, approaches or other initiatives were designed to <i>create school-wide</i> conditions to prevent and address HIB.	3
E. The school safety/school climate team (SS/SCT) <i>identified patterns</i> of HIB and <i>reviewed</i> school climate and school policies for the prevention of HIB.	3
SUB-TOTAL (possible 15)	15

Core Element #2: Training on the BOE-approved HIB Policy and Procedures (N.J.S.A. 18A:37-17b and c)

Indicators	Score (0-3)
A. School employees, contracted service providers and volunteers were provided <i>training</i> on the HIB policy.	2
B. The HIB policy training included instruction on preventing HIB on the basis of <i>protected categories</i> enumerated in the ABR and <i>other distinguishing characteristics</i> that may incite incidents of discrimination or HIB.	3
C. The HIB policy was <i>discussed</i> with students, in accordance with the district's process for these discussions.	3
SUB-TOTAL (possible 9)	8

School Name: Bradley Beach Elementary School

District Name: Bradley Beach School District

School Year: July 1, 2021 - June 30, 2022

Core Element #3: Other Staff Instruction and Training Programs (N.J.S.A. 18A:6-112, N.J.S.A. 18A:37-22d, N.J.S.A. 18A:37-26a, N.J.S.A. 18A:37-21d, N.J.S.A. 18A:26-8.2)

Indicators	Score (0-3)
A. Each teaching staff member completed at least 2 hours of <i>instruction in suicide prevention that included information on HIB</i> , in each five-year professional development period.	3
B. Each teaching staff member completed at least 2 hours of <i>instruction on HIB prevention</i> , in each five-year professional development period.	3
C. The school anti-bullying specialist (ABS) was given <i>time during the usual school schedule</i> to participate in in-service training in preparation to act as the ABS.	3
D. The members of the school safety/school climate team (SS/SCT) were provided with professional development in effective practices of successful school climate programs or approaches.	3
E. School building leaders* have received information on the prevention of harassment, intimidation and bullying as part of their training on issues of school ethics, school law and school governance.	3
SUB-TOTAL (possible 15)	15

Core Element #4: Curriculum and Instruction on HIB and Related Information and Skills (N.J.S.A. 18A:37-29)

Indicators	Score (0-3)
A. The school <i>provided ongoing, age-appropriate instruction</i> on preventing HIB in accordance with the New Jersey Student Learning Standards.	3
B. The school observed the <i>"Week of Respect,"</i> during the week beginning with the first Monday in October of each year, <i>recognizing the importance of character education</i> by providing age-appropriate instruction focusing on HIB prevention.	3
SUB-TOTAL (possible 6)	6

School Name: Bradley Beach Elementary School

District Name: Bradley Beach School District

School Year: July 1, 2021 - June 30, 2022

Core Element #5: HIB Personnel (N.J.S.A. 18A:37-20a, N.J.S.A. 18A:37-20c, N.J.S.A. 18A:37-21a)

Indicators	Score (0-3)
A. The principal <i>appointed</i> a school anti-bullying specialist (ABS).	3
B. The ABS <i>met</i> at least two times per school year with the district anti-bullying coordinator (ABC).	3
C. The school safety/school climate team (SS/SCT) <i>met</i> at least two times per school year to develop, foster and maintain a positive school climate by focusing on the ongoing, systemic process and practices in the school and to address school climate issues including HIB.	3
SUB-TOTAL (possible 9)	9

Core Element #6: School-Level HIB Incident Reporting Procedure (N.J.S.A. 18A:37-15b(5), N.J.S.A. 18A: 37-15b(6)(a))

Option A

Indicators	Score (0-3)
A. The school <i>implemented</i> the district's procedure for reporting HIB that includes all required elements.	3
B. The school <i>implemented</i> the district's procedure for reporting new information on a prior HIB report.	2
SUB-TOTAL (possible 6)	5

School Name: Bradley Beach Elementary School

District Name: Bradley Beach School District

School Year: July 1, 2021 - June 30, 2022

Core Element #7: HIB Investigation Procedure (N.J.S.A. 18A:37-15b(5) and (6)(a) and (b))

Option A

Indicators	Score (0-3)
A. <i>Notification</i> to parents of alleged offenders and alleged victims in each reported HIB incident.	3
B. <i>Completion</i> of the investigation within 10 school days of the written incident report.	3
C. Preparation of a <i>written report</i> on the findings of each HIB investigation	3
D. Indicator D. Results of the investigation reported to the chief school administrator (CSA) within <i>2 school days</i> of completion of the investigation.	3
SUB-TOTAL (possible 12)	12

Core Element #8: HIB Reporting (N.J.S.A. 18A:17- 46)

Indicators	Score (0-3)
A. The school has a <i>procedure</i> for <i>ensuring</i> that staff member reports (i.e., verbal and written) include the required information for all incidents of violence, vandalism and HIB.	3
B. The official grades received from the NJDOE, for the Self-Assessment from the previous reporting period, for the school and for the school district are posted on the home page of the school's website per the ABR and the requirements of the NJDOE.	3
SUB-TOTAL (possible 6)	6

TOTAL SCORE (possible 78) 76

POLICY

BRADLEY BEACH BOARD OF EDUCATION

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Harassment, Intimidation, or Bullying
Oct 22
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5512 HARASSMENT, INTIMIDATION, OR BULLYING

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- O. Reports to Law Enforcement
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- Q. Students with Disabilities
- A. Prohibiting Harassment, Intimidation, or Bullying

The Board of Education prohibits acts of harassment, intimidation, or bullying of a student. The Board has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards; harassment, intimidation, or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. Since students learn by example, school administrators, faculty, staff, and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying.

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s); adoptive parent(s); legal guardian(s); resource family parent(s); or parent surrogate(s) of a student. When parents are separated or divorced, "parent" means the person or agency which has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided parental rights have not been terminated by a court of appropriate jurisdiction.

- B. Definition of Harassment, Intimidation, or Bullying

"Harassment, intimidation, or bullying" means any gesture, any written, verbal or physical act, or any electronic communication, as defined in N.J.S.A. 18A:37-14, whether it be a single incident or a series of incidents that:

1. Is reasonably perceived as being motivated by either any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;



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Harassment, Intimidation, or Bullying

2. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, as provided for in N.J.S.A. 18A:37-15.3;
3. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students; and that
 - a. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to their person or damage to their property; or
 - b. Has the effect of insulting or demeaning any student or group of students; or
 - c. Creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

The Board recognizes that bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance. Recognizing "a real or perceived power imbalance" may assist school officials in identifying harassment, intimidation, or bullying within the context and relative positions of the alleged aggressor and target.

"Electronic communication" means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or remotely activating paging device (N.J.A.C. 6A:16-1.3).

In accordance with the Board of Education's Code of Student Conduct and this Policy, all acts of harassment, intimidation, or bullying that occur off school grounds, such as "cyber-bullying" (e.g., the use of electronic means to harass, intimidate, or bully) is addressed in this Policy.



C. Student Behavior

The Board of Education expects students to conduct themselves in keeping with their levels of development, maturity, and demonstrated capabilities, with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities and the care of school facilities and equipment, consistent with the Code of Student Conduct.

The Board believes that standards for student behavior must be set cooperatively through interaction among the parents and other community representatives, school administrators, school employees, school volunteers, and students of the school district, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school district and community property on the part of students, staff, and community members.

Students are expected to behave in a way that creates a supportive learning environment. The Board believes the best discipline is self-imposed, and that it is the responsibility of staff to use instances of violations of the Code of Student Conduct as opportunities for helping students learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with students shall apply best practices designed to prevent student conduct problems and foster students' abilities to grow in self-discipline.

The Board expects students will act in accordance with the student behavioral expectations and standards regarding harassment, intimidation, or bullying, including:

1. Student responsibilities (e.g., requirements for students to conform to reasonable standards of socially accepted behavior; respect the person, property, and rights of others; obey constituted authority; and respond to those who hold that authority);
2. Appropriate recognition for positive reinforcement for good conduct, self-discipline, and good citizenship;
3. Student rights; and



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Harassment, Intimidation, or Bullying

4. Sanctions and due process for violations of the Code of Student Conduct.

Pursuant to N.J.S.A. 18A:37-15(a) and N.J.A.C. 6A:16-7.1(a)1, the district has involved a broad-base of school and community members, including parents, school employees, volunteers, students, and community representatives, in the development of this Policy.

Pursuant to N.J.A.C. 6A:16-7.1, the Board developed guidelines for student conduct, taking into consideration the nature of the behavior; the nature of the student's disability, if any and to the extent relevant; the developmental ages of students; severity of the offenses and students' histories of inappropriate behaviors; and the mission and physical facilities of the individual school(s) in the district. This Policy requires all students in the district to adhere to the rules established by the school district and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules.

Pursuant to N.J.A.C. 6A:16-7.1, the Superintendent shall annually provide to students and their parents the rules of the district regarding student conduct. Provisions shall be made for informing parents whose primary language is other than English.

The district prohibits active or passive support for acts of harassment, intimidation, or bullying. The school district will support students who:

1. Walk away from acts of harassment, intimidation, or bullying when they see them;
2. Constructively attempt to stop acts of harassment, intimidation, or bullying;
3. Provide support to students who have been subjected to harassment, intimidation, or bullying; and
4. Report acts of harassment, intimidation, or bullying to the designated school staff member.



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Harassment, Intimidation, or Bullying

D. Consequences and Remedial Actions

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for students who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Student Conduct, and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation, or bullying.

In every incident found to be harassment, intimidation, or bullying, the school Principal, in consultation with appropriate school staff, may apply disciplinary consequences and/or remedial actions, such as the provision of counseling, behavioral interventions, or other measures.

Appropriate consequences and remedial actions are those that are graded according to the severity of the offenses; consider the developmental ages of the student offenders; the nature of the student's disability, if any and to the extent relevant; and students' histories of inappropriate behaviors, per the Code of Student Conduct and N.J.A.C. 6A:16-7.

The following factors, at a minimum, shall be given full consideration by the school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by students.

Factors for Determining Consequences

- Age, disability (if any and to the extent relevant), developmental and maturity levels of the parties involved and their relationship to the school district;
- Degrees of harm;
- Surrounding circumstances;
- Nature and severity of the behaviors;
- Incidences of past or continuing patterns of behavior;
- Relationships between the parties involved; and
- Context in which the alleged incidences occurred.



Factors for Determining Remedial Measures

Personal:

- Life skill deficiencies;
- Social relationships;
- Strengths;
- Talents;
- Traits;
- Interests;
- Hobbies;
- Extra-curricular activities;
- Classroom participation;
- Academic performance;
- Relationship to peers; and
- Relationship between student/family and the school district.

Environmental:

- School culture;
- School climate;
- Student-staff relationships and staff behavior toward the student;
- General staff management of classrooms or other educational environments;
- Staff ability to prevent and manage difficult or inflammatory situations;
- Availability of programs to address student behavior;
- Social-emotional and behavioral supports;
- Social relationships;
- Community activities;
- Neighborhood situation; and
- Family situation.

Examples of Consequences and Remedial Measures

The consequences and remedial measures may include, but are not limited to, the examples listed below:



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Harassment, Intimidation, or Bullying

Examples of Consequences:

- Admonishment;
- Temporary removal from the classroom (any removal of .5 days or more must be reported in the Student Safety Data System);
- Deprivation of privileges;
- Classroom or administrative detention;
- Referral to disciplinarian;
- In-school suspension during the school week or the weekend;
- Out-of-school suspension (short-term or long-term);
- Reports to law enforcement or other legal action;
- Expulsion; and
- Bans from receiving certain services, participating in school-district-sponsored programs or being in school buildings or on school grounds.

Examples of Remedial Measures

Personal:

- Restitution and restoration;
- Peer support group;
- Recommendations of a student behavior or ethics council;
- Corrective instruction or other relevant learning or service experience;
- Supportive student interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
- Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate;
- Behavioral management plan, with benchmarks that are closely monitored;
- Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- Involvement of school "disciplinarian;"
- Student counseling;
- Parent conferences;



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Harassment, Intimidation, or Bullying

- Alternative placements (e.g., alternative education programs);
- Student treatment; and
- Student therapy.

Environmental (Classroom, School Building, or School District):

- School and community surveys or other strategies for determining the conditions contributing to HIB;
- School culture change and school climate improvement;
- Adoption of research-based, systemic bullying prevention programs;
- School policy and procedures revisions;
- Modifications of schedules;
- Adjustments in hallway traffic;
- Modifications in student routes or patterns traveling to and from school;
- Supervision of student before and after school, including school transportation;
- Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
- Teacher aides;
- Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- General professional development programs for certificated and non-certificated staff;
- Professional development plans for involved staff;
- Disciplinary action for school staff who contributed to the problem;
- Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
- Parent conferences;
- Family counseling;
- Involvement of parent-teacher organizations;
- Involvement of community-based organizations;
- Development of a general bullying response plan;
- Recommendations of a student behavior or ethics council;
- Peer support groups;



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Harassment, Intimidation, or Bullying

- Alternative placements (e.g., alternative education programs);
- School transfers; and
- Law enforcement (e.g., safe schools resource officer, juvenile officer) involvement or other legal action.

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion of students, as set forth in the Board's approved Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1.

The Principal, in consultation with appropriate school staff, shall develop an individual student intervention plan when a student is found to be an offender in three harassment, intimidation, or bullying incidents and each subsequent incident occurring within one school year. The student intervention plan may include disciplinary consequences and/or remedial actions and may require the student, accompanied by a parent, to satisfactorily complete a class or training program to reduce harassment, intimidation, or bullying behavior. Each student intervention plan must be approved by the Superintendent.

While the majority of incidents may be addressed solely by school officials, the Superintendent or designee and the Principal shall report a harassment, intimidation, or bullying incident to law enforcement officials if the conduct rises to the level of a mandatory report as outlined in the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials.

Consequences and Appropriate Remedial Actions – Adults

The district will also impose appropriate consequences and remedial actions to an adult who commits an act of harassment, intimidation, or bullying of a student. The consequences may include, but not be limited to: verbal or written reprimand; increment withholding; legal action; disciplinary action; termination; and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.



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Harassment, Intimidation, or Bullying

E. Reporting Harassment, Intimidation, or Bullying

The Board of Education requires the Principal at each school to be responsible for receiving all complaints alleging harassment, intimidation, or bullying committed by an adult or youth against a student. All Board members, school employees, and volunteers and contracted service providers who have contact with students, are required to verbally report alleged acts of harassment, intimidation, or bullying to the Principal or designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board members, school employees, and contracted service providers who have contact with students, also shall submit a New Jersey Department of Education-approved HIB 338 Form to the Principal within two school days of the verbal report. Failure to make the required report(s) may result in disciplinary action. The HIB 338 Form shall be kept on file at the school, but shall not be included in any student record unless the incident results in disciplinary action or is otherwise required to be contained in a student's record under State or Federal Law.

The district may not fail to initiate an investigation of harassment, intimidation, or bullying solely because written documentation was not provided. Failing to conduct a harassment, intimidation, or bullying investigation solely because a parent or student did not submit written documentation violates the Anti-Bullying Bill of Rights Act and this Policy. If a parent makes a verbal allegation of harassment, intimidation, or bullying to a district staff member, but does not complete and submit the HIB 338 Form, the staff member or a designee must complete and submit the HIB 338 Form.

The Principal or designee is required to inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. Pursuant to N.J.A.C. 6A:16-7.7(a)2.viii.(2), when providing notification to the parents of all students involved, the Principal or designee shall take into account the circumstances of the incident when conveying the nature of the incident, including the actual or perceived category motivating the alleged offense. The Principal or designee shall keep a written record of the date, time, and manner of notification to the parents.



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Harassment, Intimidation, or Bullying

The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation.

Students, parents, and visitors are encouraged to report alleged acts of harassment, intimidation, or bullying to the Principal or designee on the same day when the individual witnessed or received reliable information regarding any such incident. The school district shall provide a person an online means to complete the HIB 338 Form to anonymously report an act of harassment, intimidation, or bullying. Formal action for violations of the Code of Student Conduct may not be taken solely on the basis of an anonymous report.

A Board member or school employee who promptly reports an incident of harassment, intimidation, or bullying and who makes this report in compliance with the procedures set forth in this Policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

The Principal shall promptly submit a copy of each completed HIB 338 Form to the Superintendent.

The district may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. For anonymous reporting, in addition to making the HIB 338 Form available online, the district may consider locked boxes located in areas of a school where reports can be submitted without fear of being observed.

A school administrator who receives a report of harassment, intimidation, or bullying or who determines a reported incident or complaint, assuming all facts presented are true, is a report within the scope of N.J.S.A. 18A:37-14 and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action. The district also should consider procedures and disciplinary action when it is found that someone had information regarding a harassment, intimidation, or bullying incident, but did not make the required report(s).



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F. Anti-Bullying Coordinator, Anti-Bullying Specialist, and School Safety/School Climate Team(s)

1. The Superintendent shall appoint a district Anti-Bullying Coordinator. The Superintendent shall make every effort to appoint an employee of the school district to this position.

The district Anti-Bullying Coordinator shall:

- a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of students;
 - b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of students in the district;
 - c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of students;
 - d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and
 - e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, or bullying in the district.
2. The Principal in each school shall appoint a school Anti-Bullying Specialist. The Anti-Bullying Specialist shall be a guidance counselor, school psychologist, or other certified staff member trained to be the Anti-Bullying Specialist from among the currently employed staff in the school.



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The school Anti-Bullying Specialist shall:

- a. Chair the School Safety/School Climate Team as provided in N.J.S.A. 18A:37-21;
 - b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
 - c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.
3. A School Safety/School Climate Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. Each School Safety/School Climate Team shall meet, at a minimum, two times per school year. The School Safety/School Climate Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a student in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety/School Climate Team.

The School Safety/School Climate Team shall:

- a. Receive records of all complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;
- b. Receive copies of all reports prepared after an investigation of an incident of harassment, intimidation, or bullying;
- c. Identify and address patterns of harassment, intimidation, or bullying of students in the school;



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- d. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;
- e. Educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;
- f. Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request. The School Safety/School Climate Team shall be provided professional development opportunities that may address effective practices of successful school climate programs or approaches; and
- g. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety/School Climate Team shall not participate in the activities of the team set forth in 3. a., b., or c. above or any other activities of the team which may compromise the confidentiality of a student, consistent with, at a minimum, the requirements of the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232 and 34 CFR Part 99), N.J.A.C. 6A:32-7, Student Records and N.J.A.C. 6A:14-2.9, Student Records.

G. Investigating Allegations of Harassment, Intimidation, or Bullying

Prior to initiating an investigation regarding a reported incident or complaint, the Principal or designee, in consultation with the anti-bullying specialist, shall make a preliminary determination as to whether a reported incident or complaint, assuming all facts are presented as true, is a report within the scope of N.J.S.A. 18A:37-14.

Should the Principal or designee, in consultation with the anti-bullying specialist, determine that a reported incident or complaint, assuming all facts presented are true, is not a report within the scope of N.J.S.A.



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18A:37-14, the incident will be addressed through the Board's Code of Student Conduct policy. The HIB 338 Form shall be completed, even if a preliminary determination is made not to conduct an investigation of harassment, intimidation, or bullying because the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying, and must be submitted to the Superintendent. The Principal will provide the parents of the alleged offender(s) and victim(s) with formal notice of the decision not to initiate a harassment, intimidation, or bullying investigation.

The HIB 338 Form shall be kept on file at the school and will only be added to a student record if the alleged incident is founded, disciplinary action is imposed or is otherwise required to be contained in a student's record under State or Federal law.

The Superintendent may require the Principal to conduct a harassment, intimidation, or bullying investigation of the incident if the Superintendent determines that the incident is within the scope of harassment, intimidation, or bullying and shall notify the Principal of this determination in writing. Should the Superintendent require the Principal to conduct a harassment, intimidation, or bullying investigation, the Principal will immediately initiate an investigation of harassment, intimidation, or bullying by referring the matter to the school anti-bullying specialist.

Additionally, any preliminary determination that finds the incident or complaint is a report outside the scope of N.J.S.A. 18A:37-14 may be appealed to the Board, pursuant to the Board policies and procedures governing student grievances, and thereafter to the Commissioner (N.J.A.C. 6A:16-7.7(a)ix(1) and (a)ix(1)(A)). Should the preliminary determination not to conduct an investigation of harassment, intimidation, or bullying be overturned, the Principal will immediately initiate an investigation of harassment, intimidation, or bullying by referring the matter to the school anti-bullying specialist.

The Board requires a thorough and complete investigation to be conducted for each reported incident or complaint, assuming all facts presented are true, that is determined to be a report within the scope of N.J.S.A. 18A:37-14. The investigation shall be initiated by the Principal or designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school anti-bullying specialist appointed by the Principal. The Principal may appoint additional personnel who are not school anti-bullying specialists to assist the school



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anti-bullying specialist in the investigation. Investigations of complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation. The anti-bullying specialist may not participate in an investigation regarding their supervisor or staff at a higher administrative level.

The investigation shall be completed, and the written findings submitted to the Principal as soon as possible, but not later than ten school days from the date of the written report of the alleged incident of harassment, intimidation, or bullying or ten school days from the date of the written notification from the Superintendent to the Principal to initiate an investigation. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school anti-bullying specialist or the Principal shall amend the original report of the results of the investigation to ensure there is an accurate and current record of the facts and activities concerning the reported incident.

The Principal shall proceed in accordance with the Code of Student Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent shall ensure the Code of Student Conduct has been implemented and provide intervention services, order counseling, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, or take or recommend other appropriate action, including seeking further information as necessary.

The Superintendent shall report the results of each investigation to the Board no later than the date of the regularly scheduled Board meeting following the completion of the investigation. The Superintendent's report also shall include information on any consequences imposed under the Code of Student Conduct, intervention services provided, counseling ordered, training established or other action taken or recommended by the Superintendent.



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Parents of the students who are parties to the investigation shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents includes the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether consequences were imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board.

A parent may request a hearing before the Board after receiving the information. Any request by the parents for a hearing before the Board concerning the written information about a harassment, intimidation, or bullying investigation, pursuant to N.J.S.A. 18A:37-15(b)(6)(d), must be filed with the Board Secretary no later than sixty calendar days after the written information is received by the parents. The hearing shall be held within ten business days of the request. Prior to the hearing, the Superintendent shall confidentially share a redacted copy of the HIB 338 Form that removes all student identification information with the Board. The Board shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school anti-bullying specialist and others, as appropriate, regarding the alleged incident; the findings from the investigation of the alleged incident; recommendations for consequences or services; and any programs instituted to reduce such incidents, prior to rendering a determination.

At the regularly scheduled Board meeting following its receipt of the report or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with N.J.A.C. 6A:3, no later than ninety days after the issuance of the Board's decision.

A school administrator who receives a report of harassment, intimidation, or bullying and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.



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The Board also requires the thorough investigation of complaints or reports of harassment, intimidation, or bullying, occurring on district school buses, at district school-sponsored functions, and off school grounds involving a student who attends an approved private school for students with disabilities. The investigation will be conducted by the Board's anti-bullying specialist in consultation with the approved private school for students with disabilities.]

H. Responding to Harassment, Intimidation, or Bullying

The Board of Education authorizes the Principal of each school to define the range of ways in which school staff will respond once an incident of harassment, intimidation, or bullying is confirmed, and the Superintendent shall respond to confirmed harassment, intimidation, or bullying, according to the parameters described below and in this Policy. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring that the school officials respond appropriately to the individual(s) committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation, or bullying that they require a response either at the classroom, school building, or school district levels or by law enforcement officials. Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions, N.J.A.C. 6A:16-7.3, Long-term suspensions, and N.J.A.C. 6A:16-7.4, Expulsions.

In considering whether a response beyond the individual is appropriate, school officials shall consider the nature and circumstances of the act; the degree of harm; the nature and severity of the behavior; past incidences or past or continuing patterns of behavior; and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, school district) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based harassment, intimidation, or bullying prevention program models, to training for certificated and non-certificated staff, to participation of parents and other community members and organizations, to small or large group presentations for fully addressing the actions and the school's



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response to the actions, in the context of the acceptable student and staff member behavior and the consequences of such actions, and to the involvement of law enforcement officers, including safe schools resource officers.

This Policy and the Code of Student Conduct shall apply to instances when a school employee is made aware of alleged harassment, intimidation, or bullying occurring off school grounds.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, school, or district responses, as appropriate to the findings from each incident. Examples of responses that apply to each of these categories are provided below:

1. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion, law enforcement report or other legal action).
2. Classroom responses can include class discussions about an incident of harassment, intimidation, or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.
3. School responses can include theme days, learning station programs, parent programs, and information disseminated to students and parents, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices or strategies for fostering expected student behavior.
4. District-wide responses can include community involvement in policy review and development; professional development programs; adoption of curricular and school-wide programs, coordination with community-based organizations (e.g., mental health, health services, health facilities, law enforcement officials, faith-based organizations); and disseminating information on the core ethical values adopted by the Board's Code of Student Conduct, per N.J.A.C. 6A:16-7.1(a)2.



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In providing support for victims of harassment, intimidation, or bullying, the district should identify a range of strategies and resources, which may include, but is not limited to, the following actions for individual victims:

- Counseling;
- Teacher Aides;
- Hallway and playground monitors;
- Schedule changes;
- Before and after school supervision;
- School transportation supervision;
- School transfers; and
- Therapy.

I. Reprisal or Retaliation

The Board of Education prohibits a Board member, school employee, contracted service provider who has contact with students, school volunteer, or student from engaging in reprisal, retaliation, or false accusation against a victim, witness, or any other person who has reliable information about an act of harassment, intimidation, or bullying or who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act, in accordance with case law, Federal and State statutes and regulations, and district policies and procedures.

J. False Accusations of Harassment, Intimidation, or Bullying

The Board of Education prohibits any person from falsely accusing another as a means of harassment, intimidation, or bullying.

1. Students - Consequences and appropriate remedial action for a student could range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions, N.J.A.C. 6A:16-7.3, Long-term suspensions, and N.J.A.C. 6A:16-7.4, Expulsions;



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2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students could entail discipline in accordance with district policies, procedures, and agreements; and
3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with students or the provision of student services.

K. Additional Policy Requirements

The Board of Education requires the Superintendent to annually disseminate this Policy to all school employees, contracted service providers who have contact with students, school volunteers, students and parents who have children enrolled in a school in the school district, along with a statement explaining that this Policy applies to all acts of harassment, intimidation, or bullying, pursuant to N.J.S.A. 18A:37-14, that occur on school property, at school-sponsored functions or on a school bus and, as appropriate, acts that occur off school grounds.

The Superintendent shall post a link to this Policy that is prominently displayed on the home page of the school district's website. The Superintendent shall ensure that notice of this Policy appears in the student handbook and all other publications of the school district that set forth the comprehensive rules, procedures, and standards for schools within the school district.

The Superintendent shall post the name, school phone number, school address and school email address of the district anti-bullying coordinator on the home page of the school district's website. Additionally, the Superintendent shall post the contact information for the School Climate State Coordinator on the school district home page alongside this Policy.



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Each Principal or designee shall post the name, school phone number, school address, and school email address of both the school anti-bullying specialist and the district anti-bullying coordinator on the home page of each school's website.

The Superintendent shall post the New Jersey Department of Education's Guidance for Parents on the Anti-Bullying Bill of Rights Act on the district homepage and on the homepage for each school in the district with a website.

The Superintendent and the Principals shall provide training on the school district's harassment, intimidation, or bullying policies to school employees contracted service providers and volunteers who have significant contact with students. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying. The school district's employee training program shall include information regarding the school district policy against harassment, intimidation, or bullying, which shall be provided to full-time and part-time staff, contracted service providers and school volunteers who have significant contact with students.

The Superintendent shall develop and implement a process for annually discussing the school district policy on harassment, intimidation, or bullying with students. The Superintendent and the Principal(s) shall annually conduct a re-evaluation, reassessment, and review of this Policy and any report(s) and/or finding(s) of the school safety/school climate team, with input from the school anti-bullying specialists, and recommend revisions and additions to this Policy as well as to harassment, intimidation, or bullying prevention programs and approaches based on the findings from the evaluation, reassessment, and review.

L. Harassment, Intimidation, or Bullying Training and Prevention Programs

Each public school teacher and educational services professional shall be required to complete at least two hours of instruction in harassment, intimidation, or bullying prevention within each five year professional development period as part of the professional development requirement pursuant to N.J.S.A. 18:37-22.d. The required two hours of suicide



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prevention instruction shall include information on the risk of suicide and incidents of harassment, intimidation, or bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

Each newly elected or appointed Board member must complete, during the first year of the member's first term, a training program on harassment, intimidation, or bullying in accordance with the provisions of N.J.S.A. 18A:12-33.

A school leader shall complete school leader training that shall include information on the prevention of harassment, intimidation, or bullying as required in N.J.S.A. 18A:26-8.2.

The school district shall annually observe a "Week of Respect" beginning with the first Monday in October. In order to recognize the importance of character education, the school district will observe the week by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, or bullying as defined in N.J.S.A. 18A:37-14. Throughout the school year the district will provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the New Jersey Student Learning Standards, pursuant to N.J.S.A. 18A:37-29.

The school district and each school in the district will annually establish, implement, document, and assess harassment, intimidation, or bullying prevention programs or approaches, and other initiatives in consultation with school staff, students, administrators, volunteers, parents, law enforcement, and community members. The programs or approaches and other initiatives shall be designed to create school-wide conditions to prevent and address harassment, intimidation, or bullying in accordance with the provisions of N.J.S.A. 18A:37-17.

M. Reports to Board of Education and New Jersey Department of Education

The Superintendent shall report two times each school year, between September 1 and January 1 and between January 1 and June 30 at a public hearing all acts of violence, vandalism, and harassment, intimidation, or bullying which occurred during the previous reporting period in



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accordance with the provisions of N.J.S.A. 18A:17-46. The information shall also be reported to the New Jersey Department of Education in accordance with N.J.S.A. 18A:17-46.

N. School and District Grading Requirements

Each school and each district shall receive a grade for the purpose of assessing their efforts to implement policies and programs consistent with the provisions of N.J.S.A. 18:37-13 et seq. The grade received by a school and the district shall be posted on the homepage of the school's website and the district's website in accordance with the provisions of N.J.S.A. 18A:17-46. A link to the report that was submitted by the Superintendent to the Department of Education shall also be available on the school district's website. This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.

O. Reports to Law Enforcement

The Superintendent or designee and the Principal shall consult law enforcement, as appropriate, pursuant to the provisions of the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials, if the student's behavior may constitute a possible violation of the New Jersey Code of Criminal Justice.

Some acts of harassment, intimidation, or bullying may be bias-related acts and school officials must report to law enforcement officials any bias related acts, in accordance with N.J.A.C. 6A:16-6.3.(e), and pursuant to the provisions of the Memorandum of Agreement Between Education and Law Enforcement Officials.

P. Collective Bargaining Agreements and Individual Contracts

Nothing in N.J.S.A. 18A:37-13.1 et seq. may be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the Anti-Bullying Bill of Rights Act's effective date (January 5, 2011). N.J.S.A. 18A:37-30.



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The Board of Education prohibits the employment of or contracting for school staff positions with individuals whose criminal history record check reveals a record of conviction for a crime of bias intimidation or conspiracy to commit or attempt to commit a crime of bias intimidation.

Q. Students with Disabilities

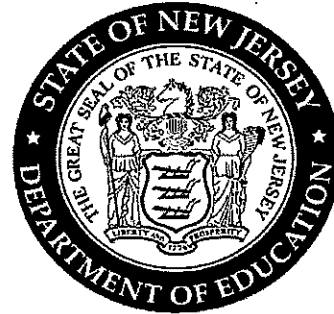
Nothing contained in N.J.S.A. 18A:37-13.1 et seq. may alter or reduce the rights of a student with a disability with regard to disciplinary actions or to general or special education services and supports. N.J.S.A. 18A:37-32.

The school district shall submit all subsequent amended Harassment, Intimidation, or Bullying Policies to the Executive County Superintendent of Schools within thirty days of Board adoption.

N.J.S.A. 18A:37-13 through 18A:37-37
N.J.A.C. 6A:16-7.1 through 6A:16-7.9

Adopted: October 2022





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

2019 Revisions*

*Approved by the New Jersey Department of Law & Public Safety
and the New Jersey Department of Education*

*This document is a revision of the 1988, 1992, 1999, 2007, 2011, and 2015 versions of the State Memorandum of Agreement approved by the Attorney General and the Commissioner of Education and which is required in *N.J.A.C. 6A:16-6.2(b)13* through 14.

*The regulations at *N.J.A.C. 6A:16*, Programs to Support Student Development, are reviewed as new laws are passed and amendments may be presented to the State Board of Education. All related statutory language preempts any conflicts or inconsistencies with these regulations.

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Article 1. Preface

1.1. The Predecessor Agreements

In 1988, the Department of Law & Public Safety and the Department of Education issued a model agreement for use by local law enforcement and education officials. These agreements were eventually signed in communities across the state and documented the commitment by both professional communities to work together as co-equal partners to address the state's alcohol and other drug problems as they relate to school-age children. Regulations promulgated by the State Board of Education and codified at *N.J.A.C.* 6A:16-6.2(b)13 through 14 establish uniform statewide policies and procedures for ensuring cooperation between education officials and law enforcement agencies; these policies and procedures are consistent with and complementary to the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (Agreement) approved by the Attorney General and the Commissioner of Education. The Memorandum of Agreement (Agreement) was revised by the Commissioner of Education and the Attorney General in 1992 and again in 1999 to account for new developments with respect to the scope and nature of the State's evolving alcohol and other drug problem and to address the problem of firearms and other weapons brought on to school grounds. The 2007 revisions, for the first time, addressed school safety and security, harassment, intimidation and bullying, hazing, gang reporting, computer crimes, station house adjustments, school law enforcement units, School Violence Awareness Week and other current issues of concern and provide clarification on issues such as child abuse reporting. The 2011 revisions have been made in response to the *Anti-Bullying Bill of Rights Act* (P.L.2010, c.122) and to address the assistance provided to attendance officers handling truancy matters. The 2015 version of the Agreement is in response to new provisions of State law that went into effect after the 2011 Agreement was disseminated, including the Overdose Prevention Act, *N.J.S.A.* 2C:35-30 and *N.J.S.A.* 2C:35-31, and cyber-harassment, *N.J.S.A.* 2C:33-4.1. Issues that have been recently brought to the forefront, including Article 4.5, Hazing, and Article 4.4.6, Coordination of HIB and Criminal Investigations, have also been revised and clarified to assist school officials and law enforcement in their efforts. Additionally, relevant laws that had been previously omitted are now included, such as the Compassionate Use Medical Marijuana Act, *N.J.S.A.* 24:6I-1, and self-administration of medication by students for specific medical conditions, *N.J.S.A.* 18A:40-12.3.

1.2. 2019 Revisions

According to federal data released by the U.S. Department of Education Office for Civil Rights, students of color and students with disabilities are referred to law enforcement at a disproportionately higher rate than white students nationwide. Additionally, research shows that students who come in contact with the juvenile justice system, via arrest or court involvement, are more likely to drop out of school, not attend college and be incarcerated again in the future. In light of these national data, the New Jersey Juvenile Justice Commission conducted a study of school-based referrals to law enforcement during the 2015-2016 school year and found that 76% of all school-based referrals were for low-level offenses (4th degree/disorderly persons).

In response to concerns of disproportionality and how a student's school-based arrest and subsequent court involvement may negatively impact him or her, the most recent revisions reorganized and reframed the Agreement to 1) clarify the difference between mandatory and non-mandatory reports to law enforcement and 2) acknowledge the collaborative efforts of schools and law enforcement and highlight the necessity of these relationships. The revisions intend to assist school district officials and law enforcement in their understanding of how to best support youth who commit minor offenses at school and encourage partnerships between schools and law enforcement. The parties to this Agreement recognize the value of cooperation and communication with respect to drug, weapons, violence and school security problems as they relate to students and school grounds, and believe that entering into this Agreement will help them to be more effective in managing these problems through building relationships between educators and local law enforcement and creating open lines of communication.

Training and collaboration among both schools and law enforcement is necessary to ensure appropriate outcomes for all involved as incidents arise. The 2019 revisions seek to highlight the Annual Review Guidelines process required to approve the Agreement. Appendix 2 outlines the annual review process, which requires schools (President of the District Board of Education, Chief School Administrator, Executive County Superintendent) and law enforcement (Chief of Police, County Prosecutor) to **meet each year** to:

- 1) Review the Agreement
- 2) Discuss the implementation of the Agreement
- 3) Sign the Agreement

During the annual review, schools and law enforcement shall discuss the content of the Agreement, with a special focus on:

- 1) Which acts are mandatory reports to law enforcement and which acts are non-mandatory reports to law enforcement
- 2) The process by which schools may consult with law enforcement to discuss an incident, report an act in school, and obtain informal guidance about concerns
- 3) How law enforcement will respond to such calls
- 4) The process by which law enforcement may call schools to report an act outside of school
- 5) How schools will respond to such calls

Reports to law enforcement are required to be reported through the Student Safety Data System (SSDS). Reported to police is defined as: "An action by which a student is reported to any law enforcement agency or official, including a school police unit, for an incident that occurs on school grounds, regardless of whether official action is taken. Citations, tickets, court referrals, and school-related arrests are considered reports to law enforcement." As detailed in this Agreement, schools are permitted to **consult** with law enforcement regarding an offense in school to decide whether law enforcement action is warranted. These consults do not need to be included in the SSDS as reported to police. Mandatory and non-mandatory reports are discussed in further detail in Articles 3 and 4.

1.3. Nature of the Problem

The 1988, 1992, 1999, 2007, 2011, 2015, and 2019 issues of the Memoranda of Agreement have been designed to ensure cooperation between law enforcement and education officials and ultimately to protect the educational environment. The undersigned parties hereby recognize the need to update the Memorandum of Agreement and to reaffirm the commitment to work together as equal partners in addressing evolving problems and emergencies of mutual concern. While schools are generally safe places for students and staff members, a wide range of offenses are occasionally committed on school grounds¹. It is understood and agreed that the commission of any offenses on school grounds, whether directed at students, school employees, or school grounds, not only undermines the educational environment, but can directly endanger the safety and well-being of members of the school community and thus requires an appropriate and decisive response. It is further understood and agreed that there is a demonstrable need for law enforcement and education officials to cooperate and to share information, as appropriate, to address acts of violence or potential acts of violence by students that may occur off school grounds or at times other than during regular school hours, and that may involve victims or potential victims that are not members of the school community. Experience has shown that violent acts committed by children off school grounds can have serious deleterious effects upon the school community, just as acts of violence committed on school grounds can lead to further violence or retaliation at other places.

It is important for school officials to be familiar with this Agreement and how it complements the code of student conduct to establish standards, policies and procedures for positive student development and behavioral expectations (*N.J.A.C. 6A:16-7.1*). There are specific types of incidents where school officials are required to report a matter to law enforcement, which are outlined in Article 3.

For non-mandatory reports to law enforcement (i.e., voluntary), school officials are **encouraged** to refer to the school's code of student conduct and provide a graduated response to misconduct that provides a continuum of actions designed to remediate and impose more severe sanctions for continued misbehavior. While the majority of incidents will not rise to the level of a mandatory report and may be addressed solely by school officials, schools are encouraged to consult with law enforcement for any offense that they believe may warrant action outside of school, or should be brought to the attention of law enforcement. If law enforcement deems that

¹*Pursuant to N.J.A.C. 6A:16-1.3*, "School grounds" means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider. School grounds also includes school buses, school-sponsored functions, structures that support the buildings, such as school district wastewater treatment facilities, generating facilities, and other central service facilities including, but not limited to, kitchens and maintenance shops. School grounds also includes other facilities as defined in *N.J.A.C. 6A:26-1.2*, playgrounds, and recreational places owned by municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of the land.

action is necessary, law enforcement should embrace the use of stationhouse adjustments (see Article 4.2) as an alternative to filing a formal complaint, when appropriate.

1.4. Reasons for Special Concern

The parties to this Memorandum of Agreement are aware of and remain concerned by events that have occurred throughout the nation involving violence committed by youth and violence committed on youth by outsiders. The parties further recognize that no school is immune from the disruptive influence of alcohol and other drug abuse and distribution, vandalism, and violence. It is not our intention to cause undue alarm or to overstate the nature or magnitude of the problem. Nor is it our intention in any way to jeopardize the rights of students. To the contrary, we wish to emphasize that our goal is to safeguard the essential right of all students and school employees to enjoy the benefits of a school environment which is conducive to education and which is free of the disruptive influence of crime, violence, intimidation and fear. Accordingly, the parties to this Agreement recognize the need to have in place policies and procedures to appropriately and decisively manage these inherently dangerous and disruptive situations. It is our hope and expectation that by developing and publicizing the existence of clear policies, we can discourage the commission of serious offenses on school grounds and thereby protect the safety and welfare of all members of the school community.

Article 2. Liaisons; Law Enforcement Units

2.1. Liaisons

We, (*county prosecutor*) and (each law enforcement agency having patrol jurisdiction) shall each designate one or more persons to serve as a liaison to appropriate local and county school officials.

The (*executive county superintendent*) and the (*local chief school administrator of each school district*), pursuant to *N.J.A.C. 6A:16-6.2(b)1*, shall similarly designate one person to serve as a liaison to the county prosecutor's office and to the respective local law enforcement agency. Pursuant to *N.J.S.A. 18A:17-43.3*, the chief school administrator of each school district must designate the school safety specialist as the school district liaison with law enforcement. The roles and functions of these liaisons are to:

- facilitate communication and cooperation;
- identify issues or problems that arise in the implementation of this Agreement and facilitate the resolution of any such problems;
- act as the primary contact person between the schools and the affected law enforcement agencies;
- act together in developing joint training and other cooperative efforts, including information exchanges and joint speaking engagements;
- coordinate drug and alcohol abuse and violence intervention and prevention efforts; and
- consult on the review of school safety and security plans, pursuant to *N.J.A.C. 6A:16-5.1*, and the review of approved model policies of the School Security Task Force.

2.1.1. Benefit of Law Enforcement Liaisons

It is understood that law enforcement officials have access to confidential information that may document that a juvenile offender has previously committed acts of delinquency outside of school grounds and about which school officials may therefore be unaware. These confidential law enforcement records may concern prior juvenile arrests, adjudications, dispositions, referrals to juvenile conference committees and station house adjustments. For this reason, the failure by school officials to refer a suspected offense to law enforcement authorities may unwittingly prevent the professional actors within the juvenile justice system, including law enforcement and family court officials, from identifying and dealing appropriately with juvenile offenders, and may thus prevent these actors from taking the steps that are necessary and appropriate to intervene, to address the juvenile's problems in a timely fashion and to protect the public safety. In order to enable school officials to make a more informed decision regarding whether to refer a suspected act of delinquency to law enforcement authorities, the parties to this Agreement understand the need for, and benefit of, establishing procedures by which law enforcement officials can explain the workings of the juvenile justice system and the options, services and resources that are available through that system to respond to juveniles' needs. It is expected that such ongoing dialogue will enable school officials to understand the likely consequences of a report involving a given offense. It also is hoped that in this way, law enforcement and school officials can work to dispel many of the myths about the juvenile justice system, and to develop a better understanding of the resources available to address the needs of juveniles who enter into this system or who are at risk of entering the system.

The (*designated law enforcement official*) and the county prosecutor must be available on an ongoing basis to explain to school officials the practices and procedures of the juvenile justice system with respect to the handling of juveniles suspected of, or formally charged with, acts of delinquency. The (*designated law enforcement official*) and the county prosecutor also must provide, on an ongoing basis, information concerning the services and resources available through the New Jersey Juvenile Justice System to deal with delinquent or at-risk youth and families in crisis, including stationhouse adjustments, referrals to Family Crisis Intervention Units, other pre-adjudication diversion programs, intervention services, and post-adjudication disposition options that are available in the county.

2.2. Consultation and Information Sharing

So as to foster and institutionalize the spirit of communication and cooperation underlying this Agreement, (*appropriate school and law enforcement personnel*) agree to participate in ongoing joint consultations. It is understood that the consultations shall include discussions of:

- a. The rules and regulations promulgated by the State Board of Education and codified at *N.J.A.C. 6A:16-6*, Law Enforcement Operations for Alcohol, Other Drugs, Weapons and Safety and *N.J.A.C. 6A:16-5*, School Safety and Security, as appropriate;

- b. The Comprehensive Drug Reform Act, focusing especially on those provisions affecting juveniles or that are designed to protect children and to displace drug trafficking activities from areas adjacent to schools;
- c. The United States Supreme Court decision in *New Jersey v. T.L.O.* and the *New Jersey School Search Policy Manual*;
- d. Federal and state laws and regulations on the confidentiality of alcohol and drug counseling and treatment;
- e. The warning signs of which school staff members should be aware that indicate a student may be abusing chemical substances or is at risk of committing an act of violence involving firearms or other deadly weapons;
- f. The scope and nature of the problem concerning firearms and other dangerous weapons on school grounds; and
- g. Training needs to support school safety and security and the effective implementation of the Agreement, including the exchange of information regarding the practices of the school district and law enforcement agencies, pursuant to *N.J.A.C. 6A:16-6.2(b)12*.

2.3. Safe Schools Resource Officers

The Attorney General's Education-Law Enforcement Working Group has developed resource material for a Safe Schools Resource Officer Program, recognizing that the presence of a police officer can be a deterrent in fighting drug use and sales and other forms of criminal behavior in schools. School districts and law enforcement agencies will comply with the training requirements of P.L. 2005, c. 276, (*N.J.S.A. 52:17B-71.8*; *N.J.S.A. 18A:17-43.1*) for safe schools resource officers and for the school district liaison to law enforcement, as soon as practicable. Besides enhancing school safety and security and facilitating the handling of delinquency complaints, the assignment of a safe schools resource officer on a full or part-time basis can help to enhance the working relationship between education and law enforcement officials. Most importantly, a Safe Schools Resource Officer program provides these specially trained officers an opportunity to interact with children in positive and constructive ways. It is understood and agreed that the parties to this Agreement shall, during the course of the annual conference convened, pursuant to Article 10 of this Agreement, discuss the feasibility and desirability of implementing this form of relationship.

Pursuant to *N.J.S.A. 40A-146.10*, signed in November 2016, Class Three special law enforcement officers may provide security and may also provide the role of SRO when schools are in session or occupied by students or staff.

2.4. Creation of Law Enforcement Units as Authorized by the Family Educational Rights and Privacy Act (FERPA)

Each school district shall consider designating one or more law enforcement units for the district, as provided under FERPA (Family Education Rights Privacy Act), pursuant to 20 U.S.C. 1232g(a)(4)(ii) and 34 C.F.R. 99.8. The term “law enforcement unit” means any individual, office, department, division or other component of an educational agency or institution, such as a school administrator or a unit of commissioned police officers or non-commissioned security guards, that is officially authorized or designated by that agency or institution to enforce any local, State or Federal law, or refer to appropriate authorities a matter for enforcement of any local, State or Federal law against any individual or organization other than the agency or institution itself; or maintain the physical security and safety of the agency or institution. [34 C.F.R. 99.8(a)(1)]. The law enforcement unit may be only one person, and does not have to be a law enforcement officer. All school security equipment shall be the responsibility of the law enforcement unit. All school security records, including but not limited to, school security campus or school bus videotapes, records relating to weapons screening devices, visitor logs, and any records of interviews relating to potential violations of the law are created and maintained by the designated law enforcement unit. These records are not deemed to be student records or educational records [20 U.S.C. 1232g(a)(4)(B)(ii)] and may be voluntarily turned over to law enforcement without a subpoena.

Article 3. Obligation to Report Offenses and Preserve Evidence: Mandatory Reports

3.1. Mandatory Report Offenses Summary

It is important for school officials to be familiar with this agreement and how it complements the principles of the code of student conduct regulations to establish standards, policies and procedures for positive student development and behavioral expectations (*N.J.A.C. 6A:16-7.1*). While the majority of incidents may be addressed solely by school officials, there are specific types of incidents where school officials are required to report a matter to law enforcement. By outlining these mandatory reports, the Agreement helps ensure consistency among school districts.

There are seven offenses that must be reported to law enforcement if they qualify as mandatory reports, as set forth and explained in further detail under Article 3 of this Agreement. These mandatory reports include:

- Whenever any school employee has reason to believe a student is in possession of a controlled dangerous substance or related paraphernalia, or is involved or implicated in distribution activities regarding controlled dangerous substances, pursuant to *N.J.A.C. 6A:16-6.3* (Article 3.2);
- Whenever any school employee in the course of his or her employment develops reason to believe that a firearm or other dangerous weapon has unlawfully been possessed on or off school grounds, a weapon was used in an assault against a student

or other school personnel, or that any student or other person has committed an offense with, or while in possession of, a firearm, whether or not such offense was committed on school grounds or during school operating hours, pursuant to *N.J.A.C.* 6A:16-5.5, 5.6(d)4 and 6.3(b) (Article 3.6);

- Whenever any school employee in the course of his or her employment develops reason to believe that anyone has threatened, is planning, or otherwise intends to cause death, serious bodily injury, or significant bodily injury to another person under circumstances in which a reasonable person would believe that the person genuinely intends at some time in the future to commit the violent act or to carry out the threat, pursuant to *N.J.A.C.* 6A:16-6.3(c) through (e) (Article 3.10);
- Whenever any school employee in the course of his or her employment develops reason to believe that a crime involving sexual penetration or criminal sexual contact has been committed on school grounds, or by or against a student during school operating hours or during school-related functions or activities, pursuant to *N.J.A.C.* 6A:16-6.3(d) (Article 3.12);
- Whenever any school employee in the course of his or her employment develops reason to believe that an assault upon a teacher, administrator, other school board employee, or district board of education member has been committed, with or without a weapon, pursuant to *N.J.A.C.* 6A:16-5.7(d)5 (Article 3.14);
- Whenever any school employee in the course of his or her employment develops reason to believe a “bias-related act” has been committed or is about to be committed on or off school grounds, pursuant to *N.J.A.C.* 6A:16-6.3(e) (Article 3.16); and
- Whenever any school employee in the course of his or her employment develops reason to believe a student is potentially missing, abused, or neglected, pursuant to *N.J.A.C.* 6A:16-11.1(a)3i through iii (Article 3.17).

Exceptions apply, as outlined below.

3.1.1. Law Enforcement Response to Mandatory Reports

Specific response to mandatory reports are noted by offense type in the following sections. A mandatory report to law enforcement does not preclude the law enforcement agency’s ability to investigate the act and decide that no further action is needed, or recommend a stationhouse adjustment, as outlined in Article 4.2.

3.2. Requirement to Report Offenses Involving Controlled Dangerous Substances

Subject to the provisions of Article 3.3 of this Agreement and *N.J.A.C.* 6A:16-6.2(b)9 and 6.3(a), school officials must immediately notify (*police department and/or prosecutor*) whenever any school employee has reason to believe a student is in possession of a controlled dangerous substance or related paraphernalia, or is involved or implicated in distribution activities regarding controlled dangerous substances, pursuant to *N.J.A.C.* 6A:16-4.3(a)3i. Per *N.J.S.A* 24:21-2, “controlled dangerous substance” means a drug, substance, or immediate precursor in Schedules I through V of article 2 of *P.L.* 1970, *c.*226 (*C.24:21-1 et seq.*). A non-exhaustive list of controlled dangerous substances (CDS) are detailed in sections 3.2.1 through 3.2.4.

3.2.1. Anabolic Steroids, "Jimson Weed," and "Date Rape" Drugs

The parties to this Agreement understand that in 1991, the New Jersey Commissioner of Health promulgated rules and regulations which classify anabolic steroids as Schedule III CDS. The parties to this Agreement recognize that the problem of the unlawful use of anabolic steroids by school-age children is a particularly serious one, and that this problem is not limited to student athletes, but also involves students who use these especially dangerous substances with the intent to enhance their physical appearance. The parties to this Agreement recognize that these substances often have profound, long-term adverse side effects, and that their unlawful use by children cannot be tolerated. The parties to this Agreement also understand that it is illegal in New Jersey to use, possess, or distribute any stramonium preparation, commonly referred to as "Jimson weed", and that it also is illegal for any person to distribute or possess substances sometimes referred to as "date rape" drugs, including gamma hydroxybutyrate (GHB), Rohypnol (roofies), and flunitrazepam (*N.J.S.A. 2C:35-5.2 and 5.3*, effective August 8, 1997; *N.J.S.A. 2C:35-2 and 2C:35-10.5*).

3.2.2. Designer Drugs

Over the years, modifications to CDS have resulted in the creation of "designer drugs." Structurally or functionally similar to banned CDS, designer drugs are created to mimic the effects of a CDS, while initially avoiding the CDS classification and therefore giving the illusion of legality to these products. In recent years, designer drugs such as "bath salts" (synthetic cathinones) and "synthetic marijuana" (synthetic cannabinoids) have increased in popularity, resulting in initial widespread availability. Many of these products were and continue to be falsely labeled as "not for human consumption," "for novelty use only," "plant food" or "bath salts" to conceal from law enforcement their true nature.

Due to the danger of these products, especially among youth in New Jersey, the Division of Consumer Affairs acted to ban synthetic cannabinoids (see February 29, 2012 Order of Thomas Calcagni, former Director of the Division of Consumer Affairs). The United States Drug Enforcement Administration followed, subsequently scheduling many synthetic cannabinoids and cathinones as controlled substances, therefore outlawing them.

3.2.2.1. Considerations when Reporting Designer Drugs to Law Enforcement

The manipulation of chemical compounds to avoid the controlled substance designation while providing the same effects as the banned substances continues, and both educators and law enforcement must be mindful of designer drugs in school settings and among our youth. At the time of the release of this MOA, only designer drugs such as synthetic cannabinoids and cathinones have been declared as CDS and are required to be reported to law enforcement (see section 3.2.2).

All designer drugs, in addition to the two designer drugs noted above that have been declared CDS and must be reported to law enforcement, should be deemed to be a serious matter that should be handled in accordance with the district board of education's approved student code of conduct and any other applicable policies and procedures. With the exception of

synthetic cannabinoids and cathinones, designer drugs are not required by New Jersey law to be reported to law enforcement, but may be required under district policy or procedure to be reported to law enforcement in accordance with the provisions of this Agreement.

3.2.3. Prescription Controlled Dangerous Substances

The Centers for Disease Control and Prevention (CDC) classified prescription drug abuse as the fastest growing drug problem in the United States. Rates of prescription drug misuse (when an individual uses a medication for a reason other than prescribed or in a different manner than prescribed, or when an individual takes a medication not prescribed for him or her) and abuse are increasing at alarming rates, especially among youth. Because these medications are incorrectly believed to be safer because they are manufactured by companies, the dangers and potential for abuse associated with these medications is often overlooked or ignored. Access to prescription CDS is also easier than with traditional CDS, as they are often located in the home medicine cabinet.

The Substance Abuse and Mental Health Services Administration (SAMHSA), a federal health agency, reported that in 2015, 18.9 million people in the United States age 12 or older had misused prescription psychotherapeutic drugs, including CDS such as pain relievers, tranquilizers, stimulants and sedatives, in the past year. Moreover, the prevalence of prescription medication has led to an increase in misuse of prescription CDS stimulants among youth as study aids, and among prescription opioids and benzodiazepines as party drugs. Educators must be mindful that, absent a filed certification and medical plan as described in Article 4.1, students should not be in possession of CDS prescription medication on school grounds. Educators and law enforcement must focus on evidence-based prevention education and be alert for signs and symptoms of misuse and abuse in our students.

3.2.3.1. Considerations when Reporting Prescription Drugs to Law Enforcement

While possession of a CDS or related paraphernalia and distribution activities regarding CDS are required to be reported to law enforcement (see Article 3.2), students may also misuse or be in possession of prescription drugs that are not CDS. Possession or misuse of any drug should be deemed to be a serious matter that should be handled in accordance with the district board of education's approved student code of conduct and any other applicable policies and procedures. Non-CDS prescription drugs are not required by New Jersey law to be reported to law enforcement, but may be required under district policy or procedure to be reported to law enforcement in accordance with the provisions of this Agreement.

3.2.4. Opioids

In 2018, the CDC reported that drug overdoses killed 63,632 Americans in 2016 with nearly two-thirds of these deaths (66%) involved a prescription or illicit opioid. In New Jersey, heroin and opioid use has increased to epidemic proportions. One cause of this crisis is the overabundance of prescription opioids, with an estimated four out of five new heroin users beginning their addiction by misusing prescription pain killers. Unfortunately, sports activities, accidents or other causes may also lead to injury and, in rare cases, result in pain that is severe or

long-lasting enough to require a prescription opioid painkiller. According to the New Jersey State Interscholastic Athletic Association, about a third of young people studied obtained pills from their own previous prescriptions (i.e., an unfinished prescription used outside of a physician's supervision), and 83 percent of adolescents had unsupervised access to their prescription medications. Nationally, it is estimated that an American dies every 19 minutes from an overdose of heroin or prescription opioids. Between 2014 and 2015, drug overdose deaths increased by nearly 22 percent, and nearly 1,600 people lost their lives to narcotics in New Jersey. This scenario has played out in New Jersey and across the country without regard to race, gender, age, or social class.

Another cause of this crisis is the early use by children of CDS and other illicit substances, with evidence showing that if a child tries any drug by the age of 13, he or she has a 70% probability of developing an addiction by the age of 20. An estimated 20% of adolescents who have current prescriptions for opioid medications report using those medications intentionally to get high or increase the effects of alcohol or other drugs.

3.3. Exceptions to Mandatory Reports of Offenses Involving Controlled Substances

3.3.1. Non-Applicability to Treatment Program Records and Information

Nothing in this Agreement or in *N.J.A.C. 6A:16-6.5* shall be construed in any way to authorize or require a report or transmittal of any information or records in the possession of a substance abuse counseling or treatment program in violation of any state or federal confidentiality law or regulation, and such information or records must be strictly safeguarded in accordance with applicable state and federal laws and regulations.

3.3.2. Voluntary Self-Report

Pursuant to *N.J.A.C. 6A:16-6.3(a)3*, reporting to law enforcement is not mandatory when a student has voluntarily and on his or her own initiative sought treatment or counseling for a substance abuse problem, provided the student was not involved in drug distribution activities and further provided the student participates in an appropriate treatment or counseling program.

For the purposes of this Agreement and pursuant to N.J.A.C. 6A:16-6.3(a)3i, an admission by a student of a violation of the Comprehensive Drug Reform Act which is in response to questioning initiated by a law enforcement officer or school employee does not constitute a voluntary, self-initiated request for counseling and treatment.

3.3.3. Overdose Prevention Act

School officials and law enforcement officers must also be mindful of the immunity provisions of the Overdose Prevention Act, codified at *N.J.S.A. 2C:35-30* and *N.J.S.A. 2C:35-31*, and Attorney General Law Enforcement Directive 2013-1, seeking to ensure uniform statewide enforcement of the law. On May 13, 2013, Governor Christie signed the Act into law, the overarching purpose of which is to encourage individuals to seek medical assistance whenever a drug overdose occurs. Specifically, the Act provides that when a person, in good faith, seeks

medical assistance for an individual believed to be experiencing a drug overdose, whether the person is seeking assistance for himself/herself or another, the person calling for help and the person experiencing the overdose must not be arrested, charged, prosecuted, or convicted for certain specified criminal offenses enumerated in *N.J.S.A. 2C:35-30(a)(1-6)* and *N.J.S.A. 2C:35-31(a)(1-6)* involving the use or simple possession of controlled dangerous substances. The Act does not limit in any way the ability of law enforcement to investigate, arrest, or prosecute an offense involving the manufacture, distribution, or possession with intent to distribute an illicit substance or paraphernalia or other drug-offenses. Attorney General Directive 2013-1 expanded the immunity provisions of the Act beyond its plain language to encompass the spirit of the law by providing immunity to others present at the scene of the overdose event if those other persons were made aware of and participated in the request for medical assistance, even if only one person actually placed the call to 9-1-1. As Attorney General Directive 2013-1 made clear, the immunity feature of the Act does not extend to simple use or possession drug offenses that come to the attention of law enforcement by independent means.

Law enforcement and educators should also be mindful of P.L. 2009, c.133, the “9-1-1 Lifeline Legislation,” which provides immunity for underage use and possession of alcohol for up to three people (including the individual in need of medical assistance) when 9-1-1 is called for an alcohol poisoning-related medical emergency. To be eligible for the immunity, the underage persons must be the first to place the 9-1-1 call, must provide their names to the 9-1-1 operator, must remain on the scene of the event, and must cooperate with law enforcement and medical responders.

3.3.4. Students Suspected of Being Under the Influence of Alcohol or Other Drugs

Pursuant to *N.J.A.C. 6A:16-4.3(a)3* and *6.3(a)4*, school officials may, **but need not**, disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol or other drugs. In each instance of a report to law enforcement authorities of a student suspected of being under the influence of alcohol or other drugs, pursuant to *N.J.S.A. 18A:40A-12(a)* and *N.J.A.C. 6A:16-4.3(a)*, or of a student suspected of using of anabolic steroids, pursuant to *N.J.S.A. 18A:40A-12(b)* and *N.J.A.C. 6A:16-4.3(b)*, the student must receive the required medical examination, pursuant to *N.J.S.A. 18A:40A-12* and *N.J.A.C. 6A:16-4.3(a)2 et seq.* or *(b)2 et seq.*, as appropriate.

3.3.5. Possession or Consumption of Alcoholic Beverages

The parties to this Agreement recognize that public attention has been focused on the problem of alcohol consumption on school grounds. Surveys of New Jersey's high school students consistently report that alcohol continues to be by far the most commonly used chemical substance by school-age children. The parties to this Agreement recognize and reaffirm that alcohol remains an illicit substance for underage persons, and that alcohol offenses, especially those occurring on school grounds, are serious matters that warrant a decisive and predictable response.

It is understood that it is unlawful for a person under the age of 21 to purchase or knowingly consume an alcoholic beverage on school grounds (see *N.J.S.A. 2C:33-15* and

N.J.A.C. 6A:16-4 et seq.). So too, it is an offense for an adult to bring or possess an alcoholic beverage on school grounds without the express written permission of the school board, chief school administrator or building principal. See *N.J.S.A. 2C:33-16*. It is agreed and understood that these statutes are designed to protect children and the educational environment and that violations of these statutes should be deemed to be serious matters and may be reported to law enforcement, and any reporting must warrant immediate response by law enforcement authorities in accordance with the provisions of this Agreement.

3.3.6. Self-Administration of Medication by Students

Law enforcement and educators should be aware that, pursuant to *N.J.S.A. 18A:40-12.3*, self-administration of medication by students is permitted for specific medical conditions, including asthma, life-threatening allergies and other potentially life-threatening medical conditions. The student must be permitted to self-administer medication provided that

- (i) the student's parent or guardian submits to the board of education a written certification from the student's physician specifying the specific medical condition necessitating self-administration, the medication to be administered, and the fact that the student is capable of and has been instructed in the proper method for self-administration of the medication;
- (ii) the student's parent or guardian submits to the board of education written authorization from the parent or guardian for self-administration of the medication by the student;
- (iii) the board of education informs the student's parent or guardian, in writing, that the district, its employees, and its agents must incur no liability as a result of the student's self-administration of medication; and
- (iv) the student's parent or guardian signs a statement acknowledging that the district, its employees, and its agents must incur no liability as a result of the student's self-administration of medicine, and that they (the student's parent or guardian) will indemnify and hold harmless the district, its employees, and its agents against claims arising out of the student's self-administration of medication.

In addition, the school nurse must maintain the student's Individualized Health Care Plan (IHCP) and Individualized Emergency Health Care Plan (IEHCP) documenting the student's medical needs and the need for self-administration of the specified medication, pursuant to *N.J.A.C. 6A:16-2.3(b)3xii*. For example, students with asthma who meet the above criteria may carry an inhaler such as a rapid-acting bronchodilator. Likewise, students with life-threatening allergies may carry one or two epinephrine auto-injector mechanisms and an oral or lingual form of Benadryl (antihistamine), if they too meet the above criteria. Students with diabetes may carry either an insulin pump or injectable insulin, if they similarly meet the above criteria. Students with other life-threatening medical conditions may have a medication order for other specific medication which may, if the above criteria are met, be self-administered.

3.3.7. Compassionate Use Medical Marijuana Act

On January 18, 2010, the Compassionate Use Medical Marijuana Act (CUMMA) (*N.J.S.A. 24:6I-1 et seq.*) was signed into law. The purpose of CUMMA is to protect from arrest, prosecution, property forfeiture, criminal and other penalties, those patients who use marijuana to alleviate suffering from debilitating medical conditions, as well as their physicians, primary caregivers, and those who are authorized to produce marijuana for medical purposes. CUMMA expressly provides that it does not authorize a person to smoke marijuana in a school bus or on any school grounds. As to smoking medical marijuana at such protected locations, CUMMA expressly provides that the patient “shall be subject to such penalties as provided by law.” Although this provision of CUMMA applies only to smoking marijuana in certain specified places, district boards of education are encouraged to consult with their attorney about the oral consummation of medical marijuana at any of the protected locations. The Department of Health has promulgated regulations for the implementation of CUMMA and serves as the lead state agency in developing the Medicinal Marijuana Program (MMP) in the state of New Jersey.

The Office of the Attorney General developed Enforcement Guidelines to provide law enforcement with guidance and instruction on key provisions of CUMMA. This document is available at the Division of Criminal Justice website under [Attorney General Guidelines](#). The MMP, in cooperation with the Department of Law and Public Safety, has established an MMP Identification Card validation process. Law enforcement personnel that encounter or have questions regarding the validity of an MMP Identification Card should contact the New Jersey State Police, Regional Operations Intelligence Center (ROIC), for Identification Card validation.

As of January 23, 2018, the MMP has five Alternative Treatment Centers in operation in New Jersey. NJ Exec. Order No. 6 (Jan. 23, 2018), 50 N.J.R. 885(a). They are (1) Compassionate Care Foundation, Inc., in Egg Harbor Township, (2) Greenleaf Compassion Center in Montclair, (3) Garden State Dispensary in Woodbridge, (4) Breakwater Alternative Treatment Center in Cranbury, and (5) Curaleaf NJ, Inc., in Bellmawr. These facilities are presently dispensing medicinal marijuana in raw vegetative form only. They are in the process of developing protocols for the manufacture of lozenge, topical formulations and edible products. These products will be available in the future and will be lawfully dispensed, possessed and utilized by patients that are registered with the MMP. As these products become available, law enforcement will be notified and provided with appropriate instruction on identification. Additional information regarding the Medicinal Marijuana Program is available from the [New Jersey Department of Health](#).

3.3.8. Electronic Smoking Devices

“Electronic smoking device” means an electronic device that can be used to deliver nicotine or other substances (e.g., marijuana) to the person inhaling from the device, including, but not limited to, an electronic cigarette, vape pen, cigar, cigarillo, or pipe. *N.J.S.A. 26:3D-55* bans the use of electronic smoking devices in public places and workplaces, including, but not limited to public and nonpublic elementary or secondary school buildings, board of education buildings and any area of any building of, or on the grounds of, any public or nonpublic

elementary or secondary school, regardless of whether the area is an indoor public place or is outdoors.

Schools are encouraged to develop policies surrounding the use and/or possession of electronic smoking devices. Electronic smoking devices should only be reported to law enforcement when there is reasonable suspicion that the device is being used as a nexus for marijuana or other illegal drugs.

3.4. Securing Controlled Substances and Paraphernalia

Whenever a school employee seizes or comes upon any substance believed to be a controlled dangerous substance or drug paraphernalia, school officials *must immediately* advise the (*local law enforcement agency having patrol jurisdiction*) and must secure the substance or item pending the response by (*law enforcement agency*) to retrieve and take custody of the substance or paraphernalia, pursuant to *N.J.A.C. 6A:16-6.2(b)8* and *6.4*. School employees having custody of the substance or item must take reasonable precautions, per local board of education procedures, to prevent its theft, destruction or use by any person. In accordance with the requirements of law (*N.J.S.A. 2C:35-10c*, it is understood that under no circumstances may any person destroy or otherwise dispose of any controlled dangerous substance or drug paraphernalia except by turning over such substance or item to the responding law enforcement officer.

3.5. Law Enforcement Response to Mandatory Controlled Substance Reports

The (*law enforcement agency*) must dispatch an officer as promptly as possible to take custody and secure the controlled dangerous substance or drug paraphernalia. School officials must provide to the responding law enforcement officer information necessary to establish the chain of custody and the circumstances of the seizure, including the identity of any person(s) from whom the substance or item was obtained.

3.5.1. Exception to Identity Disclosure

School officials need not provide information concerning the identity of a student from whom the controlled dangerous substance or item was obtained where the substance or item was turned over by a student to a student assistance coordinator or other individual who holds either a school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker or student personnel service endorsement on the Educational Services Certificate in the course of, or as a result of, school-based intervention, assessment, referral for evaluation, evaluation or referral for treatment, as those terms are defined in *N.J.A.C. 6A:16-1.3* and delineated in *N.J.A.C. 6A:16-3.1* or participation in a community-based substance abuse treatment program where:

- 1) the student voluntarily and on his or her own initiative turned over the substance to a school employee;
- 2) there is no reason to believe that the student was involved in distribution activities;
- 3) the student participates in an appropriate school-based alcohol or other drug abuse intervention, referral for evaluation, referral for treatment or continuity of care program,

pursuant to *N.J.A.C.* 6A:16-3.1 or community-based alcohol or other drug abuse treatment program.

Nothing in this paragraph must be construed in any way to authorize or require a referral or transmittal of any information or records in the possession of a school-based alcohol or other drug abuse intervention, referral for evaluation, referral for treatment or continuity of care program or a community-based substance abuse treatment program where such referral or transmittal would constitute a violation of state or federal confidentiality laws or regulations, and such information or records must be strictly safeguarded in accordance with applicable state and federal laws and regulations.

3.6. Requirement to Report Incidents Involving Firearms and Dangerous Weapons

Subject only to the provisions of Articles 7.4 and 9 of this Agreement, it is agreed that (*designated school official*) must immediately notify (*designated law enforcement official*) whenever any school employee in the course of his or her employment, pursuant to *N.J.A.C.* 6A:16-5.5 and 6.3(b), develops reason to believe that a firearm or ammunition has unlawfully been brought onto school grounds, or that any student or other person is in unlawful possession of a firearm or ammunition, whether on or off school grounds, or that any student or other person has committed an offense with, or while in possession of, a firearm, whether or not such offense was committed on school grounds.

In addition, (*designated school official*) must immediately notify (*designated law enforcement official*) whenever any school employee in the course of his or her employment comes upon a non-firearm weapon that was **actually used** or **threatened to be used** in committing an offense, including weapons used to commit assault upon a teacher, administrator, other school board employee, district board of education member, or another student on school grounds, pursuant to *N.J.S.A.* 18A:37-2.2 through 2.5. Law enforcement **must be** notified when the weapon seized is any switchblade, gravity, or ballistic knife, stun gun, or metal knuckles, whether or not the weapon was actually used or threatened to be used.

3.7. Exceptions to Mandatory Firearms and Dangerous Weapons Reports

Whenever a school employee seizes a dangerous weapon that was not actually used or threatened to be used in committing an offense, the school employee *may, but need not* consult (*designated law enforcement official*) to decide whether the offense warrants law enforcement action.

In deciding whether to report the presence or seizure of a non-firearm weapon that was not actually used or threatened to be used in committing an assault or other offense, the (*school official*) and (*designated law enforcement official*) must consider:

- 1) the nature of the weapon;
- 2) any lawful purposes that it might have;
- 3) the age of the student; and
- 4) the student's intent.

It is generally not necessary to report the seizure of small pen knives or Swiss-Army style knives. It is further understood and agreed that school officials should consult with law

enforcement regarding the seizure of a utility or “box-cutter” knife where the unlawful use of such knives as weapons is a serious problem in the school and where the student has no explainable lawful purpose for possessing such an instrument.

Procedures to secure this weapon are handled the same as below.

3.8. Securing Firearms, Ammunition and Dangerous Weapons

Whenever a school employee seizes or comes upon (1) a firearm, (2) ammunition for a firearm, or (3) a non-firearm weapon that was actually used or threatened to be used in committing an offense the school officials *must, immediately* advise (*designated law enforcement official*) and secure the firearm, ammunition or non-firearm weapon pending the response by the (*law enforcement agency*), and pursuant to *N.J.A.C. 6A:16-6.2(b)8* and 6.4, retrieve and take custody of the firearm, ammunition or non-firearm weapon. School employees having custody of a firearm, ammunition or dangerous weapon must take reasonable precautions, per local board of education procedures, to prevent its theft, destruction or unlawful use by any person. It is understood and agreed that under no circumstances may any person destroy or otherwise dispose of any seized or discovered firearm, ammunition or non-firearm weapon except by turning over such firearm, ammunition or non-firearm weapon to the responding police officer.

3.8.1. Advice on Weapons

It is understood that new weapons have evolved and proliferated that are readily concealable and easily disguised. For example, dangerous knives can be disguised as belt buckles and other seemingly innocuous items. Accordingly, the (*designated law enforcement agency*) and the county prosecutor must be available on an ongoing basis to provide school officials with information and advice about such weapons and their prevalence in the district or in the county so that they may be readily identified by school officials.

3.9. Law Enforcement Response to Mandatory Firearms and Weapons Reports

The (*law enforcement agency*) receiving information about the existence of an unlawful firearm on school grounds or the actual or threatened use of a non-firearm deadly weapon pursuant to Article 3.6 of this Agreement *must immediately* dispatch an officer to take custody and secure the firearm or other weapon. Except as may be specifically provided in Articles 7.4 and 9 of this Agreement, school officials must provide to the responding law enforcement officer information necessary to establish the chain of custody and the circumstances of the seizure or discovery of the firearm or other weapon, including the identity of any person(s) from whom the firearm or other weapon was obtained.

3.9.1. Interdiction of Weapons

It is understood and agreed that the (*law enforcement agency*) must make every reasonable effort to effect the arrest of any student believed to be in the unlawful possession of a firearm or other dangerous weapon while the student is not on school grounds, to prevent whenever possible the bringing of such firearm or weapon onto school grounds. When this is not feasible, the (*law enforcement agency*) must scrupulously comply with the notification requirements for planned arrests as set forth in Article 6.4 of this Agreement.

3.10. Requirement to Report Incidents Involving Planned or Threatened Violence

Notwithstanding any other provision of this Agreement, it is agreed that (*school official*) must immediately notify (*law enforcement agency*) whenever any school employee in the course of his or her employment develops reason to believe that anyone has threatened, is planning, or otherwise intends to cause death, serious bodily injury, or significant bodily injury to another person under circumstances in which a reasonable person would believe that the person genuinely intends at some time in the future to commit the violent act or to carry out the threat, pursuant to *N.J.A.C. 6A:16-6.3(c) through (e)*. In making these determinations, the school official should employ risk management and assessment tools. Chapter 7 of New Jersey Department of Education publication titled *School Safety and Security Manual: Best Practices Guidelines* provides an approach to behavioral assessment and risk determination. Specifically, section 7.2., the Four-Pronged Threat Assessment Model, addresses evaluation of persons making threats.

The school official must provide to the responding law enforcement agency all known information relevant to the threat, including but not limited to any historical or background information concerning the person's behavior or state of mind. For the purposes of this reporting requirement, the threatened or planned act of violence need not be imminent, and the intended victim of the violent act need not be aware of the threat. Nor must it be relevant for the purposes of this reporting requirement that the intended victim is not a student or member of the school community, or that the violent act is not intended to be committed on school grounds. The parties to this Agreement understand and agree that students who make a credible threat of harm to themselves or others should be taken seriously. Accordingly, the provisions of this paragraph must be liberally construed with a view toward preventing future acts of violence.

3.11. The New Jersey Office of Homeland and Security Response to Planned or Threatened Violence

The New Jersey Office of Homeland and Security receiving information about a threatened, planned, or intended act of violence pursuant to Article 3.10 of this Agreement agrees to promptly dispatch an officer, or immediately dispatch an officer where the circumstances so warrant, to undertake an investigation and to take such actions as may be appropriate and necessary to prevent the threatened, planned, or intended act of violence from occurring. Further, under the March 26, 2018, update to Attorney General Directive 2016-7, the law enforcement agency must immediately report any suspicious activity "with a possible nexus to terrorism or other criminal activity related to terrorism," which includes threats of violence

directed at schools, to the appropriate County Terrorism Coordinators and the Counterterrorism Watch Section of the New Jersey Office of Homeland Security.

3.12. Requirement to Report Sexual Offenses

Subject only to the provisions of Article 7.4 and 9 of this Agreement, it is agreed that *(designated school official) must immediately notify (designated law enforcement official)* whenever any school employee in the course of his or her employment develops reason to believe that a crime involving sexual penetration or criminal sexual contact has been committed on school grounds, or by or against a student during school operating hours or during school-related functions or activities, pursuant to *N.J.A.C. 6A:16-6.3(d)*. When the school official designated as the liaison for law enforcement is the person under investigation, school districts are encouraged to have a plan in place on who should report to law enforcement (e.g., the liaison's supervisor or the chief school administrator).

3.13. Law Enforcement Response to Sexual Offenses

The *(law enforcement agency)* receiving information about sexual penetration or criminal sexual contact pursuant to Article 3.12 of this Agreement must promptly dispatch an officer, or immediately dispatch an officer where the circumstances so warrant, to undertake an investigation and to take such actions as may be appropriate and necessary to prevent future sexual offenses from occurring.

3.14. Requirement to Report Assaults on District Board or Education Members or Employees

Subject only to the provisions of Articles 7.4 and 9 of this Agreement, it is agreed that *(designated school official) shall immediately notify (designated law enforcement official)* whenever any school employee in the course of his or her employment develops reason to believe that a student committed assault, as defined under *N.J.S.A. 2C:12-1(a)1*, not involving the use of a weapon or firearm, upon a teacher, administrator, other school board employee, or district board of education member, with or without a weapon, pursuant to *N.J.A.C. 6A:16-5.7(d)5*.

3.15. Law Enforcement Response to Assaults on District Board or Education Members or Employees

The *(law enforcement agency)* receiving information about an assault on district board or education members or employees pursuant to Article 3.14 of this Agreement agrees to promptly dispatch an officer, or immediately dispatch an officer where the circumstances so warrant, to undertake an investigation and to take such actions as may be appropriate and necessary to prevent future assaults.

3.16. Requirement to Report Bias-Related Incidents

In accordance with *N.J.A.C.* 6A:16-6.3(e), school employees must notify the principal and chief school administrator when they develop reason to believe a “bias-related act”², has been committed or is about to be committed on school grounds, or has been or is about to be committed by a student on or off school grounds, and whether such offense was or is to be committed during operating school hours, or a student enrolled in the school has been or is about to become the victim of a bias-related act on or off school grounds, or during operating school hours. The principal and chief school administrator, in turn, should promptly notify the local law enforcement agency and the bias investigation officer for the county prosecutor’s office.

A “bias-related act” means an act that is directed at a person, group of persons, private property, or public property that is motivated in whole or in part by race, color, national origin, ethnicity, gender, gender identity or expression, disability, religion, or sexual orientation. A bias-related act need not involve conduct that constitutes a criminal offense. Note that all hate crimes and bias-intimidation crimes are also bias-related acts, but that not all bias-related acts will constitute a hate crime or bias-intimidation crime. A “hate crime”³ is defined as any criminal offense in which the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race, color, gender, gender identity or expression, disability, religion, sexual orientation, ethnicity, or national origin.

3.16.1. Considerations when Reporting Bias-Related Acts

N.J.A.C. 6A:16-6.3(e) requires schools to notify the law enforcement agency and the county prosecutor’s office of bias-related acts (whether committed or about to be committed) as described above. Under the authority of a separate agreement entitled *Responding to Hate Crimes and Bias-Related Acts*, the principal of the school, or his or her designee, should consider the nature and seriousness of the conduct and the risk that the conduct posed to the health, safety, or well-being of any student, school employee, or member of the general public when making the notification to the law enforcement agency and the county prosecutor’s office.

Bias-related acts may also constitute HIB. Law enforcement officials agree to notify the principal of the school at which a student is enrolled when a student or a student’s parent or guardian reports to the law enforcement agency that a student may be the victim of HIB, as defined in the ABR.

3.17. Requirement to Report Potentially Missing, Abused, or Neglected Children

² For the purposes of this document, “bias related act” includes and is used interchangeably with the term “bias incident”. The term “bias incident” is utilized in the 2000 Attorney General’s Guidelines on Bias Incident Investigation Standards and in the training of law enforcement officers. The term “bias related act” is utilized in *N.J.A.C.* 6A:16-6.3(e) and includes two categories that the 2000 Guidelines does not – gender and disability. It is the intention to update these Guidelines to bring it in accordance with *N.J.A.C.* 6A:16-6.3(e). Law enforcement are currently trained utilizing the term “bias incident” but with the inclusion of gender and disability.

³ For the purposes of this document, a “hate crime” is the same thing as a “bias crime” as utilized in the 2000 Attorney General’s Guidelines on Bias Incident Investigation Standards.

New Jersey statutes (*N.J.S.A.* 18A:36-25 and 9:6-8.10) require reporting by school officials of a potential missing or abused child to **both** law enforcement officials and Child Protection and Permanency (CP&P), New Jersey Department of Children and Families (DCF), as set forth below.

3.17.1. Reports of Child Abuse or Neglect to CP&P

Any person having reasonable cause to believe that a student has been subjected to child abuse or neglect must immediately report the matter to CP&P by telephone or otherwise, pursuant to *N.J.S.A.* 9:6-8.10 and *N.J.A.C.* 6A:16-11.1(a)2. The CP&P Child Abuse Hotline is to be contacted at 1-877-NJABUSE.

3.17.2. Notification to Law Enforcement

Notification of a potential missing or abused or neglected student also must be made to law enforcement officials by the person who is designated to report child abuse cases on behalf of the school district, such as the chief school administrator, principal, assistant principal or other designated school official, in accordance with *N.J.S.A.* 18A:36-25 and *N.J.A.C.* 6A:16-11.1(a)3. Each school district may establish individual procedures for the notification. It is not necessary for the same person to contact law enforcement and CP&P. It is only required that both notifications are made.

3.17.3. Notification of CP&P by Law Enforcement

Pursuant to the *DCF/Law Enforcement Model Coordinated Response Protocol* promulgated February 2007 by the Attorney General and the Commissioner of the Department of Children and Families, a law enforcement agency receiving a report of child abuse from the designated school official, need not notify the CP&P hotline when the school official confirms that the CP&P hotline has been contacted by school staff.

3.17.4. Law Enforcement Response

The law enforcement agency receiving a report of child abuse or a potential missing child must respond in accordance with the policies established by their County Prosecutor's Office.

3.17.5. Notification of Parents or Guardians

Notification to the student's parents or guardians must **not** be made by school officials when it is suspected that either parent or guardian is responsible for the suspected abuse. Law enforcement officials do not need the permission of a parent or guardian to speak to any student who is not the target of an investigation. It is the sole responsibility of law enforcement officials to determine when or whether a parent of any student must be contacted. Failure to follow this procedure may compromise the integrity of an investigation and place the child at risk.

3.17.6 Anonymity

Individuals who report abuse may or may not be entitled to anonymity. While CP&P allows anonymous child abuse reporting for the general public, school staff may not be entitled

to anonymity for these reports. Furthermore, there is no anonymity when incidents are reported to law enforcement authorities.

3.17.7 Custody Disputes and Potentially Missing Children

It is recognized by all parties to this agreement that custody disputes between parents often have a detrimental effect upon the children. Sudden requests for school records accompanied by suspicious absences should result in a heightened scrutiny within the school. Therefore, to the extent that a report to law enforcement will not violate student record confidentiality, if it comes to the attention of a school administrator that the absence of a child from school may be due to a parental kidnapping or custodial interference, the school administrator must immediately contact law enforcement authorities. Concerns that a child may be unlawfully removed from the jurisdiction should be immediately brought to the attention of local law enforcement officials.

Article 4. Reporting other Offenses: Non-Mandatory Reports

4.1. Reporting Other Offenses

When contemplating a non-mandatory (i.e., voluntary) report, the Department of Education encourages school officials to refer to the code of student conduct and provide a graduated response to misconduct that provides a continuum of actions designed to remediate and impose more severe sanctions for continued misbehavior prior to referring the incident to law enforcement. Research has demonstrated that students who have contact with the juvenile justice system, including a single arrest, are at increased risk of dropping out of school and having further involvement with the juvenile and adult criminal justice system.

Subject to the provisions of Articles 7.4 and 9 of this Agreement, it is agreed that (*designated school official*) may, but need not, notify (*designated law enforcement official*) whenever any school employee develops reason to believe that a non-mandatory report offense has been committed on or against school grounds. In deciding whether to refer the matter to the designated law enforcement agency, the principal of the school or his or her designee should consider the nature and seriousness of the offense and the risk that the offense posed to the health or safety of other students, school employees, or the general public and must be mindful that offenses committed on school grounds by or against students may lead to an escalation of violence or retaliation that may occur on school grounds or at other locations. Under no circumstances may any school employee prevent or discourage the victim of an offense from reporting the offense to a law enforcement agency. Schools are encouraged to consult with law enforcement concerning a non-mandatory report offense to discuss the appropriate level of intervention and available resources.

4.2. Stationhouse Adjustments

All municipal and other law enforcement agencies having patrol jurisdiction within the State of New Jersey shall make stationhouse adjustments available as a method of handling minor juvenile delinquency offenses within their jurisdiction. See Attorney General Directive

2008-2, Attorney General Guidelines for Stationhouse Adjustment of Juvenile Delinquency Offenses. A stationhouse adjustment is an alternative method that law enforcement agencies may use in their discretion to handle first-time juvenile offenders who have committed minor juvenile delinquency offenses within their jurisdiction. The availability of a stationhouse adjustment as a method of handling minor juvenile delinquency offenses does not require law enforcement agencies to use it unless they determine it is appropriate to do so. The intent of the stationhouse adjustment program is to provide for immediate consequences, such as community service or restitution and a prompt and convenient resolution for the victim, while at the same time benefitting the juvenile by avoiding the stigma of a formal juvenile delinquency record. In many instances, this early intervention will deter the youth from continuing their negative behavior and divert the youth from progressing further into the juvenile justice system.

Though a report to law enforcement allows officers to remain vigilant to the possibility of a criminal act occurring off school grounds, law enforcement is not required to file a formal complaint against a juvenile for any offense. In response to reports to law enforcement by schools, stationhouse adjustments should be employed whenever appropriate to avoid the stigma of a formal juvenile delinquency record. When considering whether to report an offense to law enforcement, schools should ensure that all available school resources and sanctions are employed prior to making the report.

4.3. Law Enforcement Response to Non-Mandatory Reports

The (*law enforcement agency*) receiving information about the commission of an offense pursuant to Article 4 of this Agreement shall respond promptly **by telephone or in person, and where appropriate, discuss with school officials whether further action is needed before contacting or involving the student.** When there is probable cause to believe that an offense has been committed, the (*law enforcement agency*) shall handle the matter in accordance with the provisions of the Attorney General's Executive Directive 1990-1 Concerning the Handling of Juvenile Matters by Police and Prosecutors.

4.4. Harassment, Intimidation, or Bullying (HIB)

Harassment, intimidation, or bullying (HIB) in school settings presents an ongoing challenge throughout New Jersey. Acts motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, tear at the fabric of our society, pose grave risks to the physical and emotional well-being of children, and can quickly lead to retaliation, an escalation of violence both on and off school grounds, and even suicide. HIB may take a myriad of forms, encompassing even common activities such as the photographing or recording of one student by another.

To address this problem, New Jersey enacted the *Anti-Bullying Bill of Rights Act* (ABR) on January 5, 2011 (*N.J.S.A. 18A:37-13 et seq.*). The ABR sets forth standards and procedures for preventing, reporting, investigating, and responding to incidents of HIB of students that occur on school grounds, at school-sponsored functions, on school buses, and off school grounds. The

ABR further requires that policies be adopted through a process that includes representation of parents or guardians, school employees, volunteers, students, administrators and community representatives (*N.J.S.A.* 18A:37-15a). Upon request by a school district, law enforcement agencies must make available a representative to participate in this process (see Article 9.4 of this Agreement).

The ABR also mandates that New Jersey's Department of Education aid schools in complying with the law by revising its model policy and guidance. The Department complied with this requirement by promulgating *Model Policy and Guidance for Prohibiting Harassment, Intimidation and Bullying on School Property, at School-Sponsored Functions and on School Buses* (most recently revised in April 2011).

4.4.1. Statutory Definition

The *Anti-Bullying Bill of Rights Act* sets forth the following definition for HIB (*N.J.S.A.* 18A:37-14.):

“Harassment, intimidation or bullying” means any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school property, at any school-sponsored function, on a school bus, or off school grounds as provided for in section 16 of P.L.2010, c.122 (C.18A:37-15.3), that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

- a. a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property;
- b. has the effect of insulting or demeaning any student or group of students; or
- c. creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

School investigations of HIB must determine whether conduct meets this definition.

4.4.2. HIB's Relationship to Criminal Conduct

Significantly, **the ABR does not criminalize HIB**. In fact, there is **no criminal offense** for HIB in the New Jersey Code of Criminal Justice. This creates a potentially

confusing situation: behavior that constitutes HIB may — but does not necessarily — comprise a criminal offense under New Jersey law. HIB is criminal only if the underlying conduct violates a provision of the Code of Criminal Justice. These criminal provisions may include not only bias intimidation, hazing, and cyber-harassment, which are discussed in Articles 3.16, 4.5, and 4.6 of this Agreement, but also assault, harassment, threats, robbery, and sexual offenses.

4.4.3. Reporting of HIB

4.4.3.1. Reporting of HIB by Schools to Law Enforcement

As set forth in Article 4.4.2 of this Agreement, HIB does not by itself constitute a criminal offense. Accordingly, there is no obligation on the part of school personnel to report HIB investigations to a law enforcement agency unless the conduct rises to the level of mandatory report, as outlined in Article 3.

An HIB event that occurs in school on a Friday can precipitate another event outside of school on a Saturday. Reporting these offenses allows law enforcement to remain vigilant, but does not require that any formal action be taken by law enforcement in response to the non-mandatory report. When making mandatory or non-mandatory reports, school officials agree to indicate any suspicions or evidence that the conduct was gang-related.

Victims of HIB also should be informed that they may report an alleged offense to the appropriate law enforcement agency; however, school officials should avoid expressing any opinion to victims as to whether the alleged conduct constitutes an offense under the Code of Criminal Justice. Under no circumstances shall any school employee prevent or discourage the victim of an offense from reporting the offense to a law enforcement agency.

4.4.3.2. Reporting of HIB to Division on Civil Rights

Incidents of HIB in schools may also implicate the New Jersey Law Against Discrimination, *N.J.S.A.* 10:5-1 to -49, if a school district's failure to reasonably address HIB has the effect of denying to a student any of a school's accommodations, advantages, facilities or privileges based on actual or perceived race, creed, color, national origin, ancestry, marital status, civil union status, domestic partnership status, pregnancy or breastfeeding, sex, gender identity or expression, affectional or sexual orientation, disability, or liability for service in the Armed Forces of the United States or nationality of such person. If law enforcement or school officials believe that incidents of HIB may implicate the school's obligations under the New Jersey Law Against Discrimination, they may voluntarily report the incidents to the New Jersey Division on Civil Rights, contact information available at www.njcivilrights.gov.

4.4.4. Preservation of Evidence and Chain of Custody

Whenever a school official receives from school employees or directly seizes a document, an electronic device or any other item that the official believes may contain evidence of HIB, reasonable precautions must be taken to prevent its theft, destruction or unlawful use by any person. It is understood and agreed that under no circumstances may any person alter,

destroy or otherwise dispose of any such evidence. Such evidence must be maintained in a locked and secure location and the handling of such evidence must be documented in order to provide a record that no one has had an opportunity to tamper with the evidence.

4.4.5. Reporting of HIB by Law Enforcement to Schools

In addition to the obligations to share law enforcement information with schools set forth in Article 9 of this Agreement, the law enforcement agency agrees to notify the principal of the school at which a student is enrolled when a student or a student's parent or guardian reports to the law enforcement agency that a student is the victim of HIB, as defined in the ABR.

Such reports are permissible pursuant to the authority of *N.J.S.A. 2A:4A-60c*, where a juvenile who is a student has been charged with an offense, or pursuant to *N.J.S.A. 2A:4A-60e*, which permits a law enforcement agency to verbally notify the principal of the school at which the juvenile is enrolled where the juvenile is under investigation or has been taken into custody but has not been formally charged with the commission of any act that would constitute an offense if committed by an adult, provided that the information may be useful in maintaining order, safety, or discipline in the school or in planning programs relevant to the juvenile's educational and social development. Such notification also must be provided when the alleged offending student is an adult. See Article 8.8 of this Agreement.

4.4.6. Coordination of HIB and Criminal Investigations

When a criminal investigation is initiated by law enforcement, but a school district has already initiated its own disciplinary investigation for the same incident or conduct, a school district generally agrees to suspend its own investigation until law enforcement has concluded its investigation. This best practice avoids hampering ongoing criminal investigations. Although the *Anti-Bullying Bill of Rights Act (ABR)* provides a ten school day timeframe to complete an HIB investigation, this investigation should be suspended or "stayed" when deemed appropriate and requested by law enforcement. The suspension or stay of a school district's HIB investigation may be appropriate when, among other things, there is a concern that witness statements and/or evidence could be adversely affected or detrimental to an ongoing criminal investigation.

Although, a law enforcement investigation focuses on whether there has been a violation(s) of the Code of Criminal Justice, an HIB investigation focuses on whether an act has been committed in violation of the ABR. In an effort to avoid hampering the independent efforts, and objectives, of both law enforcement and school officials, when law enforcement deems it appropriate for a school district to suspend or stay its HIB investigation because its own investigation could be compromised by a simultaneous or concurrent HIB investigation, it may request that the school district suspend or stay its HIB investigation. It is only when law enforcement affirmatively requests a school district to suspend or stay its HIB investigation that such an investigation should be suspended or stayed. If law enforcement does not affirmatively request a suspension or stay of an HIB investigation, a school district must comply with all applicable ABR timeframes. If law enforcement has not affirmatively requested a stay or suspension of an HIB investigation, but a school district believes that the action(s) involved may

constitute a criminal offense(s), it should contact law enforcement to inquire as to whether law enforcement may want to investigate the matter and, thereby, stay or suspend the school district's HIB investigation.

When law enforcement requests a suspension or stay of an HIB investigation, school officials must immediately memorialize this request, in writing, and advise the parent(s)/guardian(s) of the alleged perpetrator(s) and alleged victim(s) of law enforcement's request. Notice to the parents must include the fact that the time limit on filing a complaint in the Division on Civil Rights must not be delayed due to law enforcement's request. If the parent(s)/guardian(s) objects, either orally or in writing, to the suspension or stay of the school district's HIB investigation, law enforcement must seek appropriate legal assistance from the County Prosecutor's Office to obtain a formal court order compelling the stay. In addition, and more specifically:

- If law enforcement requests a suspension or stay of an HIB investigation, but the school district has not yet initiated its investigation, the school district must initiate its investigation but solely for the purpose of safeguarding the health and welfare of its students, and not for the purpose of determining whether HIB occurred. The school district's HIB investigation must remain open and stayed during the pendency of law enforcement's investigation. Upon completion of the law enforcement investigation, and following notification of that completion from the county prosecutor, the anti-bullying specialist must immediately resume the school's HIB investigation. In this instance, the anti-bullying specialist must have the ten school days to complete its HIB investigation.
- If law enforcement requests a suspension or stay of an HIB investigation, but the school district has already initiated its investigation, the school must immediately cease and stay its HIB investigation at the request of law enforcement while following the parental/victim notification requirements and seeking court orders to stay requirements set forth above. However, the school district must still be required to safeguard the health and welfare of its students. The school district's HIB investigation must remain open and stayed during the pendency of law enforcement's investigation. Upon completion of the law enforcement investigation, and following notification of that completion from the county prosecutor, the anti-bullying specialist must immediately resume the school's HIB investigation. In this instance, the anti-bullying specialist must have the number of days remaining in the ten school day timeframe to complete its HIB investigation (e.g., if law enforcement directs a school district to cease its investigation on day three, then the school district must have seven days, following clearance from the county prosecutor, to complete its HIB investigation).
- If law enforcement requests a suspension or stay of an HIB investigation, but the school district has already completed its investigation, the ten school day timeframe must be unaffected. However, in the event that additional information is available upon the completion of a criminal investigation, the ABR permits the school anti-bullying specialist to amend the original report with the results of the investigation to reflect the additional information (*N.J.S.A. 18A:37-15b(6)a*). The anti-bullying specialist should

review this additional information, and promptly determine whether the original report should be amended.

- If law enforcement requests a suspension or stay of school district action at any other point, including prior to the reporting of the results of the investigation to the chief school administrator or the board of education; the reporting of information to the parent(s)/guardian(s) of the alleged perpetrator(s) and alleged victim(s); a parental request hearing before the board of education; or prior to the issuance of the board of education's written decision; the school district must comply with this request while following the parental/victim notification requirements and seeking court orders, if necessary, to stay requirements set forth above. All school district action must be stayed during the pendency of law enforcement's request. Following notification of that completion from the county prosecutor, the school district must immediately resume any and all remaining action(s) required under law and regulation.

4.5. Hazing

Hazing is a process, based on tradition that is used by groups to maintain a hierarchy (*i.e.*, a pecking order) within the group. Regardless of consent, the rituals require individuals to engage in activities that are physically and/or psychologically stressful. These activities can be humiliating, demeaning, intimidating, and exhausting, all of which results in physical or emotional discomfort. Hazing is about group dynamics and proving one's worthiness to become a member of a specific group. The newcomer, or victim, is hazed. Once accepted by the group, the victim may become a bystander, watch others get hazed, achieve senior status, and ultimately become a perpetrator of hazing.

In New Jersey, hazing is a separate criminal offense under *N.J.S.A. 2C:40-3*. School officials should be aware that hazing which involves the participation of a coach or a teacher may also constitute child abuse. Hazing may also involve other predicate crimes, such as sexual assault. Hazing may also constitute HIB. As noted in Article 4.4.2, although HIB is not a separately defined criminal offense, the conduct that constitutes bullying may constitute one or more criminal or disorderly person offenses, including assault, harassment, threats, robbery and sexual offenses.

4.5.1. Statutory Definition

The statute sets forth the following definition for hazing:

A person is guilty of hazing, a disorderly persons offense, if, in connection with initiation of applicants to or members of a student or fraternal organization, he/she knowingly or recklessly organizes, promotes, facilitates or engages in any conduct, other than competitive athletic events, which places or may place another person in danger of bodily injury (*N.J.S.A. 2C:40-3(a)*).

A person is guilty of aggravated hazing, a crime of the fourth degree, if he/she commits an act defined as hazing that results in serious bodily injury to another person (*N.J.S.A. 2C:40-*

3(b)). The consent of the person hazed is not a defense (*N.J.S.A. 2C:40-4*). Any other criminal conduct under the New Jersey Code of Criminal Justice also may be charged (*N.J.S.A. 2C:40-5*).

4.5.2. Reporting of Hazing

Accordingly, there is no obligation on the part of school personnel to report any hazing incident, unless the conduct rises to the level of mandatory report, as outlined in Article 3.

Hazing may also constitute HIB. Law enforcement officials agree to notify the principal of the school at which a student is enrolled when a student or a student's parent or guardian reports to the law enforcement agency that a student may be the victim of HIB, as defined in the *Anti-Bullying Bill of Rights Act*.

4.6. Cyber-Harassment

As of January 17, 2014, cyber-harassment constitutes a separate criminal offense in New Jersey (*N.J.S.A. 2C:33-4.1*). The law targets online communications that threaten to inflict a crime, an injury, physical harm, or are made with the intent to emotionally harm a reasonable person or to place a reasonable person in fear of physical or emotional harm. The offense of cyber-harassment may be charged as either a third or fourth degree felony, depending on the ages of the target and harasser.

4.6.1. Statutory Definition

The statute sets forth the following definition for cyber-harassment:

1.a. A person commits the crime of cyber-harassment if, while making a communication in an online capacity via any electronic device or through a social networking site and with the purpose to harass another, the person:

- (1) threatens to inflict injury or physical harm to any person or the property of any person;
- (2) sends, posts, comments, requests, suggests, or proposes any lewd, indecent, or obscene material to or about a person; or
- (3) threatens to commit any crime against the person or the person's property.

b. Cyber-harassment is a crime of the fourth degree, unless the person is 21 years of age or older at the time of the offense and impersonates a minor for the purpose of cyber-harassing a minor, in which case it is a crime of the third degree.

c. If a minor under the age of 16 is adjudicated delinquent for cyber-harassment, the court may order as a condition of the sentence that the minor, accompanied by a parent or guardian, complete, in a satisfactory manner, one or both of the following:

- (1) a class or training program intended to reduce the tendency toward cyber-harassment behavior; or

- (2) a class or training program intended to bring awareness to the dangers associated with cyber-harassment.
- d. A parent or guardian who fails to comply with a condition imposed by the court pursuant to subsection c. of this section is a disorderly person and must be fined not more than \$25 for a first offense and not more than \$100 for each subsequent offense (*N.J.S.A. 2C:33-4.1*).

4.6.2. Reporting of Cyber-Harassment

Accordingly, there is no obligation on the part of school personnel to report any cyber-harassment incident, unless the conduct rises to the level of mandatory report, as outlined in Article 3.

Cyber-harassment may also constitute HIB. Law enforcement officials agree to notify the principal of the school at which a student is enrolled when a student or a student's parent or guardian reports to the law enforcement agency that a student may be the victim of HIB, as defined in the *Anti-Bullying Bill of Rights Act*.

4.7. Sexting

Sexting, or the sending of sexually explicit photos by electronic means such as text message, may constitute a criminal act pursuant to New Jersey's child pornography laws. For instance, it is a crime to give to someone else, offer to give to someone else, transfer, disseminate, distribute, circulate, or possess pornography depicting a child, defined as a person younger than 18 (*N.J.S.A. 2C:24-4*). Penalties for violating such laws include not only significant time in prison but also mandatory registration as sex offenders.

4.7.1. Reporting of Sexting

Sexting has become increasingly common among both pre-teens and teens who may be unaware that it can compromise not only their social reputation, but their digital reputation as well. Once a photograph has been sent out, it becomes difficult, if not impossible, to know how many people have saved it, tagged it, shared it, etc. Unfortunately, the photograph could resurface years after it was taken and posted. Working proactively with law enforcement is often the best way to quickly ascertain who has a digital copy of the photograph and to destroy it before it can be further circulated.

School officials agree to immediately report to law enforcement officials any sexting incident that rises to the level of mandatory report, as outlined in Article 3. In addition, schools are encouraged to consult with law enforcement for any incident that may require outside investigation. New Jersey has created an alternative to criminal prosecution for teens charged with child pornography as a result of sexting (*N.J.S.A. 2A:4A-71.1*). If the court deems it appropriate, these teens may be ordered to participate in an educational program or counseling in lieu of prosecution. Both the creator and subject of the sexting image must be younger than 18 to be eligible for this program.

Sexting may be also constituting HIB. Law enforcement officials agree to notify the principal of the school at which a student is enrolled when a student or a student's parent or guardian reports to the law enforcement agency that a student may be the victim of HIB, as defined in the *Anti-Bullying Bill of Rights Act*.

4.8 Offenses Involving Computers, the Internet and Technology

4.8.1. Purpose

Computerized devices such as cell phones, smart phones, digital cameras, PDAs, laptop computers and desktop computers have become a part of our daily lives. The growth of the Internet and local computer networks makes information and communication immediately accessible. However, access to this technology and information potentially can be used for harmful purposes that can cause great disruption in a school. In 2003, a series of laws were passed allowing for the prosecution of new crimes, such as unauthorized computer access and damage which such access may cause. In addition, digital cameras, digital photos, digital videos, cell phones, e-mail and the Internet are increasingly used to commit crimes. The purpose of this section of the Agreement is to recognize some of the areas where law enforcement and educational professionals should cooperate to ensure a unified response to the illicit and harmful use of technology by students, teachers, administrators and other school staff. These areas include:

- 1) Unauthorized access to school networks.
- 2) Harassment and threats via electronic media.
- 3) Use of technology to facilitate other crimes.
- 4) Blogging (free speech).
- 5) Limitation of electronic devices, such as cell phones, pagers and cameras, on school grounds.

4.8.2. Unauthorized Access to School Networks, Harassment and Threats via Electronic Media, and the Use of Technology to Facilitate Other Crimes

Unauthorized access to school networks is a prosecutable offense under *N.J.S.A. 2C:20-23 et seq.* Any damage to the network may result in more severe penalties. School officials may consider unauthorized accessing of a school network to be an internal matter and not advise law enforcement authorities. However, law enforcement personnel are specially trained in forensic computer analysis. The ability to accurately assess the level of intrusion into a computer system is best handled by law enforcement professionals. Often the significance of an attack on the integrity of a school computer network can extend into the community. The ability of law enforcement to quantify any unauthorized use or access can bring peace of mind to concerned citizens in the community. Accordingly, when notification to law enforcement is appropriate, notification should be made to law enforcement immediately upon learning of unauthorized access.

In addition to accessing computer systems, it has unfortunately become commonplace for juveniles to utilize electronic forms of communication to harass and threaten other students or

individuals. The mere fact that the communication is in electronic form, rather than oral or written form is irrelevant. School personnel should be guided by the reporting obligations elsewhere in this agreement. School personnel should be mindful of the fact that forensic computer analysis of an individual computer or network can result in valuable evidence for an investigation. Therefore, when notification to law enforcement is appropriate, the entirety of the investigation should be conducted by law enforcement so as not to compromise the integrity of potential evidence.

Finally, computers and other forms of current and emerging technology may be used to facilitate other criminal activity. Financial information, identifying information and illicit images may all be contained on a suspect's computer. Therefore, it is vital that law enforcement be notified immediately when a school learns that a juvenile may be using a computer to violate the law. Similarly, cell phones, smart phones, tablets, PDAs and other electronic communication devices should be turned over to the police, not parents, when the school comes into possession of items which they suspect may contain evidence of criminal behavior. For any offense committed on media, reporting should be guided by Articles 3 and 4 in this agreement.

4.8.3. Blogging and Free Speech Issues

The creation of a "web-log" or "blog" is a current trend for many individuals using the Internet. A blog is personal space on the world-wide-web devoted to a particular topic. Often a single individual authors a blog, or as is becoming more common, access to the blog is 'open' and anyone may post an entry. Blogging is not limited to text, and information which can be stored electronically may be placed in a blog: music, photos and videos, for example, all can become part of a blog.

There are many free blog sites available for use by anyone with Internet access. Registration requirements are often loose and potentially ineffective. Blogs have become a public forum for many people, including students, to post a variety of personal information, including biographical information, opinion, media, and insulting or harassing speech.

Law enforcement officials, while vigilant in the pursuit of criminal activity, are often faced with the issue of "free speech" under the Federal and New Jersey Constitutions. Prosecution of individuals who harass or threaten specific groups or individuals is commonplace. However, law enforcement may be unable to prosecute those who merely publish an opinion or a photograph. School personnel as well as students often are the target of information contained in blogs.

4.8.4. Reporting of Blogging and Free Speech Issues

Accordingly, there is no obligation on the part of school personnel to report any blogging or free speech issues, unless the conduct rises to the level of mandatory report, as outlined in Article 3.

Law enforcement authorities have the ability to preserve evidence before the author has an opportunity to alter it. If such information is brought to the attention of law enforcement, a

legal determination will be made on whether the information contained in the blog is constitutionally protected and whether it is criminal in nature.

Article 5. Notice of Arrests

5.1. Arrests of Students on School Grounds

Whenever a student has been arrested on school grounds, the law enforcement officer or agency involved shall, as soon as practicable, notify the building principal. Whenever possible, such notice shall be given before the student has been taken off school grounds. Where the student is a juvenile, all information concerning the circumstances of the arrest shall be provided to the building principal on a confidential basis and in accordance with the provisions of *N.J.S.A. 2A:4A-60d(3)*. See Article 8.4 of this Agreement for a synopsis of those laws.

5.2. Arrests of Non-Students on School Grounds

Where a person other than an enrolled student is arrested on school grounds, the building principal shall be advised as to the circumstances of the offense and the identity of the offender, provided that where the person arrested is a juvenile, it is understood that the law enforcement agency or officer involved is not permitted to divulge any information that would violate the laws governing the disclosure of juvenile information. See Article 8.4 of this Agreement for a synopsis of those laws.

5.3. Arrests of Students off School Grounds During Operating School Hours

When a student is arrested off school grounds during operating school hours, or under circumstances that would lead the arresting officer to believe that a school official was responsible for the care and custody of the student at the time of the arrest, or where the arresting officer reasonably believes that the student was in transit between school and his home at the time of arrest, the arresting officer shall, as soon as practicable, notify the building principal of the school in which the student is enrolled. All information concerning the basis and circumstances of the arrest shall be provided to the building principal on a confidential basis and in accordance with the provisions of *N.J.S.A. 2A:4A-60*, as summarized in Article 8.4 of this Agreement.

5.4. Parental Notification

When the building principal is advised of a student's arrest, pursuant to the provisions of this Agreement, the principal or his or her designee will, as soon as practicable, and in accordance with *N.J.A.C. 6A:16-6.2(b)3* and 11 and the associated board of education policies and procedures regarding parental notification, contact a parent or guardian of the student. It is understood that the law enforcement agency making the arrest also is required to attempt to contact the student's parent or guardian pursuant to *N.J.S.A. 2A:4A-33*.

It is agreed that the (*school official*) shall at the request of the (*law enforcement agency*) and/or the County Prosecutor's Office provide information concerning the efforts by the principal or school staff to contact and notify the student's parent(s) or guardian.

Article 6. Arrest Protocols

For the purpose of this Agreement, the term "arrest" shall include the taking into custody of a juvenile for any offense which if committed by an adult would constitute a crime or disorderly persons offense.

6.1. Requests by School Officials

All requests by any school official to summon a law enforcement officer for the purpose of making an arrest on school grounds, pursuant to *N.J.A.C. 6A:16-6.2(b)2* and 9, whether for a suspected violation of the Comprehensive Drug Reform Act or for a suspected violation of any other criminal statute, should be directed to the (*designated police liaison or to the chief of the department having patrol jurisdiction*). Nothing herein shall be construed in any way to preclude or discourage any person from dialing "9-1-1" to report an emergency.

6.2. Minimizing Disruption of the Educational Process

It shall be the general policy of (*law enforcement agency*) when making any arrest on school grounds to minimize the disruption of the school environment to the greatest extent possible, consistent with the requirements of public safety. Accordingly, substantial weight shall be given by the law enforcement officer assigned to make the arrest to the specific recommendations of the building principal or local chief school administrator as to the time, place, and manner for effecting the arrest.

6.2.1. Arrests to be Conducted in Private

So as to minimize any disruption of the educational environment, every reasonable effort should be made to effect the arrest in the building principal's office, or in some other designated area away from the general student population.

6.2.2. Preferred Use of Plainclothes Officers to Effect Arrest

Where feasible, the responding law enforcement officer(s) should be in plainclothes, use unmarked police vehicle(s) and refrain from using a siren or flashing overhead lights. In addition, the number of responding officers should be kept to a minimum, consistent with the requirements of public safety.

6.2.3. Cooperation with Arrests on School Property

It is understood and agreed that school officials shall cooperate with law enforcement officials and shall not provide sanctuary from arrest to any person, and that school officials shall not interfere with or impede any law enforcement officer in the performance of his or her duties.

6.3. Other Spontaneous Arrests

6.3.1. Notice to Building Principal

In cases in which a law enforcement agency responds during operating school hours to a suspected offense reported by someone other than the building principal or local chief school administrator, or where a law enforcement officer observes the occurrence of an offense on school grounds during operating school hours which would justify a warrantless arrest, or where a person subject to arrest retreats onto school grounds during operating school hours, the arresting law enforcement officer shall notify the building principal as soon as it is practical to do so. Where the arrest involves a student enrolled in the school, the building principal shall, wherever feasible, be notified before the student is taken from school grounds.

6.3.2. Minimizing Disruption

When effecting any spontaneous arrest on school grounds during operating school hours, every reasonable precaution shall be taken to minimize the disruption of the school environment to the greatest extent possible, consistent with the requirements of public safety.

6.4. Planned Arrests

Whenever a planned arrest is to occur on school grounds, the building principal or local chief school administrator shall be advised and consulted before the arrest occurs.

Article 7. Law Enforcement Operations

7.1. Inquiries Regarding Law Enforcement Operations

All inquiries or complaints received by school personnel regarding interviews, investigations, arrests or other operations conducted by sworn law enforcement officers shall be directed to the appropriate law enforcement agency. This shall apply to inquiries from parents, guardians, the press or any other sources. A school official receiving such an inquiry or complaint shall also notify the appropriate law enforcement agency of the nature of the inquiry or complaint (*N.J.A.C. 6A:16-6.3*).

7.2. Interrogations and Interviews

No law enforcement officer shall direct, solicit, encourage, attend or otherwise participate in the questioning of any juvenile by school officials unless such questioning could be lawfully conducted by the law enforcement officer acting on his or her own authority in accordance with the rules and procedures governing law enforcement interrogations and interviews. All information obtained by school employees concerning the commission of an offense, whether obtained as a result of the questioning of a student or otherwise, shall be referred to the appropriate law enforcement agency, provided however, that nothing in this Agreement shall be construed to authorize or require a school employee to divulge information or records in violation of the confidentiality requirements of 42 C.F.R. Part 2, or any other applicable state or federal regulation, law or rule of evidence concerning confidential and privileged

communications. The procedures for and responsibilities of staff, with regard to interviews of students suspected of possessing or distributing a controlled dangerous substance, including anabolic steroids, drug paraphernalia or a firearm or other deadly weapon shall be in accordance with *N.J.A.C.* 6A:16-6.1 et seq. and the associated board policies and procedures. Notification of parents in instances of law enforcement interviews involving their children will be made by school staff in accordance with *N.J.A.C.* 6A:16-6.2(b) and the associated board policies and procedures. It is understood that law enforcement officials need not contact parents to interview a minor student when the student is not the target of an investigation. However, law enforcement officials must contact parents to interview a minor student when the student is a target of an investigation.

7.3. Undercover School Operations

Undercover school operations are designed to disrupt ongoing drug-distribution activities. These operations are difficult to implement and require extensive planning, cooperation, and secrecy. Attorney General Executive Directive 1988-1 imposes strict limitations on the use of this investigative tactic. The Attorney General Directive is designed to protect the educational environment of a school and to minimize the risk of injury to students and undercover officers. Rules and regulations promulgated by the State Board of Education and codified at *N.J.A.C.* 6A:16-6.2(b)7 require local district boards of education to adopt and implement policies and procedures to ensure cooperation between school staff and law enforcement authorities in all matters relating to undercover school operations.

7.3.1. Requests to Conduct Operations

a. All requests by school officials to undertake an undercover school operation in a particular school or school district will be directed to the local chief of police or, where appropriate, to the Superintendent of State Police. However, it is understood that the ultimate approval of all undercover school operations can only be granted by (*designated school official*) and (*the county prosecutor*) or, where appropriate, the Attorney General or his or her designee. When the school official designated as the liaison for law enforcement is the person under investigation, school districts are encouraged to have a plan in place on who should report to law enforcement (e.g., the liaison's supervisor or the chief school administrator).

b. A request to undertake an undercover school operation will not be made public by either the requesting school official or the law enforcement agency receiving the request.

c. The county prosecutor or the Attorney General or his or her designee will make a good faith effort to comply with all reasonable requests to initiate an undercover operation, considering the scope and nature of the substance abuse or weapons-related problem in the school or district and the availability of law enforcement resources.

d. Where the county prosecutor or the Statewide Narcotics Task Force is for any reason unable to comply with a request to undertake an undercover school operation, the county prosecutor or the Attorney General or his or her designee will promptly notify the requesting school officials.

e. The decision to decline a request to undertake an undercover school operation shall not be made public by either the requesting school officials or the law enforcement agency receiving the request.

f. Nothing herein shall be construed to preclude law enforcement officials from initiating a request to conduct an undercover school operation pursuant to Section 2 of this Addendum.

7.3.2. Consultation and Cooperation

a. As a practical matter, a successful undercover school operation cannot take place without the assent and continuing cooperation of the building principal and local chief school administrator and, except as may be expressly provided herein, none shall be attempted without such assent and continuing cooperation. Accordingly, prior to the placement of any undercover officer in a school, the school building principal and the local chief school administrator will be consulted unless there are compelling reasons not to consult with either of these officials. Where the Attorney General determines that compelling reasons exist, an alternative school official or officials will be designated who will be consulted in lieu of the building principal or local chief school administrator prior to the placement of an undercover officer in a school and throughout the course of the operation.

b. In any case where the undercover school operation has not been requested by an appropriate school official, the law enforcement agency proposing the operation will advise the building principal and local chief school administrator of the nature of the proposed operation and will, to the greatest extent possible, explain the reasons why the operation is necessary and appropriate. This explanation should include a description of the extent and nature of the suspected drug trafficking or weapons-related activities occurring within the school environment that would justify the operation. It is understood and agreed that law enforcement officials will not be required or permitted to divulge any information received in confidence, whether from an informant or otherwise, or that would violate the laws or court rules governing the disclosure of juvenile offender information, grand jury information, or information derived from electronic surveillance.

c. It is understood and agreed that undercover school operations should not necessarily be limited to schools falling within any particular region or demographic setting e.g., rural, suburban, urban center, or any particular district factoring group (i.e., a composite measure of socioeconomic status within a geographic area). Rather, subject to the availability of resources, undercover school operations should be proposed and conducted in any district or school where the designated law enforcement and school officials determine that such operations would be beneficial.

d. Information provided by law enforcement to the building principal or local chief school administrator will be kept strictly confidential and will not be divulged by the building principal or local chief school administrator to any other person without the express approval of the county prosecutor or, where appropriate, the Attorney General or his or her designee.

e. No law enforcement officer will disclose the fact that an undercover school operation has been proposed, requested, or is being or has been considered with respect to any particular school or school district.

f. The building principal and the local chief school administrator will be afforded the opportunity to offer specific concerns regarding the conduct of any proposed undercover school operation, and will also be given the opportunity to make general or specific recommendations as to how to minimize the impact of the proposed operation on the educational environment, existing substance abuse counseling programs, and the relationship between school authorities, the law enforcement community, and the student population. In developing an undercover school operation plan, and throughout the course of the operation, the law enforcement agency conducting the operation will give due consideration to the concerns and recommendations offered by the building principal and local chief school administrator. Furthermore, these school officials will be advised whenever the law enforcement agency conducting the undercover school operation is for any reason unable or unwilling to follow any proposed recommendation. However, it is understood that the law enforcement agency responsible for conducting the undercover operation shall maintain control of the logistics of any operation once begun.

g. The law enforcement agency conducting the undercover school operation will provide to the building principal and local chief school administrator a detailed briefing concerning the logistical and record keeping requirements associated with successfully placing an officer undercover. The building principal and local chief school administrator may contact the designated liaison who will be available on a 24-hour basis to respond to any problems or inquiries.

7.3.3. Security; Limited Disclosure Agreements; Early Termination

a. The building principal and local chief school administrator will be informed as to the identity of any person assigned to an undercover investigation unless there are compelling reasons, as shall be determined by the Attorney General, not to inform either of these officials. The building principal and local chief school administrator, and any other school officials or employees who may be informed as to the identity of the undercover officer, will safeguard the identity of that officer and will not disclose the existence of a contemplated or ongoing undercover school operation to any person.

b. In the event that the building principal, local chief school administrator or any other school official or employee who may have been informed as to the existence of the operation subsequently learns of any information that suggests that the true identity of the undercover officer has been revealed, or that any person has questioned the identity or status of the undercover officer as a bona fide member of the school community, or that the integrity of the operation has been in any other way compromised, such information will be immediately communicated to the law enforcement agency conducting the operation or to the county prosecutor.

c. The school principal and local chief school administrator will be advised whenever an undercover school operation has been suspended or terminated or whenever the undercover officer is permanently removed from the school environment.

7.3.4. Use of Undercover Officers as School Employees

It is understood that no undercover school operation may be conducted that entails the placement of an undercover officer as a certified member of the school community without prior written approval of the Attorney General with notice given to the Commissioner of Education, or in the case of non-public schools, the chief school officer. It is understood that the Attorney General will base his approval upon a finding that 1) other law enforcement methods would not be effective, and 2) there is a reasonable articulable suspicion that adult school employees or other non-student member(s) of the school community are engaged in drug trafficking or unlawful weapons-related activities. In that event, and upon such findings, the underlying purpose of the operation would not be to identify or to apprehend student offenders, but rather to identify and to apprehend suspected adult or non-student offenders. Furthermore, the law enforcement agency involved will develop, in consultation with the building principal and local chief school administrator, those steps that will be taken to minimize the undercover officer's contact with, and impact upon, the student population. It is understood that no undercover officer will be permitted to teach a formal class of instruction without the approval of the Attorney General and local chief school administrator, and that in no event will an undercover officer posing as a non-student member of the school community be permitted to establish or to simulate any confidential, trust or counselor relationship with any student.

7.3.5. Limitations on Undercover Officer Conduct

a. *Code of Student Conduct Infractions.* It is understood that an undercover officer cannot be expected to pose as a model student. Nonetheless, no undercover officer will engage in any activities that unduly disrupt the educational environment, or that amount to code of student conduct infractions of such a nature and magnitude so as to prevent other students from enjoying the full benefits of that educational environment. An undercover officer will at all times respect the rights of teachers and other students.

b. *Confidentiality of Treatment Records.* Federal regulations and state policies concerning the confidentiality of treatment and substance abuse counseling program records and information will be strictly safeguarded. No law enforcement activity will be permitted in any way to interfere with, intrude upon, or compromise the integrity of any substance abuse counseling or treatment program.

c. *Entrapment.* No undercover officer will encourage or counsel any student to purchase or use alcohol or any controlled dangerous substance.

d. *Firearms Policy.* It is understood that undercover work concerning drug trafficking activities is inherently dangerous. Accordingly, it is understood and agreed that law enforcement will take all measures that are necessary and appropriate to protect the undercover officer, as well as to protect all students with whom the undercover officer may come in contact, and to avoid potentially violent confrontations whenever possible. In general, an undercover officer will not carry a firearm or otherwise bring onto, or maintain, a firearm on school grounds. An exemption from the general rule prohibiting the carrying or bringing onto school grounds of a firearm will only be granted with the express approval of the officer's immediate superior, unless otherwise specified in the plan approval process for good cause shown. Any firearm brought

onto school grounds will ordinarily be contained in a closed and fastened case locked in the trunk of an automobile operated by the undercover officer. It is assumed, moreover, that any exemption from the general weapons carrying policy agreed to herein will only be rarely sought, and approval to carry a firearm onto school grounds will only be granted where alternative means of providing adequate security or support are not feasible.

e. Non-Participation in Treatment. No undercover officer will in any way participate in or attend any drug or alcohol abuse treatment or counseling program. In the event that an undercover officer is referred to, or recommended to participate in, a counseling or treatment program by a teacher or school staff member, the undercover officer will report the circumstances of that referral or recommendation to his superiors and will decline such referral or recommendation.

f. Preservation of Teacher Trust Relationships. No undercover officer will engage in any activity or conversation that would require any teacher or school official to violate or compromise a trust relationship with any student.

g. Romantic Involvement. No undercover officer will encourage or participate in any romantic relationship with any student during the course of an undercover operation.

h. Treatment. No undercover officer will discourage any student from seeking drug or alcohol abuse treatment or counseling, or from reporting his or her own alcohol or substance abuse problem or dependency.

i. Use and Distribution Prohibition. No undercover officer will ingest or inhale (other than passive inhalation) any controlled dangerous substance; nor will any undercover officer be permitted to distribute or dispense any controlled dangerous substance without the express approval of the county prosecutor or, where appropriate, the Attorney General or his or her designee. Under no circumstances will an undercover officer sell or transfer a firearm on school grounds or to a student without the express prior approval of the county prosecutor, or, where appropriate, the Attorney General or his or her designee.

7.3.6. Post-Operation Report

It is understood that following the termination of every undercover school operation, the county prosecutor or the Assistant Attorney General in charge of the Statewide Narcotics Task Force will prepare a post-operation report that will be transmitted to the Attorney General. The report will discuss the results and impact of the operation and any logistical or policy problems which were encountered. The report will also include recommendations for improved procedures in dealing with potentially recurring problems. The county prosecutor or the Assistant Attorney General in charge of the Statewide Narcotics Task Force will solicit the comments and recommendations of the building principal and local chief school administrator, and these comments and recommendations will be included in the post-operation report. The contents of a post-operation report will be publicly disclosed, and a copy will be provided to the building principal, the local chief school administrator, the executive county superintendent and the Commissioner of Education.

7.3.7. Post-Operation Seminars

To maximize the deterrent impact of an undercover school operation, the law enforcement agency conducting the operation will make available officers to participate in seminars which, upon the invitation of appropriate school officials, may be held in the school in which the operation was conducted. The purpose of these seminars will be to discuss with teachers, parents and/or students the nature of the completed operation, the steps taken to minimize the intrusion into the educational environment, and to discuss the substance abuse or weapons-related problem from a law enforcement perspective. It is the agreed upon policy of the parties to the attached Agreement to promote the frank and open discussion of issues concerning the need for such operations, and to solicit opinions and recommendations from teachers, parents, students and members of the community-at-large.

7.4. Planned Surveillance

7.4.1. Live Streaming Video

Pursuant to *N.J.S.A.* 18A:41-9, if at least one school building of a school district is equipped with video surveillance equipment that is capable of streaming live video wirelessly to a remote location, the board of education and local law enforcement shall enter into a memorandum of understanding which provides the authorities with the capacity to activate the equipment and view the live streaming video.

The memorandum of understanding, at a minimum, shall include:

1. A list of designated persons, including contact information, position, rank, and supervisor's contact information, of those who are authorized to activate the equipment to view the live streaming video. The list may be executed as a confidential attachment to the memorandum of understanding.
2. Description of the circumstances under which the designated individuals could activate and view the live streaming video.
3. A detailed plan for preventing and detecting unauthorized access to live streaming video.

In the case of a school building that is located in a municipality in which there is no municipal police department, the board shall enter into a memorandum of understanding with an entity designated by the Superintendent of State Police.

In the event that the parties to the memorandum of understanding are unable to reach an agreement regarding any provision required [(1) – (3) above] , the County Prosecutor shall make the final determination regarding that provision.

Nothing in this section shall be construed as requiring installation of video surveillance equipment capable of streaming live video wirelessly to a remote site.

7.4.2. Notice and Consultation

In the absence of compelling or exigent circumstances, as shall be determined by the county prosecutor or the Attorney General or his or her designee, no planned narcotics surveillance operation as defined in this Agreement will be conducted during operating school hours without first consulting with the building principal or local chief school administrator of the school involved.

7.4.3. Limitations; Targeted Subjects

Nothing in this Agreement shall be construed to prevent any law enforcement officer from making any observations from any place or property not owned or used by a school or school board, except that a planned narcotics surveillance or any other form of observation should, wherever possible, be limited to observing 1) those specific individuals or groups of individuals who are believed to be involved in drug trafficking or weapons-related activities, or 2) those specific areas or places on school grounds, where drug use or trafficking or weapons-related activity is believed to occur frequently.

7.5. School Searches

7.5.1. Searches Conducted Independently by School Officials

No law enforcement officer shall direct, solicit, encourage or otherwise actively participate in any specific search conducted by a school official unless such search could be lawfully conducted by the law enforcement officer acting on his or her own authority in accordance with the rules and procedures governing law enforcement searches. Nothing in this Agreement shall be construed to preclude a law enforcement officer from taking custody of any item or substance seized by any school employee, pursuant to *N.J.A.C. 6A:16-6.2(b)5iv*.

7.5.2. Notice to Law Enforcement of Seizure of Contraband

School officials shall immediately notify law enforcement officers whenever a school employee comes into possession, whether as a result of a search or otherwise, of any substance or item believed to be a controlled dangerous substance, drug paraphernalia, firearm, or non-firearm weapon used or threatened to be used in committing an offense.

7.5.3. Law Enforcement Assumption of Responsibility

School officials shall permit law enforcement officers upon their arrival to the scene to assume responsibility for conducting any search, in which event the standards governing searches conducted by law enforcement officers shall prospectively apply.

7.5.4. Legal Questions during Conduct of Law Enforcement Search

Any questions by school officials concerning the legality of any contemplated or ongoing arrest, search or seizure conducted by a law enforcement officer on school grounds should be directed to the (*appropriate county prosecutor*), pursuant to *N.J.A.C. 6A:16-6.2(b)5ii*, or in the case of an arrest, search or seizure undertaken by a member of the State Police, Division of Criminal Justice, or federal law enforcement officer to the Director of Criminal Justice.

7.5.5. Agreement Does Not Constitute a Request to Conduct Searches

Nothing in this Agreement shall be construed in any way to require any school official to actively participate in any search or seizure conducted or supervised by a law enforcement officer; nor shall this Agreement be construed to direct, solicit or encourage any school official to conduct any search or seizure on behalf of law enforcement, or for the sole purpose of ultimately turning evidence of a crime over to a law enforcement agency. Rather, it is understood that any search or seizure conducted by school officials shall be based on the school officials' independent authority to conduct reasonable investigations as provided in *New Jersey v. T.L.O* and, pursuant to *N.J.A.C. 6A:16-6.2(b)5*.

7.5.6. Search and Seizure Legal Advice to School Officials

Any question by a school official concerning the law governing searches conducted by school officials may be addressed to the (*county prosecutor or his or her designee*).

7.5.7. Requests to Use Drug-Detection Canines

It is understood and agreed that all inspections of lockers, desks, or other objects or personal property on school grounds involving the use of law enforcement drug-detection canines shall be conducted in accordance with the policies and procedures established in the *New Jersey School Search Policy Manual*; shall comply with the "Special Rules and Procedures Governing the Use of Law Enforcement Canines to Conduct Suspicionless Examinations" set forth in Chapter 4.5 F of that manual; and shall conform to *N.J.A.C. 6A:16-6.2(b)5vi*. No such operation shall be undertaken without the express permission of the county prosecutor or the Director of the Division of Criminal Justice or his or her designee in the New Jersey Department of Law and Public Safety. It is further understood and agreed that the (*designated school official*) shall not invite or approve the use of a privately-owned drug-detection canine without first providing notice of the intention to use any such private service to the (*law enforcement agency*) and the county prosecutor, and it is further understood and agreed that if any such private drug-detection canine alerts to the presence of a controlled dangerous substance, any substance, paraphernalia, or other evidence of an offense seized by any person pursuant to such alert shall be turned over to (*law enforcement agency*) or the County Prosecutor's Office in accordance with the provisions of Articles 3.2 and 3.4 of this Agreement.

7.6. Routine Patrols

7.6.1. Visible Enforcement Plans

The (*police department*) shall maintain at appropriate times a visible police presence within all drug-free school zones, and shall file and periodically update a confidential report with the (*prosecutor*) detailing how these zones are to be patrolled.

7.6.2. Notice to School Officials

Where a patrol plan requires an officer periodically to enter onto school grounds, the (*police department*) shall advise the appropriate (*school building principal and local chief school administrator*). It is understood and agreed that any portion of a patrol plan disclosed to school officials in accordance with this subsection shall be kept strictly confidential.

7.6.3. On-Site Reporting

Except when responding to an emergency, no on-duty police officer will enter any school building without first complying with the procedures established by the school for the reporting of visitors. It shall be the responsibility of each police department or agency with patrol responsibilities to make certain that all officers are familiar and comply with the reporting policies established by each school within the law enforcement agency's jurisdiction.

7.7. Police Presence at Extra-Curricular Events

It is our agreed upon policy that (*police department with patrol responsibilities*), working in conjunction with appropriate school officials, should, whenever possible, provide for the presence of uniformed police officer(s) at any event at which the chief school administrator believes it would be in the interest of public safety. In the absence of compelling reasons as may be determined by the (*county prosecutor or chief executive officer of the law enforcement agency having patrol jurisdiction*) it is understood and agreed that uniformed police officers shall not be assigned to school functions, and especially those functions occurring within school buildings, except with the approval of the building principal or local chief school administrator. All requests by school officials for law enforcement agencies to provide for a uniformed presence at any school event should be made in accordance with *N.J.A.C. 6A:16-6.2(b)10* and directed to (*local police or liaison, local chief executive officer of the law enforcement department or agency having patrol jurisdiction*).

7.8. Truancy; Assistance Provided to Attendance Officers

The sheriff and his officers and all police officers and constables are required to assist school attendance officers in the performance of their duties (*N.J.S.A. 18A:38-30*). Assistance shall, when practicable, include accompanying attendance officers to the homes of students in circumstances where attendance officers may have concerns for their safety. However, attendance officers are not law enforcement officers and law enforcement officers should not provide assistance of a type that would not be available to other civilian investigators. For example, law enforcement officers should not use law enforcement computer systems to run

motor vehicle checks or criminal background checks for attendance officers. Law enforcement officers should also keep in mind that when accompanying an attendance officer to a home, they have no additional authority to demand entry to the home if the occupants do not consent and there is no emergency that would justify entry into the home.

7.9. Dispute Resolution Procedures

It is understood and agreed that any dispute or objection to any proposed or ongoing law enforcement operation or activity on school grounds will be consistent with *N.J.A.C. 6A:16-6.2(b)15*, and shall be directed by the appropriate school official to the chief executive officer of the law enforcement agency involved. Where the chief executive officer of the agency is for any reason unable to satisfactorily resolve the dispute or objection, the matter shall be referred to the (*county prosecutor*), who is hereby authorized to work in conjunction with the (*executive county superintendent of schools*) and, where appropriate, the Division of Criminal Justice, to take appropriate steps to resolve the matter. Any dispute that cannot be resolved at the county level shall be resolved by the Attorney General whose decision shall be binding.

Article 8. Confidentiality and School Access to Law Enforcement Information

8.1. Substance Abuse Confidentiality Laws

The New Jersey Legislature on January 12, 1998 adopted P.L. 1997, c. 362, in accordance with the Governor's conditional veto recommendations. The law, codified at *N.J.S.A. 18A:40A-7.1 et seq.*, and the supportive regulations at *N.J.A.C. 6A:16-3.2(a)2* and 6.5, afford confidentiality protections to a public or private secondary school pupil who is participating in a school-based drug or alcohol abuse counseling program where that pupil provides information during the course of the counseling session that indicates that the pupil's parent or guardian or other person residing in the pupil's household is dependent upon or illegally using a controlled dangerous substance. The New Jersey confidentiality statute is broader than the federal confidentiality statute and regulations (42 C.F.R. Part 2) in that it applies to any student who is participating in a school-based alcohol or drug abuse counseling program, even if the student is not personally abusing substances, but rather is seeking counseling to deal with the problems related to the substance abuse of another. The federal law, in contrast, only provides confidentiality protections to persons who are "patients," that is, persons who are receiving counseling for their own substance abuse problem. The state confidentiality law nonetheless features an important exception to the general rule of preserving confidentiality. Specifically, the State law is expressly subject to the provisions of *N.J.S.A. 9:6-8.10*, and thus does not prevent school officials from disclosing information to Child Protection and Permanency (CP&P) or to a law enforcement agency "if the information would cause a person to reasonably suspect that the secondary school pupil or another child may be an abused or neglected child." Accordingly, it is understood and agreed that the confidentiality statute in no way relieves the duty established pursuant to *N.J.S.A. 9:6-8.10*, which requires any citizen, including school district employees, volunteers or interns, to inform both CP&P and a law

enforcement agency immediately when there is reasonable cause to believe that a child is or has been abused or neglected.

8.2. Clarification Regarding Confidentiality of Contents of Student Records

It is understood and agreed that federal and state laws pertaining to the confidentiality of student records, pursuant to 42 C.F.R. Part 2, *N.J.S.A.* 18A:40A-7.1 and 7.2 and *N.J.A.C.* 6A:32-7, only prohibit the disclosure of the contents of such records; these laws do not extend to other sources of information concerning the same events or transactions that happen to be memorialized in the student records. Thus, for example, a teacher, counselor, administrator, or other school staff member who is a witness to criminal activity may be required to testify in a court or grand jury or may be required to report information to law enforcement authorities pursuant to this Agreement based upon personal knowledge and memory notwithstanding that the criminal activity reported or testified about has been recorded in a student record that is subject to state or federal confidentiality laws. In other words, the act by a school official of memorializing an incident, event, or observation in a student record in no way precludes that school official or any other material witness from reporting or testifying from personal knowledge as to the documented incident, event, or observation, provided, however, that nothing in this Agreement must be construed to authorize or require a school employee to divulge information or records in violation of the confidentiality requirements of 42 C.F.R. Part 2, or any other applicable state or federal regulation, law or rule of evidence concerning confidential and privileged communications. Furthermore, the records of a designated “law enforcement unit” do not constitute student records (20 U.S.C. 1232g(a)(4)(ii)).

8.3. Records of Law Enforcement Units

Records of a “law enforcement unit” designated pursuant to Article 2.4 of this Agreement do not constitute student records. This comports with the requirements of the Family Educational Rights and Privacy Act (FERPA), which was amended in 1992 to exempt such records from the definition of “education records” (20 U.S.C. 1232g(a)(4)(ii)). Law enforcement records are records, files, documents and other materials created by a law enforcement unit for a law enforcement purpose and maintained by the law enforcement unit (34 C.F.R. 99.8(b)(1)). In the preamble to the FERPA regulations published in the Federal Register on January 17, 1995, the United States Department of Education stated: “...where a law enforcement unit also performs non-law enforcement functions, the records created and maintained by that unit are considered law enforcement unit records, even when those records were created for dual purposes (e.g., for both law enforcement and student conduct purposes). Only records that were created and maintained by the unit exclusively for a non-law enforcement purpose will not be considered records of a law enforcement unit” (60 F.R. 3467). When one or more law enforcement units have been established by the school district, the school district agrees to disclose to the appropriate law enforcement agency, or the Department of Children and Families, as appropriate, any records, files, documents and other materials of the law enforcement unit pertaining to the investigation of a violation of the law. The disclosure of these records to a law enforcement agency does not prohibit the use of these records for educational purposes, such as violations of the code of student conduct.

8.4. Statutory Authority to Disclose Information

New Jersey's juvenile confidentiality laws were amended by P.L. 1994, c. 56 to make it easier for law enforcement agencies to share information with schools. The revised law provides for three categories of disclosure to schools as follows: (1) permissive disclosure during an investigation (*N.J.S.A. 2A:4A-60e*); (2) disclosure following a charge at the principal's request (*N.J.S.A. 2A:4A-60c(3)*); and (3) required disclosure following a charge in certain circumstances (*N.J.S.A. 2A:4A-60d*). In addition, a law enforcement agency is authorized to disclose certain information to the victim of an offense committed by a juvenile. Pursuant to *N.J.A.C. 6A:16-5.4*, the board of education confirms its obligation to adopt and implement policies and procedures protecting the access to information related to juvenile justice proceedings, according to the requirements of *N.J.S.A. 2A:4A-60*.

The revised law permits law enforcement or prosecuting agencies to disclose information regarding juveniles who are under investigation when that information may be useful in maintaining order, safety, or discipline in the school or in planning programs relevant to the juvenile's educational and social development. This information may then be shared by the principal with appropriate school staff, provided, however, that where the information relates only to an investigation, and where no formal charges have been filed against the student, the statute prohibits this pre-charge information from being maintained by school officials. Accordingly, this information should be provided orally by law enforcement officers, rather than in writing, so as to avoid inadvertent retention or disclosure of such information.

The revised law further contains a provision that authorizes a principal to request information concerning juvenile delinquency charges that have been filed against a student enrolled in the school. These requests may either be made on a case-by-case basis or in accordance with procedures that could be agreed to as part of this Agreement.

[Optional: Pursuant to Article 5.2 of this Agreement, the (law enforcement agency) hereby agrees automatically to disclose to the principal this information regarding any juvenile delinquency charge filed against any student enrolled in the school.⁴]

Law enforcement and prosecuting agencies are *required* to advise the principal of the school where the student is enrolled when:

- the offense occurred on school grounds or was committed against an employee or official of the school;
- the juvenile was taken into custody as a result of information or evidence provided by school officials, whether or not on school grounds;
- the offense, if committed by an adult, would constitute a crime, and the offense:
 - resulted in death or serious bodily injury, or involved an attempt or conspiracy to cause death or serious bodily injury;
 - involved the unlawful use or possession of a firearm or other weapon;

⁴*This provision is optional. The parties to the Agreement may delete this sentence or may modify it to limit the "blanket" request to specified delinquency charges.*

- involved the unlawful manufacture, distribution, or possession with intent to distribute a controlled dangerous substance or controlled substance analog;
- was committed by a juvenile who acted with a purpose to intimidate an individual or group of individuals because of race, color, religion, sexual orientation, or ethnicity; or
- constitutes a crime of the first, second, or third degree.
N.J.S.A. 2A:4A-60d

8.5. Agreement to Disclose Information Following a Charge

Where a juvenile has been charged with an act of delinquency that if committed by an adult would constitute a crime or offense, it is requested and agreed, pursuant to the authority of *N.J.S.A. 2A:4A-60c(1)* and (3) that the (*law enforcement agency*) or County Prosecutor's Office shall promptly provide information as to the identity of the juvenile, the offense charged, the adjudication and the disposition to (1) the principal of any school that is the victim of the offense; (2) the principal of any school that employs the victim of the offense; and (3) the principal of any school where the juvenile is enrolled.

8.6. Agreement to Disclose Information during an Investigation

Pursuant to the authority of *N.J.S.A. 2A:4A-60e*, the (*law enforcement agency*) and/or the County Prosecutor's Office agree(s) to notify verbally the principal of the school at which the juvenile is enrolled where the juvenile is under investigation or has been taken into custody but has not been formally charged with the commission of any act that would constitute an offense if committed by an adult, provided that the (*law enforcement agency*) or the County Prosecutor's Office determines that the information may be useful in maintaining order, safety, or discipline in the school or in planning programs relevant to the juvenile's educational and social development, and further provided that the sharing of information will not interfere with or jeopardize an ongoing investigation or prosecution of any person. It is understood and agreed that the information provided pursuant to this paragraph shall be provided orally rather than in writing, will be kept confidential, shall not be maintained by the school as part of the juvenile's student records, and shall be used only in accordance with the provisions of *N.J.S.A. 2A:4A-60e* to maintain order, safety, or discipline in the school or in planning programs relevant to the juvenile's educational and social development. Nothing herein shall be construed to preclude school officials from using such information in a suspension, expulsion, or other school conduct proceeding, pursuant to *N.J.A.C. 6A:16-7.1*, whether occurring on or away from school grounds, pursuant to *N.J.A.C. 6A:16-7.5*.

8.7. Specificity of Disclosed Information

It is understood and agreed that where the (*law enforcement agency*) and/or County Prosecutor's Office is authorized, pursuant to law and the provisions of this Agreement to disclose information concerning charged or suspected acts of delinquency, the law enforcement agency may provide the principal with specific information concerning the offense or investigation, as appropriate, that may be useful in maintaining order, safety, or discipline in the school or in planning programs relevant to the juvenile's educational and social development.

Such information may include but need not be limited to: (1) the specific type of drug found as determined by field tests and/or laboratory analysis; (2) the amount, purity, and value of the drug found; (3) how the drug was packaged; (4) whether cash was found or whether there were indications that the drug was intended to be sold or distributed; (5) where precisely the drug or other contraband was found; (6) what type of weapon was found; (7) whether a seized firearm was operable or loaded; or 8) whether the suspected offense involved or was directed at another enrolled student. It is understood and agreed that it is especially important for law enforcement agencies to promptly share information as may be authorized by law concerning the identity of a victim who is enrolled at the same school as the juvenile charged with or suspected of committing the offense so that school officials can take appropriate steps to protect the victim from further attack, to enforce a restraining order or condition of probation or pre-trial release that the juvenile have no contact with the victim, or to prevent retaliation or an escalation of violence.

8.8. Disclosure of Adult Student Information

Where a student who has been arrested or is under investigation is 18 years old or older, or otherwise is being treated as an adult by the criminal justice system, the (*law enforcement agency*) and/or the County Prosecutor's Office agrees to provide to the principal of the school at which the student is enrolled all information that would otherwise be provided pursuant to the provisions of Article 8 of this Agreement.

8.9. Law Enforcement Testimony at School Student Conduct Hearings; Required Notice to the County Prosecutor

The (*law enforcement agency*) agrees, upon the request of (*school official*), to make available officer(s) to testify as appropriate in any suspension or expulsion hearing before the board of education, pursuant to *N.J.S.A.* 18A:37.1 et seq. and *N.J.A.C.* 6A:16-7.1 et seq., or other appropriate school authority as may be necessary to satisfy the due process rights of a student subject to school discipline, provided, however, that it is understood and agreed that any information provided by means of such testimony shall not be made public but rather shall be kept confidential in accordance with the requirements of *N.J.S.A.* 2A:4A-60, and further provided that the County Prosecutor's Office shall be given prior notification and a right to preclude the giving of such testimony where the testimony may interfere with or jeopardize any ongoing investigation or prosecution of any person.

8.10. Parallel School Student Conduct Proceedings

It is understood and agreed that school officials have an independent right and responsibility to initiate and pursue student conduct proceedings, pursuant to *N.J.S.A.* 18A:37.1 et seq. and *N.J.A.C.* 6A:16-7.1 et seq., or to remove a student from school under certain circumstances including, but not limited to, those specified in the "Zero Tolerance for Guns Act," *N.J.S.A.* 18A:37-7 through 12 and *N.J.A.C.* 6A:16-5.5, 5.6, 5.7 and *N.J.A.C.* 6A:7. It is further understood and agreed that all school-based student conduct proceedings are separate and distinct from any juvenile or adult criminal prosecution; that law enforcement agencies shall not require or request school officials to undertake a student conduct action against a student; and

that the imposition of sanctions by both schools and by the juvenile justice system based upon a single infraction or event in no way constitutes “double jeopardy.”

8.11. Notification of Arrests or Charges Filed Against School Personnel

The parties acknowledge that procedures already are in place that require prosecutors to provide notifications of indictments or convictions of public employees to the Division of Criminal Justice, which are then transmitted to the appropriate public agency. However, no notifications are required during the period between the filing of a complaint and an indictment, creating a period of time during which school administrators may be unaware of charges pending against school personnel, which may have an impact on their fitness for carrying out official duties. Therefore, it is agreed that whenever a law enforcement agency files a complaint or summons for one of the offenses listed in Article 8.11.3 below against a person that they know to be employed by a school district, or who works as a school bus driver or other outside employee in a school district, the law enforcement agency shall provide notice and a copy of the complaint to the school district no later than the next business day.

8.11.1. Applicability Not Limited to Local Jurisdiction

The requirement to notify a school district of such complaints is not limited to the school district in which the law enforcement agency is located. Notice shall be given to any school district or nonpublic school within the state of New Jersey where the accused is employed.

8.11.2. Employment Information

This requirement does not create an obligation to investigate or verify the employment of every person arrested or charged with an offense. It is intended only to require the notification in circumstances where the accused admits to employment in a school district or nonpublic school, or such information is otherwise available to the law enforcement agency.

8.11.3. Offenses Requiring Notification

Notification is required for all indictable offenses, all driving while intoxicated (DWI) offenses and any disorderly persons offenses or petty disorderly persons offenses.

8.11.4. Notification of Emergencies

Whenever local law enforcement is aware of an emergency affecting the safety of children during school hours, the Chief of Police or Station Commander or designee shall notify the principal of the school affected as soon as practicable. Law enforcement will provide all appropriate non-confidential information so that the principal can take necessary steps for the protection of students, staff and notification to parents. The Chief of Police or Station Commander shall attempt to provide, as practicable, the school principal and executive county superintendent, or his or her designee, with updated information throughout the duration of the emergency, and will provide notification when the emergency is over.

8.12. Notification to Executive County Superintendent

The Chief of Police or Station Commander will, at his or her discretion, notify the executive county superintendent of schools, or his or her designee. This notification will contain a recommendation on which additional schools should be notified by the executive county superintendent's office. The executive county superintendent shall decide which, if any, additional schools to notify, and shall make the appropriate notifications.

Article 9. School Safety and Security

9.1. Development of School Safety and Security Plans (SSSPs)

Recent tragic events in the nation's schools highlight the need for developing and maintaining up-to-date school-based safety and security plans for responding to crisis situations involving all-hazards, such as natural, technological, manmade, and biological, and student culture and climate. The district's school safety and security plans (SSSPs) should include protocols and procedures for quickly communicating to staff, students, parents, and emergency responders that a crisis situation exists. In addition, procedures for minimizing the risk of physical harm to students and staff should be initiated to reduce their exposure to any hazards. Just as it is necessary to establish protocols for responding to emergencies that require prompt and orderly actions, such as fires (see *N.J.S.A.* 18A:41-1), so too it is required to conduct monthly security drills, such as non-fire evacuations, bomb threats, lockdown, and active shooter (see *N.J.S.A.* 18A:41-6), to exercise plans that test the procedures and minimize exposure to hazardous situations, both from within and outside school facilities.

School officials shall consult with law enforcement officials, as appropriate, in planning the required school safety and security in-service training program for school staff, pursuant to *N.J.A.C.* 6A:16-5.1(d). Examples of school safety and security training that could involve law enforcement officials include providing guidance on the approved model policies of the Governor's K-12 School Security Task Force; reviewing scenarios for school safety and security drills; addressing internet safety, cyber-bullying and gangs; and reviewing the ten key findings reported by the United States Secret Service in the publication titled *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates*. Law enforcement officials shall identify school safety and security issues and concerns and advise the county prosecutor and chief school administrator, as appropriate.

It is understood and agreed that, pursuant to *N.J.A.C.* 6A:16-5.1(b), the conferees, including the chief of police and other representatives of law enforcement agencies, emergency management planners, fire officials, local chief school administrator, all school building principals, representatives of health and social services provider agencies and other school staff (e.g., counselors, psychologists, social workers, nurses, security, maintenance, facilities, grounds, school resource officers, food services) and community resources, as appropriate, shall provide consultation to school officials, at a minimum annually, in the development of the school district's plans, procedures and mechanisms for school safety and security to fulfill the requirements of *N.J.A.C.* 6A:16-5, School Safety and Security. There is nothing in the Agreement or New Jersey Administrative Code that precludes students from contributing to the

school safety and security planning in a manner prescribed by the school district that would not divulge confidential information.

It is further understood and agreed that law enforcement officials shall review and, where necessary, provide written comments to the chief school administrator concerning the required SSSPs, pursuant to *N.J.A.C. 6A:16-5.1*. It is understood and agreed that the chief school administrator shall annually submit a copy of the school district's SSSPs and promptly submit any important revisions to the plan or school grounds to law enforcement officials. The chief school administrator agrees to supply law enforcement officials with current copies of blueprints and maps of all schools and school grounds. If at any time there are changes to the blueprints or maps of any school or school grounds, the chief school administrator shall forward revised copies to law enforcement officials as soon as practicable. It also is understood and agreed that, pursuant to Article 7.1 the conferees shall discuss the feasibility and desirability of implementing a Safe Schools Resource Officer program.

9.1.1. Critical Incident Planning

The parties to this Agreement understand that it is important for school officials and local police departments and county prosecutors to work together to adopt and implement policies for dealing with disruptive and potentially catastrophic crisis situations for all hazards, recognizing that it is essential to consider the most appropriate response to these kinds of situations before a crisis develops. The comprehensive SSSPs, procedures and mechanisms established by school officials, pursuant to *N.J.A.C. 6A:16-5.1* and Article 2.2 of this Agreement, shall be developed in consultation with law enforcement agencies, emergency management planners, health and social services provider agencies and school and other community resources, as appropriate. Pursuant to *N.J.A.C. 6A:16-5.1(b)*, the plans, procedures and mechanisms shall be consistent with the provisions of *N.J.A.C. 6A:16-5.1* and the format and content established by the Domestic Security Preparedness Task Force, pursuant to *N.J.S.A. App. A:9-64 et seq.*, and the Commissioner of Education (e.g., the Department of Education confidential publication titled *School Safety and Security Manual: Best Practices Guidelines*), and shall be reviewed annually and updated, as appropriate.

Additionally, procedures for school lockdown, active shooter, emergency evacuation, bomb threat, risk and violence assessments, and public information sharing shall be based on the standard operating procedures (SOPs) developed by the School Security Task Force and issued by the Attorney General. The model SOPs follow other nationally-recognized standards.

9.1.2. Consultation in Development of SSSPs

It is understood and agreed that, pursuant to Article 9 and *N.J.A.C. 6A:16-5.1(b)*, the chief school administrator shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners, and school and other community resources, as appropriate in the development and maintenance of the school district's plans, procedures and mechanisms for school safety and security to fulfill the requirements of *N.J.A.C. 6A:16-5*, School Safety and Security.

9.1.3. Format and Contents of SSSPs

The SSSPs, procedures and mechanisms shall be consistent with the provisions of *N.J.A.C. 6A:16-5.1*. The parties agree that all SSSPs shall include defined communication and decision-making protocols (e.g., Incident Command System) and the minimum requirements for the format and contents of the plans, as determined by the Commissioner of Education and the Domestic Security Preparedness Task Force.

9.1.4. Annual Review of SSSPs

The chief school administrator shall consult with law enforcement agencies, health and social service provider agencies, emergency management planners and school and other community resources, as appropriate, in the review and updating of the school district's SSSPs, procedures and mechanisms, pursuant to *N.J.A.C. 6A:16-5.1*. It is understood and agreed that law enforcement officials shall, at a minimum, annually review and, where necessary, provide written comments to the chief school administrator concerning the required SSSPs, pursuant to *N.J.A.C. 6A:16-5.1*. It is understood and agreed that the chief school administrator shall, at a minimum, annually submit a copy of the school district's SSSPs or any important revisions to the plans to law enforcement officials. The chief school administrator agrees to supply law enforcement officials with current copies of blueprints and maps of all schools and school grounds. If at any time there are changes to the blueprints or maps, the chief school administrator agrees to forward revised copies to law enforcement officials as soon as practicable.

9.1.5. School Staff In-service Training on SSSPs

District board of education employees must participate in an annual in-service training on school safety and security to enable them to recognize and appropriately respond to safety and security concerns, including emergencies and crises, consistent with the school district's plans, procedures and mechanisms for school safety and security and the provisions of *N.J.A.C. 6A:16-5* and *N.J.S.A. 18A:41*. School officials shall annually consult with law enforcement personnel regarding training. The instruction must include school security drills, and be conducted collaboratively by the school district and law enforcement, fire and emergency medical services personnel in order to identify weaknesses in school safety and security policies and procedures and increase the effectiveness of emergency responders. The training shall utilize various formats such as drills, functional exercises, and tabletop exercises. Joint training exercises may include, but are not limited to, natural disasters, bomb threats, lockdown procedures and active shooters. A law enforcement officer must be present at a minimum of one school security drill in each school year in order to make recommendations on any improvements or changes to school security drill procedures, pursuant to *N.J.S.A. 18A:41-1*.

9.1.6. Other Training on SSSPs

It is recommended that school districts train students on school safety procedures **prior to** a drill or lockdown, taking into consideration students' developmental levels, disabilities, ability to understand the English language and any additional awareness or capacity issues.

Additionally, it is further recommended that substitute teachers, college students fulfilling practicum or other student teaching requirements, and any person with regular student contact, including volunteers and contractors, be trained on the non-confidential elements of the SSSPs.

9.2. Implementation of Approved School Security Task Force Recommendations

The parties agree to work together to implement the approved recommendations of the Governor's K-12 School Security Task Force. The parties recognize that joint planning, training and consultation are needed to effectively implement these recommendations. Any Executive Orders or Directives that are issued as a result of these approved recommendations are hereby incorporated into this Agreement.

9.2.1. Sharing of Model School Security Policies (MSSP)

The Model School Security Policies for law enforcement agencies issued pursuant to the Attorney General's Law Enforcement Directive No. 2007-1 on the topics of bomb threats, active shooter response, school lockdowns, school evacuations and public information policies shall serve as templates for the development of local law enforcement policies. Local law enforcement officials shall discuss the policies which they adopt on these topics with school administrators from the school district or districts within their jurisdiction. It is further understood that school administrators shall share their procedures for critical incidents, developed in accordance with the policies issued by the Commissioner of Education, with local law enforcement officials. These procedures shall remain confidential and shall not be shared with the public.

9.3. Gang Threat and Recruiting Information

Law enforcement and school officials agree to engage in ongoing discussions and training in gang prevention and intervention, as appropriate, regarding gangs that are thought to be active in the area, gang recruiting and signs of gang activity or recruiting. School officials shall inform law enforcement officials of any signs of gang activity or recruiting observed on school grounds

9.4. Harassment, Intimidation or Bullying Policies

It also is understood that, pursuant to *N.J.A.C. 6A:16-7.7(a)1*, the harassment, intimidation or bullying policies required pursuant to *N.J.S.A. 18A:37-13 et seq.* and *N.J.A.C. 6A:16-7.7*, shall be developed by school officials in consultation with law enforcement officials, in addition to parents and other community members, including appropriate community-based social and health provider agencies and other school employees. It is agreed that law enforcement officials shall consult with school officials in the development of the policies and the annual review of the policies, the training needs of school employees and the extent and characteristics of harassment, intimidation and bullying behavior in the school buildings of the school district, pursuant to *N.J.A.C. 6A:16-7.7(e)*. It also is understood that the executive county superintendent shall maintain a current file copy of the harassment, intimidation or bullying policies, pursuant to *N.J.A.C. 6A:16-7.7(e)5*, for review by both education and law enforcement officials, upon request.

9.5. Law Enforcement Testimony at School Student Conduct Hearings; Required Notices to the County Prosecutor

The law enforcement agency agrees, upon the request of designated school officials, to make available officer(s) to testify, as appropriate, in any suspension or expulsion hearing before the board of education, pursuant to *N.J.S.A. 18A:37.1 et seq.*, or a hearing regarding harassment, intimidation or bullying, pursuant to *N.J.S.A. 18A:37.15d*, or other appropriate school authority as may be necessary to satisfy the due process rights of a student subject to school discipline, provided, however, that it is understood and agreed that any information provided by means of such testimony must not be made public, but rather must be kept confidential in accordance with the requirements of *N.J.S.A. 2A:4A-60*, and further provided that the County Prosecutor's Office must be given prior notification and a right to preclude the giving of such testimony where the testimony may interfere with or jeopardize any ongoing investigation or prosecution of any person. See also Article 9.5 of this Agreement.

For any school hearing pursuant to the *Anti-Bullying Bill of Rights Act*, if the principal has been notified by law enforcement officials that juvenile delinquency or criminal charges are pending against one or more of the alleged offenders, the school district must notify the county prosecutor of the proposed list of witnesses at least 5 days prior to the hearing.

9.6. "Tiplines" and Crime Prevention Programs

Any school who wishes to establish "tiplines" for the reporting of suspicious activity occurring on school grounds, or within Drug-Free School Zones, or for the reporting of any other crimes or planned or threatened acts of violence, shall coordinate with the appropriate law enforcement agency and the county prosecutor's office on the creation and implementation of the tiplines. The (*school official*) hereby agrees to post notice of any such tiplines on bulletin boards and/or other appropriate places to alert students to the existence of this means of reporting suspected or future crimes on an anonymous and confidential basis.

The County Prosecutor's Office and the (*law enforcement agency*) will assist school officials who wish to develop and implement student-oriented crime prevention and awareness programs.

9.7. Unsafe School Choice Option Policy: Victims of Violent Criminal Offenses

The Unsafe School Choice Option (USCO) provision (*Section 9532 of Title IX*) under the *No Child Left Behind Act (NCLB) of 2001* sets forth, in part, the following which applies to all school buildings that are a part of a local education agency (LEA):

"... a student ... who becomes a *victim of a violent criminal offense*, as determined by *State law*, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school." (*Italics added*)

The individual victim provision of the USCO policy attempts to fulfill the requirement for LEAs to provide relief to students who have been victimized, while providing schools with a *practical* means for making determinations on incidents of victimization that are within the purview of LEAs. The individual victim policy has been crafted to enable school staff to make reasonable determinations and actions regarding the policy. LEAs are strongly encouraged,

however, to consult with their school board attorneys and communicate with designated local and/or county law enforcement authorities, per the provisions of the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials* and *N.J.A.C. 6A:16-6.2(b)13*, on questions and issues that arise in the implementation of the individual victims of violent criminal offenses policy.

The following criteria must be used to determine when an enrolled student has become a victim of a violent criminal offense while in or on the grounds of a public elementary or secondary school that the student attends. These criteria only apply to a student who has become a victim of one or more of the violent criminal offenses enumerated in the Unsafe School Choice Option Policy. A student is considered a victim of a violent criminal offense when:

- 1) A report has been made to law enforcement officials for suspicion that one of the violent criminal offenses enumerated below has occurred; **and**
- 2) One or more of the following applies:
 - Law enforcement officials have filed formal charges against the perpetrator(s) for commission of the violent crime; **or**
 - The perpetrator(s) of the violent crime has received sanctions in accordance with the district board of education's code of student conduct, pursuant to *N.J.A.C. 6A:16-7.1*; **or**
 - The perpetrator(s) of the violent crime either has not been identified or is not an enrolled student(s), but it is clear that the student (victim) has become a victim of a violent criminal offense based on objective indicators such as physical evidence, eyewitness testimony, and/or circumstantial evidence; **or**
 - The pre-existence of a restraining order against the perpetrator(s) of the violent crime.

Article 10. Law Enforcement Participation in Educational Programs
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10.1. Law Enforcement's Contribution to Substance Abuse Education and Demand Reduction

The parties to this Agreement understand and accept that the only viable, long-term solution to the nation's drug epidemic is to reduce the public's demand for illicit substances, and that education emerges as one of the most promising means available by which to provide a generation of students with information, skills and incentives to resist the temptation to experiment with and use chemical substances. The parties further understand that the contributions of the law enforcement community to the goal of a drug-free New Jersey need not and should not be limited merely to disrupting the supply of illicit drugs; rather the law enforcement community can help to reduce the demand for drugs, not only by holding drug users accountable for their unlawful conduct, but also by actively participating in public awareness and prevention programs and educational initiatives. To this end, a number of programs have been developed by numerous organizations in which specially trained police officers participate directly in school-based educational programs. These programs are designed to teach students

about the nature and dangers of substance abuse, methods to enhance students' self-esteem, and proven techniques and skills for resisting peer pressure to experiment with drugs or engage in other dangerous activities and should support the Core Curriculum Content Standards, pursuant to *N.J.A.C. 6A:8-2*.

10.2. School Violence Awareness Week

School officials shall invite law enforcement officials to join school staff in the student discussions organized to observe School Violence Awareness Week, which occurs the week beginning with the third Monday in October of each year, pursuant to *N.J.S.A. 18A:36-5.1* and *N.J.A.C. 6A:16-5.2*. Upon invitation and as appropriate to the district's plans, law enforcement officials may assist with the student discussions required during School Violence Awareness Week.

10.3. Approval and Supervision of Educational Curricula

It is understood and agreed that education officials are at all times ultimately responsible for approving, supervising, monitoring, evaluating and otherwise ensuring the consistent high quality of all educational curricula and instructional programs provided to students, whether the instruction is provided by certified school employees or by specially trained law enforcement officers invited into the schools pursuant to Article 10.1 of this Agreement. It also is understood and agreed that local school officials remain ultimately responsible for making certain that all substance awareness instructional programs are developed and provided in a manner which is consistent with the requirements of *N.J.S.A. 18A:40A-1 et seq.*, *N.J.A.C. 6A:16-3*, Comprehensive Alcohol, Tobacco and Other Drug Abuse Programs, the New Jersey Department of Education's Core Curriculum Content Standards in Comprehensive Health and Physical Education, pursuant to *N.J.A.C. 6A:8*, specifically, the indicators under Standards 2.1 (Wellness – health promotion concepts and skills), 2.2 (Integrated Skills – health enhancing personal and interpersonal skills), 2.3 (Drugs and Medicines – alcohol, tobacco, and other drugs and medicines), 2.4 (Human Relationships and Sexuality – physical, emotional and social aspects of human relationships and sexuality) and Standard 9 (21st Century Life and Careers– addressing significant related areas, such as critical thinking, self-management, interpersonal communication, character development, ethics and safety) and the subjects of conflict management, problem solving, personal responsibility and cooperation under each of these strands, and any and all applicable rules, regulations and policies adopted by the State Board of Education or the Commissioner of Education concerning the development, review, monitoring, approval and implementation of K-12 alcohol, tobacco and other drug prevention education curricula and related courses of instruction.

10.4. Procedures for Inviting, Soliciting or Promoting Police Participation in Educational Programs

It is understood and agreed that no law enforcement officer shall be permitted to provide a course of instruction to students unless the officer has been invited or requested to provide such course of instruction by the appropriate school official. In order to enhance cooperation between law enforcement and education authorities, it is agreed that all requests by school officials for

information concerning the nature and availability of law enforcement instructional programs should be directed to (*designated law enforcement liaison*) with notice of the request provided to the county prosecutor. All requests by a law enforcement agency seeking an invitation to provide an instructional program, or seeking to demonstrate the desirability of providing such an instructional program, should be directed to (*designated school official*), with notice given to the county prosecutor working in cooperation with the executive county superintendent, who will be responsible for coordinating all such invitations or requests for invitations to participate in law enforcement instructional programs. The county prosecutor further agrees to serve on an ongoing basis as an information clearinghouse to provide school officials with information concerning the availability and benefits of such law enforcement instructional programs.

Article 11. Maintenance of the Agreement

11.1. Agreement to Remain in Effect

This Agreement shall remain in full force and effect until such time as it may be modified. Modification of this Agreement shall be effected only with the mutual consent of the (*school district*), the (executive *county superintendent*), the (*police department*), and the (*county prosecutor*). Pursuant to *N.J.A.C. 6A:16-6.2(b)14ii*, all revisions shall be only in addition to, and shall not conflict with, the format and content established by the Attorney General and the Commissioner of Education and shall be in addition to and shall not conflict with the policies and procedures established pursuant to *N.J.A.C. 6A:16-6*. Modifications required by a change in state or federal law, rules or regulations or applicable guidelines or executive directives shall be made on the effective date of such revisions of law, regulations, guidelines or directives. All parties to this Agreement shall notify the other parties immediately regarding any such legal or regulatory changes.

11.2. Distribution

Copies of this agreement shall be provided to the County Prosecutor's Office, the executive county superintendent, the chief school administrator, the law enforcement chief executive of the Police Department or State Police Unit, the president of the district board of education, and each principal in the school district.

Article 12. Annual Review and Revisions of Agreement

It is understood that (*county prosecutor*), working in conjunction with the (executive *county superintendent*), pursuant to *N.J.A.C. 6A:16-6.2(b)14*, shall not less than once each calendar year, organize and conduct a meeting of representatives from the law enforcement and educational communities to discuss the implementation of and compliance with the provisions of this Agreement, pursuant to *N.J.A.C. 6A:16-6.2(b)13*, throughout the county, to discuss any other matters of mutual concern, and to recommend revisions to this Agreement, insofar as, pursuant to *N.J.A.C. 6A:16-6.2(b)14ii*, the revisions are in addition to and do not conflict with the format and content established by the Attorney General and the Commissioner of Education and that are

in addition to and do not conflict with the policies and procedures established pursuant to *N.J.A.C. 6A:16-6*.

It is understood that every chief of police, school building principal and local chief school administrator shall be invited to attend, along with any other persons or representatives of organization who could contribute to or benefit from the proceedings. Following each conference, the (*county prosecutor*) shall provide a copy of the revised MOA, or the revised section of the MOA, to all participants.

- During this meeting, schools and law enforcement shall discuss the content of the Agreement, with a special focus on:
- Which acts are mandatory reports to law enforcement and which acts are non-mandatory reports to law enforcement
- The process by which schools may consult with law enforcement to discuss an incident, report an act in school, and obtain informal guidance about concerns
- How law enforcement will respond to such calls
- The process by which law enforcement may call schools to report an act outside of school
- How schools will respond to such calls

Appendix B details the Annual Review Guidelines.

Appendix A: Definitions

As used in this Agreement:

“Controlled Dangerous Substance” means a drug, substance, or immediate precursor in Schedules I through V of article 2 of P.L.1970, c.226 (C.24:21-1 et seq.), per *N.J.S.A. 24:21-2*. The term shall not include distilled spirits, wine, malt beverages, as those terms are defined or used in R.S.33:1-1 et seq., or tobacco and tobacco products.” Included in Schedules I – V are: opiates and opium derivatives, hallucinogenic substances, cannabinoids, coca leaf derivatives (cocaine), methamphetamine, barbiturates (and other sedative drugs), narcotics (codeine), nalorphine, anabolic steroids

“Deadly weapon” means any weapon or device within the meaning of *N.J.S.A. 2C:39-1r* or *2C:39-3*. and includes any device readily capable of lethal use or of inflicting serious bodily injury, including, but not limited to, gravity knives, switchblade knives, daggers, dirks, stilettos, or other dangerous knives, blackjacks, bludgeons, metal knuckles, cesti or similar leather bands studded with metal filings or razor blades embedded in wood and any weapon or other device which projects, releases or emits tear gas or any other substance intended to produce temporary physical, discomfort or permanent injury through being vaporized or otherwise dispensed in the air (i.e., mace, pepper spray, paintball guns). Deadly weapon also means any ammunition for a firearm.

“Firearm” means any firearm within the meaning of *N.J.S.A. 2C:39-1f*, and includes any handgun, rifle, shotgun, machine gun or automatic or semiautomatic rifle regardless of whether such firearm is operable or loaded with ammunition. The term includes “BB” and “air” guns.

“Operating School Hours” shall include the time in which a school is in session or when students are engaged in school related activities under the supervision of professional school staff.

“Planned Arrest” shall mean an arrest or taking into custody based upon probable cause which was known to a law enforcement officer sufficiently in advance of the time of the actual arrest, whether as a result of an undercover school operation, planned surveillance, or otherwise, so that there was sufficient opportunity for the arresting officer or any other law enforcement officer to apply for and obtain an arrest warrant, even though an arrest warrant may not have been sought or issued. The term shall also include arrests made pursuant to a “clean sweep” (e.g., multiple arrest) operation.

“Planned Surveillance” shall mean a planned operation wherein a law enforcement officer(s) enters onto school grounds, including school buildings and school buses, in plainclothes during operating school hours for the purpose of observing or participating in activities associated with the use, possession or distribution of any controlled dangerous substance, alcoholic beverages or firearms or dangerous weapons. This term shall not include observations made by a law

enforcement officer, whether in uniform or in plainclothes, from any place or property not owned or used by a school or school board.

“Routine Patrol” shall mean activities undertaken by a law enforcement officer whether in uniform or in plainclothes and whether on foot or in a marked or unmarked vehicle, to patrol areas within a drug-free school zone (*N.J.S.A. 2C:35-7*) for the purposes of observing or deterring any criminal violation or civil disturbance.

“Serious Bodily Injury” shall have the same meaning as that term is used in *N.J.S.A. 2C:11-1b* and means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or the protracted loss or impairment of the function of any bodily member.

“Significant bodily injury” shall have the same meaning as that term is used in *N.J.S.A. 2C:11-1d*, and means bodily injury which creates a temporary loss of the function of any bodily member or organ or temporary loss of any one of the five senses.

“Spontaneous Arrest,” in distinction to a planned arrest, shall mean an arrest or taking into custody based upon probable cause to believe that an offense is being committed in the arresting officer's presence under circumstances where the officer could not have foreseen with certainty that the specific offense would occur and thus where the arresting officer had no reasonable opportunity to apply for an arrest warrant. The term shall also include any arrest or taking into custody in response to a request by a school official pursuant to Article 6.1 of this Agreement.

“Undercover School Operation” shall mean a planned operation undertaken by a law enforcement agency wherein a law enforcement officer(s) is placed in a school community and poses as a member of the school community for the purpose of identifying and eventually apprehending persons engaged in the illegal distribution of controlled dangerous substances, alcoholic beverages or the unlawful use, possession or distribution of firearms or dangerous weapons. The procedures for planning and approving an undercover school operation are set forth in Article 6.3. of this Agreement.

Appendix B: Annual Review

Guidance on the Annual Review and Approval Of The Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

The following information is intended to clarify the requirements for the annual review and approval of the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials* (MOA) and describe general procedures for facilitating the annual review and approval. The annual adoption and implementation of the MOA is required by all of the following:

- Public school districts;
- Charter schools and renaissance school projects;
- Jointure commissions;
- Educational services commissions; and
- Approved private schools for students with disabilities.

Annual Review Process

- District board of education's policies and procedures must include an annual process for the chief school administrator and appropriate law enforcement officials to do the following:
 - Discuss the implementation of and the need for revising the MOA; and
 - Review the effectiveness of the policies and procedures adopted by the district board of education and implemented by the school district in accordance with *N.J.A.C. 6A:16-6*.
- There is no set time period for the review, but it must occur annually.
- The annual review must include input from the executive county superintendent, community members (which could include board of education members) and meeting(s) with the county prosecutor and the law enforcement officials designated by the county prosecutor.
- There is no requirement or provision for an annual, one-page update form, unless a local update form is used to formally document the annual review and signatures.
- In the case of educational agencies without district boards of education (e.g., charter schools, renaissance school projects, approved private schools for students with disabilities), the authorized officer of the educational agency's governing body would sign where indicated for the president of the district board of education.

Signatures and Copies

The MOA must be approved by the following school and law enforcement officials:

- President of the district board of education;
- Chief school administrator (includes charter school and renaissance school project lead persons and administrators of approved private schools for students with disabilities);

- Chief(s) of the police department or the station commander(s), as appropriate;
- Executive county superintendent; and
- County prosecutor.

Therefore, each of these officials must sign and receive a signed copy of the MOA annually. At a minimum, **five signed copies of the MOA** must be processed each year, subsequent to the annual discussion.

Procedures to Facilitate the Annual Review and Approval of the MOA

Each county prosecutor’s office and county office of education may have an established procedure for obtaining the signatures and copies subsequent to the annual discussion. To further support the annual review and signature process, please consult the list of suggested activities below.

Suggested Activity	Person Responsible
<ul style="list-style-type: none"> • Schedule meetings with the Chief of Police or Station Commander, as appropriate, to discuss the revised MOA 	Chief School Administrator
<ul style="list-style-type: none"> • Meet to discuss and review the MOA • After the meeting, both individuals sign five (5) copies of the MOA <ul style="list-style-type: none"> • Note: Attach any additional approved MOA provisions and contact information to each signed copy of the MOA • Forward the five (5) signed copies to the Executive County Superintendent 	Chief School Administrator, Chief of Police or Station Commander
<ul style="list-style-type: none"> • Review, approve and sign the five (5) copies of the MOA • Forward the signed copies to the County Prosecutor 	Executive County Superintendent
<ul style="list-style-type: none"> • Review, approve and sign the five (5) copies of the MOA • Retain one (1) original copy of signed MOA for his/her file • Forward one (1) original copy of signed MOA to Chief of Police or Station Commander • Return three (3) copies of signed MOA to Executive County Superintendent 	County Prosecutor
<ul style="list-style-type: none"> • Retain one (1) original copy of signed MOA for his/her file • Forward one (1) original copy of signed MOA to Chief School Administrator and one (1) original copy of signed MOA to president of district board of education 	Executive County Superintendent
<ul style="list-style-type: none"> • Send a copy to each district principal and any district participant at annual revision meeting 	Chief School Administrator

More information and resources are available on the NJDOE *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials* webpage. Should you have additional questions, please contact the Office of Student Support Services at EdLawMOA@doe.nj.gov or 609-376-9109.

Appendix C: Table of Mandatory Reports to Law Enforcement

This table provides a brief description of the seven mandatory reports to law enforcement that are detailed in Article 3. Further details, exceptions to the mandatory report of these offenses, and law enforcement response are noted by offense type in Article 3. A mandatory report to law enforcement does not preclude the law enforcement agency's ability to investigate the act and decide that no further action is needed, or recommend a stationhouse adjustment, as outlined in Article 4.2.

Mandatory Report Offenses
Controlled and Dangerous Substances
Whenever any school employee has reason to believe a student is in possession of a controlled dangerous substance or related paraphernalia, or is involved or implicated in distribution activities regarding controlled dangerous substances, pursuant to <i>N.J.A.C. 6A:16-6.3</i> (Article 3.2).
Firearms and Dangerous Weapons
Whenever any school employee in the course of his or her employment develops reason to believe that a firearm or other dangerous weapon has unlawfully been possessed on or off school grounds, a weapon was used in an assault against a student or other school personnel, or that any student or other person has committed an offense with, or while in possession of, a firearm, whether or not such offense was committed on school grounds or during school operating hours, pursuant to <i>N.J.A.C. 6A:16-5.5, 5.6(d)4 and 6.3(b)</i> (Article 3.6).
Planned or Threatened Violence
Whenever any school employee in the course of his or her employment develops reason to believe that anyone has threatened, is planning, or otherwise intends to cause death, serious bodily injury, or significant bodily injury to another person under circumstances in which a reasonable person would believe that the person genuinely intends at some time in the future to commit the violent act or to carry out the threat, pursuant to <i>N.J.A.C. 6A:16-6.3(c) through (e)</i> (Article 3.10).
Sexual Offenses
Whenever any school employee in the course of his or her employment develops reason to believe that a crime involving sexual penetration or criminal sexual contact has been committed on school grounds, or by or against a student during school operating hours or during school-related functions or activities, pursuant to <i>N.J.A.C. 6A:16-6.3(d)</i> (Article 3.12).
Assaults on District Board or Education Members or Employees
Whenever any school employee in the course of his or her employment develops reason to believe that an assault upon a teacher, administrator, other school board employee, or district board of education member has been committed, with or without a weapon, pursuant to <i>N.J.A.C. 6A:16-5.7(d)5</i> (Article 3.14).

Bias-Related Incidents

Whenever any school employee in the course of his or her employment develops reason to believe a “bias-related act” has been committed or is about to be committed on or off school grounds, pursuant to <i>N.J.A.C. 6A:16-6.3(e)</i> (Article 3.16).

Potentially Missing, Abused, or Neglected Children

Whenever any school employee in the course of his or her employment develops reason to believe a student is potentially missing, abused, or neglected, pursuant to <i>N.J.A.C. 6A:16-11.1(a)3i through iii</i> (Article 3.17).
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Table of Mandatory Reports to Law Enforcement

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Planned or Threatened Violence
Whenever any school employee in the course of his or her employment develops reason to believe that anyone has threatened, is planning, or otherwise intends to cause death, serious bodily injury, or significant bodily injury to another person under circumstances in which a reasonable person would believe that the person genuinely intends at some time in the future to commit the violent act or to carry out the threat, pursuant to <i>N.J.A.C. 6A:16-6.3(c) through (e)</i> (Article 3.10).
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Bradley Beach Elementary School
Three Year Comprehensive Maintenance Plan

School Name	School Code	Project Description	Estimated Total Cost	2021-2022 Actual	2022-2023 Actual/Est.	2023-2024 Projected
Bradley Beach	025	Integrated Pest Management Plan	4,970.00	1,645.00	1,650.00	1,675.00
		Preventive Maintenance/Maintenance supplies/Misc./HVAC, Plumbing, Electrical, Roof Repairs, Refuse Collection, localized repairs, pointing, water proofing, caulking, repair piping or insulation, salary for maintenance	343,189.04	98,689.75	122,024.29	122,475.00
		Boiler Repair & Chemical Treatment	74,968.00	24,968.00	25,000.00	25,000.00
		Landscaping of the grounds	15,400.00	5,100.00	5,100.00	5,200.00
		Snow Removal	8,800.00	2,100.00	3,200.00	3,500.00
		Auditorium rug and seat cleaning	4,455.57	1,375.89	1,479.68	1,600.00
		Sand and resurface classroom wood floors (room 15, 16 & 17)	8,448.00	8,448.00		
		Install new VCT Tile in main hallway and down teacher mailbox section	10,283.25	10,283.25		
		Paint and repair damage to front hallway	8,700.00	8,700.00		
		Paint and plaster and repair damage areas in classrooms (room 1)	6,450.00	6,450.00		
		Paint and plaster and repair damage areas in classrooms (room 2)	6,450.00	6,450.00		
		Install new closet doors in room 16 & 17	3,800.00	3,800.00		
		Install new closet door in room 15	1,900.00	1,900.00		
		Repair cavity in large playground	1,950.00	1,950.00		
		Repair back fence latch and trash gate latch	2,200.00	2,200.00		
		Install two Elkay single unit wall water cooler	3,550.00	3,550.00		
		Replace faucet in kitchen and piping to wall to 3 step sink	1,290.00	1,290.00		
		Install Sloan optim plus 3 Sloan faucet optima system in bathroom	4,794.81	4,794.81		
		Install 2 water filter systems in Kitchen	1,125.00	1,125.00		
		Installed A/C unit in Room 10	1,290.00	1,290.00		
		Replacement of 3 flush heads in girls bathroom	2,403.32	2,403.32		
		Reset one stair nosing at front main stair	2,100.00	2,100.00		

Bradley Beach Elementary School
Three Year Comprehensive Maintenance Plan

School Name	School Code	Project Description	Estimated Total Cost	2021-2022 Actual	2022-2023 Actual/Est.	2023-2024 Projected
		Sand and resurface classroom wood floors (room 14)	3,116.00		3,116.00	
		Sand and resurface classroom wood floors (room 23)	3,116.00		3,116.00	
		Sand and resurface classroom wood floors (room 24)	3,116.00		3,116.00	
		Repaint peeling paint on Auditorium Ceiling	5,400.00		5,400.00	
		Paint and plaster and repair damage areas in classrooms (room 6)	4,900.00		4,900.00	
		Paint and plaster and repair damage areas in classrooms (room 7)	4,900.00		4,900.00	
		Paint and repair damage to primary hallway (Kdg, 1st grade hallway)	9,900.00		9,900.00	
		Install new VCT Tile in primary hallway (Kdg, & 1st grade)	9,790.65		9,790.65	
		Service for installation of new main entrance and back entrances door key system (non capital portion)	4,458.18		4,458.18	
		Replace window sash in gym	1,222.79		1,222.79	
		Repair sinks in girls bathroom	1,002.41		1,002.41	
		Replace door for classroom # 7	4,182.00		4,182.00	
		Sand and resurface classroom wood floors (room 7)	3,200.00			3,200.00
		Sand and resurface classroom wood floors (room 3)	3,200.00			3,200.00
		Sand and resurface classroom wood floors (room 8)	3,200.00			3,200.00
		Sand and resurface classroom wood floors (room 9)	3,200.00			3,200.00
		Paint and plaster and repair damage areas in classroom 3	5,000.00			5,000.00
		Paint and plaster and repair damage areas in classroom 8	5,000.00			5,000.00
		Paint and plaster and repair damage in classroom 9	5,000.00			5,000.00
		Paint and repair/patch either 2nd floor hallway (from auditorium to end of the hallway excluding the wing) or basement hallway (locker room entrance to bathrooms)	11,000.00			11,000.00
		Install new VCT tile on 2nd floor hallway (from auditorium to end of the hallway excluding the wing) or basement hallway (locker room entrance to bathrooms)	10,000.00			10,000.00
		Install new key entry swipe system on two west doors and one east entrance door	6,750.00			6,750.00
		Subtotal	629,171.02	200,613.02	213,558.00	215,000.00

10 General Fund

Assets and Liabilities

Assets		
101	Cash	1,383,703.47
116	Capital Reserve Account	210,900.00
117	Maintenance Reserve Account	149,100.00
118	Emergency Reserve Account	178,500.00
121	Tax Levy Receivable	5,260,086.00
	Accounts Receivable:	
132	Interfund Receivable	10.99
141	A/R: State of NJ	532,298.15
		532,309.14
Resources		
301	Estimated Revenues (Control Account / Normal Debit Balance)	7,186,249.00
302	Revenues	(7,169,548.78)
		<u>16,700.22</u>
	Total assets and resources:	7,731,298.83

10 General Fund

Liabilities and Fund Equity

Liabilities		.00
Fund Balance		
753	Appropriated Reserve for Encumbrances	
754	Reserve for Encumbrances: Current	3,825,369.21
	Reserve for Encumbrances: Prior	
601	Appropriations (Control Account/Normal Credit Balance)	7,588,660.18
602	Expenditures	1,029,365.22
603	Encumbrances	<u>3,825,369.21</u>
	Less: Expenditures and Encumbrances	(4,854,734.43)
	Total Appropriations	<u>6,559,294.96</u>
761	Reserved Fund Balance	
	Capital Reserve	210,900.00
604	Add: Increase in Capital Reserve /Interest Deposit to Capital Reserve	1,000.00
307	Less: Budgeted Withdrawal from Cap Reserve	<u>211,900.00</u>
764	Maintenance Reserve	
606	Add: Increase in Maintenance Reserve	149,100.00
		<u>100.00</u>
766	Emergency Reserve	
607	Add: Increase in Current Expense Emergency Reserve/Interest Deposits	178,500.00
		<u>100.00</u>
75X,76x	Other Reserves	
	Total Reserved Fund Balance:	<u>539,700.00</u>
303	Unappropriated: Budgeted Fund Balance	(370,085.00)
770	Fund Balance	<u>1,002,388.87</u>
	Total Unappropriated:	<u>632,303.87</u>
	Total Liabilities and Fund Balance	<u><u>7,731,298.83</u></u>

**Report of the Secretary to the Board of Education
Bradley Beach Board of Education
2022-23 September**

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10 General Fund

Recapitulation of Budgeted Fund Balance

	Budgeted	Actual	Variance
Appropriations	7,588,660.18	4,854,734.43	2,733,925.75
Revenues	(7,186,249.00)	(7,169,548.78)	(16,700.22)
	402,411.18	-2,314,814.35	2,717,225.53
Change in Capital Reserve:			
Plus: Increase in Capital Reserve /Interest Deposit to Capital Reserve (604)	1,000.00	1,000.00	.00
Less: Budgeted Withdrawal from Cap Reserve (307)	0	0	0
	1,000.00	1,000.00	.00
Change in Maintenance Reserve:			
Plus: Increase in Maintenance Reserve (606)	100.00	100.00	.00
	100.00	100.00	.00
Change in Emergency Reserve:			
Plus: Increase in Current Expense Emergency Reserve/Interest Deposits (607)	100.00	100.00	.00
	100.00	100.00	.00
Less: Reserve for Encumbrances: Prior	33,526.18	33,526.18	.00
Budgeted Fund Balance:	370,085.00	-2,347,140.53	2,717,225.53

10 General Fund

Interim Statements Comparing

Budget Revenue with Actual to Date and

Appropriations with Expenditures and Encumbrances to Date

Revenue/sources of funds	Budgeted Estimated	Actual To Date	Unrealized Balance
1XXX From Local Sources	6,605,110.00	6,588,409.78	16,700.22
3XXX From State Sources	581,139.00	581,139.00	.00
	7,186,249.00	7,169,548.78	16,700.22
Expenditures	Appropriations	Expenditures	Available Balance
General Current Expenses			
11-1xx-100-xxx Regular Programs	2,346,494.00	291,995.52	1,796,038.22
11-2xx-100-xxx Special Education	1,000.00	.00	1,000.00
11-240-100-xxx Bilingual Education	123,894.00	10,899.40	14,701.39
11-401-100-xxx School-sponsored Co/Extra-Curricular Activities	42,260.00	9,132.10	33,127.90
11-402-100-xxx School-sponsored Athletics	46,311.00	3,963.50	36,875.00
	2,559,959.00	315,990.52	1,899,803.93
Undistributed Expenditures			
11-xxx-xxx-2xx Personal Services - Employee Benefits	563,538.00	150,832.06	400,196.78
11-000-xxx-xxx Other	4,399,966.18	523,898.94	1,505,872.70
	4,963,504.18	674,731.00	1,906,069.48
Capital Outlay			
12-000-4xx-xxx Facilities Acquisition and Construction Services	41,662.00	22,166.20	19,495.80
	41,662.00	22,166.20	19,495.80
Special Schools			
	.00	.00	.00
Other			
11-* Other General Current Expense	23,535.00	16,477.50	7,057.50
	23,535.00	16,477.50	7,057.50
	7,588,660.18	1,029,365.22	3,825,369.21
			2,733,925.75

10 General Fund
Schedule Of Revenues
Actual Compared with Estimated

	Estimated	Actual	Unrealized
Revenues from Local Sources			
10-1210 Ad Valorem Taxes - Local Tax Levy	6,575,110.00	6,575,110.00	.00
10-1310 Tuition From Individuals	15,250.00	.00	15,250.00
10-1510 Interest On Investments	1,200.00	.00	1,200.00
10-1990 Miscellaneous Revenue from Local Sources	13,550.00	13,299.78	250.22
	<u>6,605,110.00</u>	<u>6,588,409.78</u>	<u>16,700.22</u>
Revenues from State Sources			
10-3121 Categorical Transportation Aid	85,575.00	85,575.00	.00
10-3132 Categorical Special Education Aid	221,110.00	221,110.00	.00
10-3177 Categorical Security Aid	134,097.00	134,097.00	.00
10-3178 Adjustment Aid	140,357.00	140,357.00	.00
	<u>581,139.00</u>	<u>581,139.00</u>	<u>.00</u>
	<u>7,186,249.00</u>	<u>7,169,548.78</u>	<u>16,700.22</u>

10 General Fund

Statement of Appropriations
 Compared with Expenditures and Encumbrances

	Appropriations	Expenditures	Encumbrances	Available Balance
Regular Programs - Instruction				
11-105-100-936	83,142.00	83,142.00	.00	.00
Local Contribution - Transfer to Special Revenue Fund - Inclusion				
11-110-100-101	161,878.00	15,484.60	139,361.40	7,032.00
11-120-100-101	1,058,647.00	83,811.50	828,403.50	146,432.00
11-130-100-101	903,527.00	76,927.50	772,147.50	54,452.00
11-110-100-270	524,014.00	141,957.68	370,225.76	11,830.56
	2,731,208.00	401,323.28	2,110,138.16	219,746.56
Regular Programs - Home Instruction				
11-150-100-101	1,000.00	.00	.00	1,000.00
	1,000.00	.00	.00	1,000.00
Regular Programs - Undistributed Instruction				
11-190-100-500	7,500.00	.00	1,135.00	6,365.00
11-190-100-610	87,800.00	22,539.36	28,816.66	36,443.98
11-190-100-800	43,000.00	10,090.56	26,174.16	6,735.28
11-190-100-260	7,000.00	.00	7,000.00	.00
	145,300.00	32,629.92	63,125.82	49,544.26
Special Education - Home Instruction				
11-219-100-101	1,000.00	.00	.00	1,000.00
	1,000.00	.00	.00	1,000.00
Bilingual Education - Instruction				
11-240-100-101	123,094.00	10,899.40	98,094.60	14,100.00
11-240-100-610	800.00	.00	198.61	601.39
11-240-100-270	32,524.00	8,874.38	22,971.02	678.60
	156,418.00	19,773.78	121,264.23	15,379.99
School - Sponsored Co-curricular and Extra-curricular Activities				
11-401-100-100	35,127.00	2,577.10	.00	32,549.90
11-401-100-600	250.00	.00	.00	250.00
11-401-100-800	6,883.00	6,555.00	.00	328.00
	42,260.00	9,132.10	.00	33,127.90

Report of the Secretary to the Board of Education
 Bradley Beach Board of Education
 2022-23 September

	Appropriations	Expenditures	Encumbrances	Available Balance
11-402-100-100				
Salaries	27,811.00	2,663.50	.00	25,147.50
11-402-100-500				
Purchased Services (300-500 series)	15,000.00	1,300.00	5,472.50	8,227.50
11-402-100-600				
Supplies and Materials	3,500.00	.00	.00	3,500.00
	46,311.00	3,963.50	5,472.50	36,875.00
Summer School				
11-422-100-178				
Salaries of Teacher Tutors	23,535.00	16,477.50	.00	7,057.50
	23,535.00	16,477.50	.00	7,057.50
UNDISTRIBUTED EXPENDITURES				
Instruction				
11-000-100-561				
Tuition to Other LEAs Within the State-Regular	1,335,543.00	.00	.00	1,335,543.00
11-000-100-562				
Tuition to Other LEAs Within the State-Special	336,621.00	.00	.00	336,621.00
11-000-100-563				
Tuition to County Vocational School District - Regular	64,195.00	.00	.00	64,195.00
11-000-100-564				
Tuition to County Vocational School District - Special	37,452.00	.00	.00	37,452.00
11-000-100-568				
Tuition - State Facilities	40,270.00	4,027.00	36,243.00	.00
	1,814,081.00	4,027.00	36,243.00	1,773,811.00
Attendance and Social Work Services				
11-000-211-100				
Salaries	50,893.00	12,117.96	36,354.04	2,421.00
11-000-211-173				
Salaries of Family Liaisons/Community Parent Involvement Specialists	2,000.00	.00	.00	2,000.00
11-000-211-220				
Social Security Contributions	4,047.00	.00	4,047.00	.00
11-000-211-270				
Health Benefits	27,939.00	8,071.40	19,174.24	693.36
11-000-211-600				
Supplies and Materials	800.00	.00	331.16	468.84
	85,679.00	20,189.36	59,906.44	5,583.20
Health Services				
11-000-213-100				
Salaries	79,973.00	9,125.00	52,560.00	18,288.00
11-000-213-220				
Social Security Contributions	356.00	.00	356.00	.00
11-000-213-270				
Health Benefits	34,057.00	7,329.72	26,727.28	.00
11-000-213-300				
Purchased Professional and Technical Services	5,000.00	.00	.00	5,000.00
11-000-213-600				
Supplies and Materials	2,000.00	.00	818.99	1,181.01
11-000-213-800				
Other Objects	100.00	.00	.00	100.00
	121,486.00	16,454.72	80,462.27	24,569.01
Speech/Occupational Therapy/Physical Therapy and Related Services				
11-000-216-100				
Salaries	62,494.00	6,241.00	56,011.00	242.00
11-000-216-320				
Purchased Professional - Educational Services	46,451.00	1,402.50	31,982.50	13,066.00
11-000-216-600				
Supplies and Materials	500.00	407.24	7.23	85.53
11-000-216-270				
Health Benefits	40,032.00	10,195.05	29,361.51	475.44
	149,477.00	18,245.79	117,362.24	13,868.97

Report of the Secretary to the Board of Education
 Bradley Beach Board of Education
 2022-23 September

	Appropriations	Expenditures	Encumbrances	Available Balance
Extraordinary Services				
11-000-217-100 Salaries	93,167.00	2,487.32	34,188.40	56,491.28
11-000-217-270 Health Benefits	72,585.00	17,891.27	54,493.45	200.28
	165,752.00	20,378.59	88,681.85	56,691.56
Guidance Services				
11-000-218-104 Salaries of Other Professional Staff	32,166.00	3,216.60	28,949.40	.00
11-000-218-270 Health Benefits	11,750.00	1,124.36	.00	10,625.64
11-000-218-600 Supplies and Materials	700.00	677.94	.00	22.06
	44,616.00	5,018.90	28,949.40	10,647.70
Child Study Teams				
11-000-219-104 Salaries of Other Professional Staff	150,732.00	26,142.38	123,460.62	1,129.00
11-000-219-320 Purchased Professional - Educational Services	1,000.00	.00	.00	1,000.00
11-000-219-600 Supplies and Materials	9,000.00	7,170.44	705.60	1,123.96
11-000-219-800 Other Objects	1,730.00	1,160.60	162.13	407.27
11-000-219-270 Health Benefits	58,062.00	14,584.12	39,298.88	4,179.00
	220,524.00	49,057.54	163,627.23	7,839.23
Improvement of Instruction Services				
11-000-221-102 Salaries of Supervisor of Instruction	101,885.00	23,097.54	74,250.00	4,537.46
11-000-221-104 Salaries of Other Professional Staff	3,200.00	2,790.00	.00	410.00
11-000-221-105 Salaries of Secretaries and Clerical Assistants	19,726.00	4,931.52	14,794.48	.00
11-000-221-220 Social Security Contributions	2,138.00	.00	2,138.00	.00
11-000-221-600 Supplies and Materials	1,000.00	.00	.00	1,000.00
11-000-221-800 Other Objects	800.00	.00	350.00	450.00
	128,749.00	30,819.06	91,532.48	6,397.46
Instructional Staff Training Services				
11-000-223-320 Purchased Professional - Educational Services	1,000.00	.00	1,000.00	.00
11-000-223-580 Travel - All Other	2,000.00	.00	.00	2,000.00
	3,000.00	.00	1,000.00	2,000.00
Support Services - General Administration				
11-000-230-100 Salaries	170,830.00	40,365.72	123,715.11	6,749.17
11-000-230-331 Legal Services (Note: APSSD - Not Litigation Related Legal Services)	6,000.00	.00	.00	6,000.00
11-000-230-332 Audit Fees	25,500.00	.00	25,500.00	.00
11-000-230-334 Architectural/Engineering Services	10,000.00	.00	.00	10,000.00
11-000-230-339 Other Purchased Professional Services	22,115.00	20,972.10	1,100.00	42.90
11-000-230-530 Communications / Telephone	10,760.00	3,247.85	4,747.19	2,764.96
11-000-230-585 BOE Other Purchased Services	4,100.00	.00	3,370.00	730.00

Report of the Secretary to the Board of Education
 Bradley Beach Board of Education
 2022-23 September

	Appropriations	Expenditures	Encumbrances	Available Balance
11-000-230-590	Miscellaneous Purchased Services (400-500) [Other than 530 and 585]	138.44	53.56	4,808.00
11-000-230-610	General Supplies	655.00	2,172.36	3,438.64
11-000-230-890	Miscellaneous Expenditures	2,290.87	495.00	2,214.13
11-000-230-895	BOE Membership Dues and Fees	3,701.20	.00	98.80
	269,371.00	71,371.18	161,153.22	36,846.60
Support Services - School Administration				
11-000-240-103	Salaries of Principals / Assistant Principals / Program Directors	2,710.82	8,250.01	4.17
11-000-240-600	Supplies and Materials	.00	.00	200.00
11-000-240-800	Other Objects	.00	.00	1,000.00
	12,165.00	2,710.82	8,250.01	1,204.17
Central Services				
11-000-251-100	Salaries	43,861.84	110,736.76	11,489.40
11-000-251-330	Purchased Professional Services	.00	300.00	.00
11-000-251-340	Purchased Technical Services	21,732.80	450.00	.00
11-000-251-600	Supplies and Materials	2,500.00	379.06	844.47
11-000-251-890	Miscellaneous Expenditures	4,000.00	115.00	2,340.47
	194,620.80	67,965.64	111,980.82	14,674.34
Administrative Information Technology				
11-000-252-100	Salaries	.00	.00	10,070.00
11-000-252-600	Supplies and Materials	5,590.95	804.00	3,535.83
	15,660.95	1,251.12	804.00	13,605.83
Required Maintenance for School Facilities				
11-000-261-100	Salaries	5,179.02	15,537.98	12,403.00
11-000-261-420	"Cleaning, Repair, and Maintenance Services"	61,959.85	38,646.73	9,171.60
11-000-261-610	General Supplies	18,744.25	4,642.64	3,859.42
11-000-261-800	Other Objects	20,065.00	665.00	7,508.75
11-000-261-220	Social Security Contributions	2,534.00	.00	2,534.00
11-000-261-270	Health Benefits	37,519.00	9,222.87	1,447.62
	221,760.43	98,495.18	86,340.86	36,924.39
Custodial Services				
11-000-262-100	Salaries	43,434.45	129,621.01	5,194.54
11-000-262-107	Salaries of Non-Instructional Aides	1,446.00	.00	43,779.00
11-000-262-220	Social Security Contributions	.00	17,097.00	.00
11-000-262-260	Workmen's Compensation	.00	35,697.74	397.26
11-000-262-270	Health Benefits	13,527.66	39,291.74	1,604.60
11-000-262-300	Purchased Professional and Technical Services	1,570.00	.00	3,780.00
	5,350.00	1,570.00	.00	

**Report of the Secretary to the Board of Education
Bradley Beach Board of Education
2022-23 September**

	Appropriations	Expenditures	Encumbrances	Available Balance
11-000-262-490				
11-000-262-520				
11-000-262-610				
11-000-262-621				
11-000-262-622				
	5,150.00	639.01	4,496.99	14.00
Other Purchased Property Services				
Insurance	83,512.00	6,379.00	50,250.49	26,882.51
General Supplies	10,220.00	1,078.23	2,774.62	6,367.15
Energy (Natural Gas)	50,480.00	2,331.37	48,148.63	.00
Energy (Electricity)	38,300.00	6,561.86	31,649.14	89.00
	524,103.00	76,967.58	359,027.36	88,108.06
Security				
"Cleaning, Repair, and Maintenance Services"	9,000.00	778.00	1,500.00	6,722.00
General Supplies	2,000.00	.00	420.00	1,580.00
	11,000.00	778.00	1,920.00	8,302.00
Student Transportation Services				
Salaries for Pupil Transportation (Between Home and School) - Regular	38,501.00	9,625.26	28,875.74	.00
Contract Services - Aid in Lieu Payments - Non-Public School	5,000.00	.00	.00	5,000.00
Contract Services (Other than Between Home and School)-Vendors	100.00	.00	.00	100.00
Contract Services (Between Home and School)-Joint Agreements	61,800.00	.00	.00	61,800.00
Contract Services (Special Ed Students)-Joint Agreements	13,500.00	.00	.00	13,500.00
Contract Services (Regular Students)-ESCs and CTSAs	27,500.00	.00	.00	27,500.00
Contract Services (Special Ed Students)-ESCs and CTSAs	22,000.00	8,840.00	.00	13,160.00
	168,401.00	18,465.26	28,875.74	121,060.00
Personnel Services - Unallocated Employee Benefits				
Social Security Contributions	30,218.00	14,783.03	15,434.97	.00
Other Retirement Contributions - PERS	110,734.00	632.09	9,367.91	100,734.00
Workmen's Compensation	5,000.00	.00	5,000.00	.00
Health Benefits	67,906.00	5,470.08	36,108.90	26,327.02
Tuition Reimbursement	9,000.00	.00	.00	9,000.00
Other Employee Benefits	12,000.00	.00	.00	12,000.00
	234,858.00	20,885.20	65,911.78	148,061.02
Facilities Acquisition and Construction Services				
Other Objects	20,000.00	20,000.00	.00	.00
Assessment for Debt Service on SDA Funding	21,662.00	2,166.20	19,495.80	.00
	41,662.00	22,166.20	19,495.80	.00
Other Uses				
Transfer of Funds to Charter Schools	14,662.00	818.00	13,844.00	.00

Report of the Secretary to the Board of Education
 Bradley Beach Board of Education
 2022-23 September

	Appropriations	Expenditures	Encumbrances	Available Balance
Equipment	14,662.00	818.00	13,844.00	.00
Contribution (Transfer) of Funds to Charter Schools	.00	.00	.00	.00
General Fund	7,588,660.18	1,029,365.22	3,825,369.21	2,733,925.75

David [Signature]
 School Business Administrator Signature

10/5/22
 Date

20 Special Revenue Fund
Assets and Liabilities

Assets		
101	Cash	(164,070.69)
	Accounts Receivable:	
132	Interfund Receivable	437,830.88
141	A/R: State of NJ	437,830.88
Resources		
301	Estimated Revenues	1,948,173.84
302	Revenues	(416,843.99)
		<u>1,531,329.85</u>
	Total assets and resources:	1,805,090.04

20 Special Revenue Fund

Liabilities and Fund Equity

Liabilities			
481	Deferred Revenue	<u>1,033.45</u>	1,033.45
Fund Balance			
	Appropriated		
	Reserve for Encumbrances		
753	Reserve for Encumbrances: Current	802,681.35	
754	Reserve for Encumbrances: Prior		
601	Appropriations	1,948,658.84	
602	Expenditures	144,602.25	
603	Encumbrances	<u>802,681.35</u>	
	Less: Expenditures and Encumbrances	(947,283.60)	
	Total Appropriations		<u>1,804,056.59</u>
75X,76x	Reserved Fund Balance		
	Other Reserves	<u>.00</u>	.00
	Total Reserved Fund Balance:		
	Unappropriated:		
303	Budgeted Fund Balance		
770	Unassigned Fund Balance		
	Total Unappropriated:		<u>.00</u>
	Total Liabilities and Fund Balance		<u>1,805,090.04</u>

20 Special Revenue Fund

Recapitulation of Budgeted Fund Balance

	Budgeted	Actual	Variance
Appropriations	1,948,658.84	947,283.60	1,001,375.24
Revenues	(1,948,173.84)	(416,843.99)	(1,531,329.85)
	485.00	530,439.61	-529,954.61
Less: Reserve for Encumbrances: Prior	485.00	485.00	.00
Budgeted Fund Balance:	.00	529,954.61	-529,954.61

20 Special Revenue Fund

Schedule Of Revenues
 Actual Compared with Estimated

	Estimated	Actual	Unrealized
Revenues from Local Sources			
Revenue from Local Sources	2,167.44	1,133.99	1,033.45
	2,167.44	1,133.99	1,033.45
Revenues from State Sources			
Preschool Education Aid and Prior Year Carryover	332,568.00	332,568.00	.00
	332,568.00	332,568.00	.00
Revenues from Federal Sources			
Title I-Part A	115,042.00	.00	115,042.00
I.D.E.A. Part B	122,716.00	.00	122,716.00
Title II-A	10,886.00	.00	10,886.00
Title IV - Part A - Student Support and Acad Enrichment	10,000.00	.00	10,000.00
Title III	10,190.00	.00	10,190.00
CRRSA Act - ESSER II	182,185.02	.00	182,185.02
CRRSA Act - Learning Acceleration Grant	3,260.00	.00	3,260.00
CRRSA Act - Mental Health Grant	2,751.00	.00	2,751.00
ARP-ESSR	919,123.89	.00	919,123.89
ARP ESSER Accelerated Learning Coaching/Ed Support	29,600.00	.00	29,600.00
ARP ESSER Eyd-Based Sum Learning & Enrichment Act	40,000.00	.00	40,000.00
ARP ESSER Eyd-Based Comp Beyond the School Day Act	39,542.49	.00	39,542.49
ARP ESSER NJTSS Mental Health Support Staffing	45,000.00	.00	45,000.00
	1,530,296.40	.00	1,530,296.40
Revenues from Other Financing Sources			
Interfund Transfers	83,142.00	83,142.00	.00
	83,142.00	83,142.00	.00
	1,948,173.84	416,843.99	1,531,329.85

20 Special Revenue Fund
Statement of Appropriations
Compared with Expenditures and Encumbrances

	Appropriations	Expenditures	Encumbrances	Available Balance
Other Local Projects				
Program Expenditures	2,652.44	1,618.99	.00	1,033.45
	2,652.44	1,618.99	.00	1,033.45
Preschool Education				
Salaries of Teachers	222,276.00	22,227.60	200,048.40	.00
Other Salaries for Instruction	53,884.00	5,375.20	48,376.80	132.00
Salaries of Supervisors of Instruction	40,200.00	10,049.97	30,150.03	.00
Salaries of Other Professional Staff	13,709.00	1,370.90	12,338.10	.00
Personal Services - Employee Benefits	81,641.00	23,339.99	55,556.43	2,744.58
Other Purchased Professional Services	4,000.00	.00	4,000.00	.00
	415,710.00	62,363.66	350,469.76	2,876.58
ESSA Title I, Part A				
Salaries of Teachers	76,690.00	7,669.00	69,021.00	.00
Employee Benefits	18,352.00	364.76	3,298.24	14,689.00
	95,042.00	8,033.76	72,319.24	14,689.00
ESSA Title I, Part A				
Salaries of Teachers	13,245.00	1,324.50	11,920.50	.00
Employee Benefits	6,755.00	.00	.00	6,755.00
	20,000.00	1,324.50	11,920.50	6,755.00
ESSA Title III				
Salaries of Teachers	6,351.00	635.10	5,715.90	.00
Employee Benefits	3,239.00	.00	.00	3,239.00
Other Purchased Services	500.00	.00	.00	500.00
Supplies and Materials	100.00	.00	.00	100.00
	10,190.00	635.10	5,715.90	3,839.00
IDEA Part B				
Salaries of Teachers	33,000.00	3,300.00	29,700.00	.00
Salaries - Other	53,752.00	5,375.20	48,376.80	.00
Employee Benefits	20,942.00	411.20	3,700.80	16,830.00
Professional Technical Services	12,111.00	600.00	6,400.00	5,111.00
	119,805.00	9,686.40	88,177.60	21,941.00

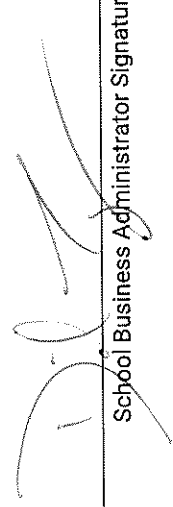
IDEA Part B

Report of the Secretary to the Board of Education
 Bradley Beach Board of Education
 2022-23 September

	Appropriations	Expenditures	Encumbrances	Available Balance
20-252-100-101	1,928.00	192.80		.00
20-252-200-200	983.00	.00	1,735.20	983.00
	2,911.00	192.80	1,735.20	983.00
ESSA Title IIA / IID				
Program Expenditures	10,886.00	.00	280.00	10,606.00
	10,886.00	.00	280.00	10,606.00
ESSA Title IV				
Salaries of Teachers	2,793.00	.00	.00	2,793.00
Instructional Supplies	500.00	.00	.00	500.00
Employee Benefits	214.00	.00	.00	214.00
Professional Technical Services	4,993.00	.00	4,993.00	.00
Other Purchased Services	1,275.00	.00	.00	1,275.00
Supplies and Materials	225.00	.00	.00	225.00
	10,000.00	.00	4,993.00	5,007.00
CRRSA Act-ESSER II Grant Program				
Program Expenditures	182,185.02	44,359.24	105,712.95	32,112.83
	182,185.02	44,359.24	105,712.95	32,112.83
CRRSA Act-Learning Acceleration Grant Program				
Program Expenditures	3,260.00	420.00	.00	2,840.00
	3,260.00	420.00	.00	2,840.00
CRRSA Act-Mental Health Grant Program				
Program Expenditures	2,751.00	.00	.00	2,751.00
	2,751.00	.00	.00	2,751.00
ARP-ESSER Grant Program				
Program Expenditures	919,123.89	12,864.40	115,019.60	791,239.89
	919,123.89	12,864.40	115,019.60	791,239.89
ARP ESSER Subgrant (ALCES)				
Program Expenditures	29,600.00	.00	18,407.00	11,193.00
	29,600.00	.00	18,407.00	11,193.00
ARP ESSER Subgrant (EBSLEA)				
Program Expenditures	40,000.00	.00	.00	40,000.00
	40,000.00	.00	.00	40,000.00
ARP Evidence Based Learning Beyond the School Day				
Program Expenditures	39,542.49	.00	.00	39,542.49
	39,542.49	.00	.00	39,542.49
ARP ESSER Subgrant (NJTSS)				

Report of the Secretary to the Board of Education
 Bradley Beach Board of Education
 2022-23 September

	Appropriations	Expenditures	Encumbrances	Available Balance
20-491-200-104	45,000.00	3,103.40	27,930.60	13,966.00
Program Expenditures	45,000.00	3,103.40	27,930.60	13,966.00
Special Revenue Fund	1,948,658.84	144,602.25	802,681.35	1,001,375.24


 School Business Administrator Signature


 Date

30 Capital Projects Fund
Assets and Liabilities

Assets		
101	Cash	
Resources		
301	Estimated Revenues	
302	Revenues	<u>.00</u>

Total assets and resources:

30 Capital Projects Fund
Liabilities and Fund Equity

Liabilities		
Fund Balance		
753	Appropriated	
	Reserve for Encumbrances	
754	Reserve for Encumbrances: Current	
	Reserve for Encumbrances: Prior	
601	Appropriations	
602	Expenditures	
603	Encumbrances	
	Less: Expenditures and Encumbrances	
	Total Appropriations	.00
75X,76x	Reserved Fund Balance	
	Other Reserves	.00
	Total Reserved Fund Balance:	.00
303	Unappropriated:	
770	Budgeted Fund Balance	
	Fund Balance	
	Total Unappropriated:	.00

Total Liabilities and Fund Balance

30 Capital Projects Fund

Recapitulation of Budgeted Fund Balance

	Budgeted	Actual	Variance
Appropriations	.00	.00	.00
Revenues	(.00)	(.00)	(.00)
	.00	.00	.00
Less: Reserve for Encumbrances: Prior			
Budgeted Fund Balance:	.00	.00	.00

30 Capital Projects Fund

Interim Statements Comparing

Budget Revenue with Actual to Date and

Appropriations with Expenditures and Encumbrances to Date

Revenue/sources of funds	Budgeted Estimated	Actual To Date	Unrealized Balance
	.00	.00	.00
Expenditures	Appropriations	Expenditures	Encumbrances
			Available Balance

30 Capital Projects Fund

Schedule Of Revenues

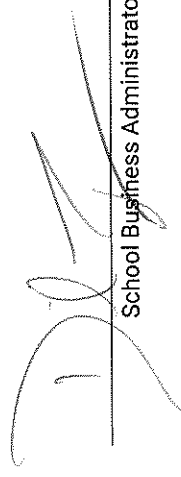
Actual Compared with Estimated

	Estimated	Actual	Unrealized
	.00	.00	.00

30 Capital Projects Fund

Statement of Appropriations
Compared with Expenditures and Encumbrances

Capital Projects Fund	Appropriations	Expenditures	Encumbrances	Available Balance
	.00	.00	.00	.00



School Business Administrator Signature

10/5/23

Date

40 Debt Service Fund
Assets and Liabilities

Assets		
101	Cash	34,872.57
121	Tax Levy Receivable	139,437.00
Resources		
301	Estimated Revenues	174,300.00
302	Revenues	(174,300.00)
		<u>.00</u>
	Total assets and resources:	174,309.57

40 Debt Service Fund

Liabilities and Fund Equity

Liabilities .00

Fund Balance

753	Appropriated Reserve for Encumbrances	
754	Reserve for Encumbrances: Current	
	Reserve for Encumbrances: Prior	
601	Appropriations	174,300.00
602	Expenditures	
603	Encumbrances	
	Less: Expenditures and Encumbrances	

Total Appropriations 174,300.00

75X,76x	Reserved Fund Balance	
	Other Reserves	.00
	Total Reserved Fund Balance:	.00

303	Unappropriated:	
770	Budgeted Fund Balance	
	Fund Balance	9.57
	Total Unappropriated:	9.57

Total Liabilities and Fund Balance 174,309.57

40 Debt Service Fund

Recapitulation of Budgeted Fund Balance

	Budgeted	Actual	Variance
Appropriations	174,300.00	.00	174,300.00
Revenues	(174,300.00)	(174,300.00)	(.00)
	.00	-174,300.00	174,300.00
Less: Reserve for Encumbrances: Prior			
Budgeted Fund Balance:	.00	-174,300.00	174,300.00

40 Debt Service Fund

**Interim Statements Comparing
 Budget Revenue with Actual to Date and
 Appropriations with Expenditures and Encumbrances to Date**

Revenue/sources of funds	Budgeted Estimated	Actual To Date	Unrealized Balance
1XXX From Local Sources	174,300.00	174,300.00	.00
	174,300.00	174,300.00	.00
Expenditures	Appropriations	Expenditures	Encumbrances
			Available Balance
40-701-510-xxx Repayment of Debt	174,300.00	.00	.00
Repayment of Debt - Regular	174,300.00	.00	.00
			174,300.00
40-* Other	.00	.00	.00
Other Debt Service Fund	.00	.00	.00
	174,300.00	.00	.00
			174,300.00

40 Debt Service Fund

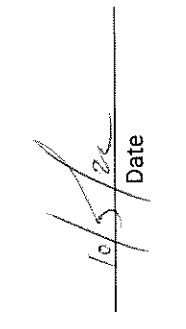
**Schedule Of Revenues
 Actual Compared with Estimated**

	Estimated	Actual	Unrealized
Revenues from Local Sources			
Ad Valorem Taxes - Local Tax Levy	174,300.00	174,300.00	.00
40-1210	174,300.00	174,300.00	.00
	174,300.00	174,300.00	.00

40 Debt Service Fund

**Statement of Appropriations
 Compared with Expenditures and Encumbrances**

	Appropriations	Expenditures	Encumbrances	Available Balance
Regular Debt Service				
40-701-510-910 Redemption of Principal-Early Retirement Bonds	168,000.00	.00	.00	168,000.00
40-701-510-834 Interest on Bonds	6,300.00	.00	.00	6,300.00
	174,300.00	.00	.00	174,300.00
Debt Service Fund	174,300.00	.00	.00	174,300.00



 School Business Administrator Signature

10/5/22

 Date

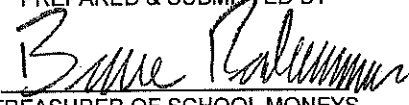
REPORT OF THE TREASURER TO THE BRADLEY BEACH BOARD OF EDUCATION
 FOR THE MONTH ENDING

9/30/22

PAGE 1 OF 6
 ENDING

FUNDS	CASH BALANCE	CASH RECEIPTS THIS MONTH	CASH DISBURSEMENTS THIS MONTH	CASH BALANCE(1+2-3)
GENERAL FUND--FUND 10	\$2,394,639.42	\$85,846.04	\$558,281.99	\$1,922,203.47
SPECIAL REVENUE FUND--FUND 20	(\$54,676.38)	\$121,825.58	\$231,219.89	(\$164,070.69)
CAPITAL PROJECTS FUND--FUND 30	\$0.00	\$0.00	\$0.00	\$0.00
DEBT SERVICE FUND--FUND 40	\$34,872.57	\$0.00	\$0.00	\$34,872.57
TOTAL GOVERNMENTAL FUNDS	\$2,374,835.61	\$207,671.62	\$789,501.88	\$1,793,005.35
ENTERPRISE FUND--FUND 5X	\$39,657.71	\$2,281.22	\$0.00	\$41,938.93
PAYROLL	\$0.00	\$217,008.18	\$217,005.86	\$2.32
PAYROLL AGENCY	\$735.90	\$178,277.88	\$156,048.05	\$22,965.73
UNEMPLOYMENT TRUST	\$38,354.88	\$5.78	\$0.00	\$38,360.66
TOTAL TRUST & AGENCY FUNDS	\$39,090.78	\$395,291.84	\$373,053.91	\$61,328.71
TOTAL ALL FUNDS	\$2,453,584.10	\$605,244.68	\$1,162,555.79	\$1,896,272.99

PREPARED & SUBMITTED BY

 10/14/2022
 TREASURER OF SCHOOL MONEYS DATE

BRADLEY BEACH BOARD OF EDUCATION BANK RECONCILIATION—CASH ACCOUNT
BANK: BANK OF AMERICA
ACCOUNT #726-010062

STATEMENT DATE: 9/30/22

BALANCE PER BANK			\$1,804,100.41
ADDITIONS: DEPOSITS IN TRANSIT	DATE	AMOUNT	
REIMBURSEMENT DUE FOR		\$0.00	
		\$0.00	
		\$0.00	
TOTAL DEPOSITS IN TRANSIT			\$0.00
		AMOUNT	
DEDUCTIONS: OUTSTANDING CHECKS		\$11,095.04	
		\$0.00	
OTHER		\$0.02	
TOTAL DEDUCTIONS		\$11,095.06	
NET RECONCILING ITEMS			(\$11,095.06)
ADJUSTED BALANCE PER BANK			\$1,793,005.35

BALANCE PER BOARD SECRETARY'S RECORDS AS OF _____

RECONCILING ITEMS:

ADDITIONS

INTEREST EARNED _____

OTHER (EXPLAIN) _____

TOTAL ADDITIONS _____

DEDUCTIONS

BANK CHARGES _____

OTHER (EXPLAIN) _____

TOTAL DEDUCTIONS _____

NET RECONCILING ITEMS _____

ADJUSTED BOARD SECRETARY'S BALANCE AS OF _____

BANK OF AMERICA CERTIFICATES OF DEPOSIT: _____ \$0.00

BRADLEY BEACH BOARD OF EDUCATION BANK RECONCILIATION—PAYROLL/AGENCY
BANK: BANK OF AMERICA
ACCOUNT #726-0102200

STATEMENT DATE: 9/30/22

BALANCE PER BANK			\$33,360.65
ADDITIONS: DEPOSITS IN TRANSIT	DATE	AMOUNT	
		\$0.00	
		\$0.00	
		\$0.00	
TOTAL DEPOSITS IN TRANSIT			\$0.00
		AMOUNT	
DEDUCTIONS: OUTSTANDING CHECKS		\$10,394.92	
OTHER		\$0.00	
TOTAL DEDUCTIONS		\$10,394.92	
NET RECONCILING ITEMS			(\$10,394.92)
ADJUSTED BALANCE PER BANK			\$22,965.73

BALANCE PER BOARD SECRETARY'S RECORDS AS OF _____

RECONCILING ITEMS:

ADDITIONS

INTEREST EARNED _____

OTHER (EXPLAIN) _____

TOTAL ADDITIONS _____

DEDUCTIONS

BANK CHARGES _____

OTHER (EXPLAIN) _____

TOTAL DEDUCTIONS _____

NET RECONCILING ITEMS _____

ADJUSTED BOARD SECRETARY'S BALANCE AS OF _____

BRADLEY BEACH BOARD OF EDUCATION BANK RECONCILIATION--PAYROLL ACCOUNT
BANK: BANK OF AMERICA
ACCOUNT #726-0100089

STATEMENT DATE: 9/30/22

BALANCE PER BANK			\$250.49
ADDITIONS: DEPOSITS IN TRANSIT	DATE	AMOUNT	
		\$0.00	
		\$0.00	
		\$0.00	
TOTAL DEPOSITS IN TRANSIT		\$0.00	
		AMOUNT	
DEDUCTIONS: OUTSTANDING CHECKS		\$248.17	
OTHER		\$0.00	
TOTAL DEDUCTIONS		\$248.17	
NET RECONCILING ITEMS		(\$248.17)	
ADJUSTED BALANCE PER BANK			\$2.32

BALANCE PER BOARD SECRETARY'S RECORDS AS OF _____
 RECONCILING ITEMS:
 ADDITIONS
 INTEREST EARNED _____
 OTHER (EXPLAIN) _____
 TOTAL ADDITIONS _____
 DEDUCTIONS
 BANK CHARGES _____
 OTHER (EXPLAIN) _____
 TOTAL DEDUCTIONS _____
 NET RECONCILING ITEMS _____
 ADJUSTED BOARD SECRETARY'S BALANCE AS OF _____

BRADLEY BEACH BOARD OF EDUCATION BANK RECONCILIATION--UNEMPLOYMENT INSURANCE
BANK: BANK OF AMERICA
ACCOUNT #726-0101875

STATEMENT DATE: 9/30/22

BALANCE PER BANK			\$38,360.66
ADDITIONS: DEPOSITS IN TRANSIT	DATE	AMOUNT	
		\$0.00	
		\$0.00	
		\$0.00	
TOTAL DEPOSITS IN TRANSIT		\$0.00	
		AMOUNT	
DEDUCTIONS: OUTSTANDING CHECKS		\$0.00	
OTHER		\$0.00	
TOTAL DEDUCTIONS		\$0.00	
NET RECONCILING ITEMS		\$0.00	
ADJUSTED BALANCE PER BANK			\$38,360.66

BALANCE PER BOARD SECRETARY'S RECORDS AS OF _____
 RECONCILING ITEMS:
 ADDITIONS
 INTEREST EARNED _____
 OTHER (EXPLAIN) _____
 TOTAL ADDITIONS _____
 DEDUCTIONS
 BANK CHARGES _____
 OTHER (EXPLAIN) _____
 TOTAL DEDUCTIONS _____
 NET RECONCILING ITEMS _____
 ADJUSTED BOARD SECRETARY'S BALANCE AS OF _____

BRADLEY BEACH BOARD OF EDUCATION BANK RECONCILIATION--CAFETERIA ACCT.
BANK: BANK OF AMERICA
ACCOUNT #726-0101344

STATEMENT DATE: 9/30/22

BALANCE PER BANK

\$41,938.93

ADDITIONS: DEPOSITS IN TRANSIT	DATE	AMOUNT
		\$0.00
		\$0.00
		\$0.00
TOTAL DEPOSITS IN TRANSIT		\$0.00

AMOUNT

DEDUCTIONS: OUTSTANDING CHECKS		\$0.00
		\$0.00
OTHER		\$0.00
TOTAL DEDUCTIONS		\$0.00

NET RECONCILING ITEMS		\$0.00
ADJUSTED BALANCE PER BANK		\$41,938.93

BALANCE PER BOARD SECRETARY'S RECORDS AS OF _____
RECONCILING ITEMS:

ADDITIONS	
INTEREST EARNED	_____
OTHER (EXPLAIN)	_____
TOTAL ADDITIONS	_____
DEDUCTIONS	
BANK CHARGES	_____
OTHER (EXPLAIN)	_____
TOTAL DEDUCTIONS	_____
NET RECONCILING ITEMS	_____

OUTSTANDING CHECKS AS OF 9/30/22
SALARY CASH ACCOUNT #726-0100089

CHECK #	AMOUNT	CHECK #	AMOUNT
37223	\$67.60		
37267	\$180.57		

GRAND TOTAL, SALARY ACCOUNT

\$248.17

OUTSTANDING CHECKS AS OF 9/30/22
CASH ACCOUNT #726-0100062

PAGE 6 OF 6

CHECK #	AMOUNT	CHECK #	AMOUNT
21056	\$1,433.09		
21108	\$762.00		
21112	\$2,012.86		
21156	\$1,002.41		
21157	\$747.00		
21158	\$1,325.00		
21162	\$1,682.40		
21166	\$626.18		
21169	\$101.60		
21177	\$1,402.50		

OUTSTANDING CHECKS AS OF 9/30/22
PAYROLL/AGENCY ACCOUNT # 0072-6010-2200

CHECK #	AMOUNT	CHECK #	AMOUNT
7466	\$5,070.00		
7469	\$410.20		
7467	\$44.62		
7468	\$4,870.10		

**Board of Education
Bills and Claims
Batch 23-0078 Oct. Board Meeting (10/1/2022)**

Attachment VII-J

Vendor Name	Account Number	Id	PO Number	Description	Batch	Check #	Amount to Pay
A.A. Physical Therapy Services LLC	20-250-200-320-00	2006	PO-23-000195	Service Inv: SEPT.	23-0078	21184	550.00
							550.00
Acclero Learning Monmouth Middlesex County Inc.	11-000-223-320-00	ACEL	PO-23-000212	Service Inv: SEPT.	23-0078	21185	500.00
							500.00
Action Plumbing, Inc.	11-000-261-420-00	A-ACT	PO-23-000244	Service Inv: # 12606	23-0078	21186	1,495.00
							1,495.00
Alliance Commercial Pest Control, Inc.	11-000-261-420-00	90060	PO-23-000020	Service Inv: 508644	23-0078	21187	25.00
Alliance Commercial Pest Control, Inc.	11-000-261-420-00	90060	PO-23-000020	Service Inv: 513415	23-0078	21187	70.00
Alliance Commercial Pest Control, Inc.	11-000-261-420-00	90060	PO-23-000020	Service Inv: 517792	23-0078	21187	10.00
							105.00
Allied Fire & Safety Equipment Company	11-000-266-420-00	88	PO-23-000160	Service Inv: 98116 & 98354	23-0078	21188	1,212.22
							1,212.22
Amazon.com	11-000-219-600-00	AMAZO N	PO-23-000079	Supplies	23-0078	21189	178.57
Amazon.com	11-190-100-610-00	AMAZO N	PO-23-000093	Supplies	23-0078	21189	54.60
Amazon.com	11-000-211-600-00	AMAZO N	PO-23-000108	Supplies	23-0078	21189	58.11
Amazon.com	11-190-100-610-00-PK	AMAZO N	PO-23-000163	Supplies	23-0078	21189	102.82
Amazon.com	11-190-100-610-11-AR	AMAZO N	PO-23-000208	Supplies	23-0078	21189	23.98
Amazon.com	11-000-251-600-00	AMAZO N	PO-23-000217	Supplies And Materials	23-0078	21189	60.45
							478.53
Ameriflex	11-000-251-340-00	AMERFL	PO-23-000180	Service Inv: OCT.	23-0078	21190	50.00
							50.00
Bradley Beach BOE	12-000-400-896-00	429	PO-23-000193	Service Inv: OCT.	23-0078	21191	2,166.20
							2,166.20
Bradley Beach BOE	11-000-100-568-00	BBSFAC	PO-23-000231	Tuition Inv: OCT.	23-0078	21192	4,027.00

**Draughton Board of Education
Bills and Claims
Batch 23-0078 Oct. Board Meeting (10/1/2022)**

Vendor Name	Account Number	Id	PO Number	Description	Batch	Check #	Amount to Pay
Brightly Software, Inc.	11-000-262-300-00	BRIGHTLY	PO-23-000292	Service Inv: INV-123719	23-0078	21193	3,509.29
							3,509.29
Center For Civics Education	11-190-100-610-00	CEN	PO-23-000122	Supplies Inv: 259182	23-0078	21194	815.75
							815.75
Chubb	11-000-261-800-00	CHUBB	PO-23-000286	Service Inv: POLIY # 000129AI	23-0078	21195	220.00
							220.00
CQI Water Treatment	11-000-261-420-00	CQI_LWA	PO-23-000240	service Inv: 10-044	23-0078	21196	950.00
							950.00
D'onofrio & Son Inc.	11-000-261-420-00	DONOF R	PO-23-000053	Service Inv: 32116	23-0078	21197	5,100.00
							5,100.00
Delisa Demolition and Disposal	11-000-261-420-00	DELISA	PO-23-000042	Service	23-0078	21198	469.35
Delisa Demolition and Disposal	11-000-261-420-00	DELISA	PO-23-000264	Service	23-0078	21198	.00
Delisa Demolition and Disposal	11-000-261-420-00	DELISA	PO-23-000264	Service Inv: 242971	23-0078	21198	403.00
							872.35
Direct Energy Business	11-000-262-621-00	DE	PO-23-000185	Service Inv: HS23241746	23-0078	21199	62.45
							62.45
George Koustas Painting & Construction, LLC	11-000-261-420-00	KOUSTA	PO-23-000242	Service	23-0078	21200	1,250.00
George Koustas Painting & Construction, LLC	11-000-261-420-00	KOUSTA	PO-23-000273	Service	23-0078	21200	1,600.00
							2,850.00
Grainger	11-000-261-610-00	GRAING	PO-23-000239	Supplies	23-0078	21201	1,445.75
							1,445.75
Horizon Blue Cross Blue Shield of New Jersey	11-000-211-270-00	HORIZO	PO-23-000024	Service Inv: OCTOBER 2022	23-0078	21202	2,449.16

**Draughton Board of Education
Bills and Claims
Batch 23-0078 Oct. Board Meeting (10/1/2022)**

Vendor Name	Account Number	Id	PO Number	Description	Batch	Check #	Amount to Pay
Horizon Blue Cross Blue Shield of New Jersey	11-000-213-270-00	HORIZO	PO-23-000024	Service	23-0078	21202	.00
Horizon Blue Cross Blue Shield of New Jersey	11-000-216-270-00	HORIZO	PO-23-000024	Service	23-0078	21202	3,408.50
Horizon Blue Cross Blue Shield of New Jersey	11-000-217-270-00	HORIZO	PO-23-000024	Service	23-0078	21202	4,936.54
Horizon Blue Cross Blue Shield of New Jersey	11-000-218-270-00	HORIZO	PO-23-000024	Service	23-0078	21202	2,410.94
Horizon Blue Cross Blue Shield of New Jersey	11-000-219-270-00	HORIZO	PO-23-000024	Service	23-0078	21202	6,069.97
Horizon Blue Cross Blue Shield of New Jersey	11-000-261-270-00	HORIZO	PO-23-000024	Service	23-0078	21202	3,408.50
Horizon Blue Cross Blue Shield of New Jersey	11-000-262-270-00	HORIZO	PO-23-000024	Service	23-0078	21202	4,936.54
Horizon Blue Cross Blue Shield of New Jersey	11-000-291-270-00	HORIZO	PO-23-000024	Service	23-0078	21202	14,558.25
Horizon Blue Cross Blue Shield of New Jersey	11-110-100-270-00	HORIZO	PO-23-000024	Service	23-0078	21202	1,205.47
Horizon Blue Cross Blue Shield of New Jersey	11-120-100-270-00	HORIZO	PO-23-000024	Service	23-0078	21202	33,700.71
Horizon Blue Cross Blue Shield of New Jersey	11-130-100-270-00	HORIZO	PO-23-000024	Service	23-0078	21202	13,924.03
Horizon Blue Cross Blue Shield of New Jersey	11-240-100-270-00	HORIZO	PO-23-000024	Service	23-0078	21202	3,051.89
Horizon Blue Cross Blue Shield of New Jersey	20-218-200-200-00	HORIZO	PO-23-000024	Service	23-0078	21202	8,238.53
							102,299.03
Horizon Blue Cross/Blue Shield	11-000-211-270-00	DENTAL	PO-23-000033	Service Inv: OCTOBER 2022	23-0078	21203	52.97
Horizon Blue Cross/Blue Shield	11-000-213-270-00	DENTAL	PO-23-000033	Service	23-0078	21203	.00
Horizon Blue Cross/Blue Shield	11-000-216-270-00	DENTAL	PO-23-000033	Service	23-0078	21203	148.33
Horizon Blue Cross/Blue Shield	11-000-217-270-00	DENTAL	PO-23-000033	Service	23-0078	21203	211.88
Horizon Blue Cross/Blue Shield	11-000-218-270-00	DENTAL	PO-23-000033	Service	23-0078	21203	105.94
Horizon Blue Cross/Blue Shield	11-000-219-270-00	DENTAL	PO-23-000033	Service	23-0078	21203	296.66
Horizon Blue Cross/Blue Shield	11-000-261-270-00	DENTAL	PO-23-000033	Service	23-0078	21203	148.33
Horizon Blue Cross/Blue Shield	11-000-262-270-00	DENTAL	PO-23-000033	Service	23-0078	21203	211.88
Horizon Blue Cross/Blue Shield	11-000-291-270-00	DENTAL	PO-23-000033	Service	23-0078	21203	741.65
Horizon Blue Cross/Blue Shield	11-110-100-270-00	DENTAL	PO-23-000033	Service	23-0078	21203	52.97
Horizon Blue Cross/Blue Shield	11-120-100-270-00	DENTAL	PO-23-000033	Service	23-0078	21203	1,621.03

**Board of Education
Bills and Claims
Batch 23-0078 Oct. Board Meeting (10/1/2022)**

Vendor Name	Account Number	Id	PO Number	Description	Batch	Check #	Amount to Pay
Horizon Blue Cross/Blue Shield	11-130-100-270-00	DENTAL	PO-23-000033	Service	23-0078	21203	609.18
Horizon Blue Cross/Blue Shield	11-240-100-270-00	DENTAL	PO-23-000033	Service	23-0078	21203	132.42
Horizon Blue Cross/Blue Shield	20-218-200-200-00	DENTAL	PO-23-000033	Service	23-0078	21203	296.66
							4,629.90
Industrial Appraisal	11-000-251-330-00	1528	PO-23-000012	Service Inv: 0-782-500	23-0078	21204	300.00
Industrial Appraisal	11-000-251-890-00	1528	PO-23-000012	Service Inv: 0-782-500	23-0078	21204	115.00
							415.00
Jennifer DiZefalo	20-270-200-580-00	JENNIF	PO-23-000250	Supplies	23-0078	21205	280.00
							280.00
Jersey Central Power & Light	11-000-262-622-00	3021	PO-23-000184	Service Inv: SEPT.	23-0078	21206	3,987.45
							3,987.45
Jessica Mack	11-000-216-320-00	JESSIC A	PO-23-000293	Service Inv: JULY/AUGUST/SEPTEMBER	23-0078	21207	2,562.50
							2,562.50
Kenney, Gross, Kovats & Parton	11-000-230-331-00	000002	PO-23-000287	Service Inv: JULY 2022	23-0078	21208	260.00
							260.00
Kiefer Awards Company	11-000-230-610-00	KIE	PO-23-000288	Supplies Inv: 4848	23-0078	21209	30.00
							30.00
Maclearie Printing	11-000-230-610-00	MACLE A	PO-23-000279	General Supplies Inv: 00051882	23-0078	21210	525.00
Maclearie Printing	11-000-211-600-00	MACLE A	PO-23-000280	Supplies Inv: 00051855	23-0078	21210	360.00
							885.00
MGL Printing Solutions	11-000-251-600-00	MGL	PO-23-000225	Supplies Inv: 191579	23-0078	21211	322.00
							322.00
Monmouth County Association of School Business Officials	11-000-251-890-00	57	PO-23-000270	Service Inv: 2022-2023 SY	23-0078	21212	225.00

**GRAUVEY BOARD OF EDUCATION
Bills and Claims
Batch 23-0078 Oct. Board Meeting (10/1/2022)**

Vendor Name	Account Number	ID	PO Number	Description	Batch	Check #	Amount to Pay
Monmouth County Vocational School District	11-000-100-563-00	1296	PO-23-000278	Service Inv. SEPT.	23-0078	21213	6,419.50
Monmouth County Vocational School District	11-000-100-564-00	1296	PO-23-000278	Service Inv. SEPT.	23-0078	21213	3,745.20
Museum of American Revolution	11-190-100-500-00	AMERR EV	PO-23-000284	Field Trip Inv. 104432	23-0078	21214	49.00
NASSP	11-190-100-500-00	NJHS	PO-23-000258	Service Inv. 9001576675	23-0078	21215	385.00
National Geographic School Publishing	11-190-100-610-00-PK	NATLGE	PO-23-000106	Supplies Inv. 6160663768	23-0078	21216	768.00
Neptune Township Board of Education	11-000-100-561-00	1261	PO-23-000285	Tuition Inv. SEPTEMBER 2022	23-0078	21217	87,210.00
Neptune Township Board of Education	11-000-100-562-00	1261	PO-23-000285	Tuition	23-0078	21217	25,245.00
New Jersey American Water	11-000-262-490-01	1206	PO-23-000182	Service Inv. SEPT.	23-0078	21218	412.39
New Jersey Natural Gas	11-000-262-621-00	NJNG	PO-23-000186	Service Inv. 08/10-09/09	23-0078	21219	1,122.48
New Jersey Schools Insurance Group	11-000-262-260-00	NJSIG	PO-23-000255	Service Inv. CON-0000031814	23-0078	21220	35,697.74
New Jersey Schools Insurance Group	11-000-262-520-00	NJSIG	PO-23-000255	Service	23-0078	21220	50,250.49
New Jersey Schools Insurance Group	11-000-291-260-00	NJSIG	PO-23-000255	Service	23-0078	21220	5,000.00
New Jersey Schools Insurance Group	11-190-100-260-00	NJSIG	PO-23-000255	Service	23-0078	21220	7,000.00
Optimum	11-000-230-530-00	OPT	PO-23-000032	Service Inv. 09/15-10/14	23-0078	21221	101.89
							10,164.70
							385.00
							768.00
							112,455.00
							412.39
							1,122.48
							97,948.23

Prattley Beach Board of Education
Bills and Claims
Batch 23-0078 Oct. Board Meeting (10/1/2022)

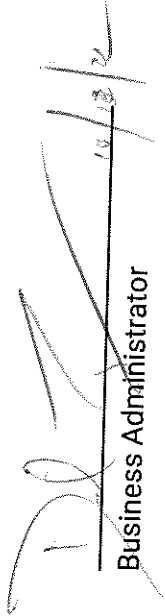
Vendor Name	Account Number	PO Number	Description	Batch	Check #	Amount to Pay
						1,775.98

GRADUATE TEACHER BOARD OF EDUCATION
 Bills and Claims
 Batch 23-0078 Oct. Board Meeting (10/1/2022)

Resolved that the Bills & Claims against the Board of Education as herein enumerated for equipment, material, and supplies, furnished and delivered and for work done and performance, and certified as correct by the Secretary of the Board of Education be and the same are ordered paid when approved by the Finance Committee, and when funds are available.

Fund	Program	Purchase Orders	Current	Prior Year	Total
11	General Current Expense				
11	General Current Expense	84	389,826.07		389,826.07
11	General Current Expense	2	1,258.44		1,258.44
11	General Current Expense	2	35,321.74		35,321.74
11	General Current Expense	2	14,533.21		14,533.21
11	General Current Expense	32	20,095.07		20,095.07
11	General Current Expense	3	3,293.05		3,293.05
	Fund total:		464,327.58		464,327.58
12	Capital Outlay				
	000 Undistributed Expenditures	1	2,166.20		2,166.20
	Fund total:		2,166.20		2,166.20
20	Special Revenue Fund				
20	Special Revenue Fund	2	8,535.19		8,535.19
20	Special Revenue Fund	1	550.00		550.00
20	Special Revenue Fund	1	280.00		280.00
	Fund total:		9,365.19		9,365.19
	Grand totals:	130	475,858.97		475,858.97

Diocese of Albany Board of Education
Bills and Claims
Batch 23-0078 Oct. Board Meeting (10/1/2022)


Business Administrator


10/18/22