

Approved Policy Updates from 5/10/23 Board Meeting

P 0144 – Board Member Orientation and Training *Revised*

N.J.A.C. 6A:28 – School Ethics Commission has been re-adopted by the New Jersey State Department of Education with revisions. These revisions were formally approved on March 3, 2023. Bylaw Guide 0144 is the only Guide affected by the revisions to N.J.A.C. 6A:28. Revisions to N.J.A.C. 6A:28-4.1 change the requirement for a Board Member to receive their initial training from “during the member’s first term” to “within 90 days” of a new Board member’s first term. That initial training must include instruction on a Board member’s responsibilities regarding the School Ethics Act. Strauss Esmay has made this revision and Bylaw Guide 0144 is recommended.

Bylaw Guide 0144 is **RECOMMENDED**

P2520 & R2520 – Instructional Supplies (M) *Revised*

Policy and Regulation Guides 2520 have been revised to reflect current best practices. These revised Guides allow for the Superintendent to designate a staff member to develop regulations for the selection and utilization of instructional supplies. Regulation Guide 2520 has been revised to remove the blanks and provide the Principal or designee the responsibility for the inventory and distribution of supplies. The process outlined in Regulation Guide 2520 may be revised to reflect local practices. Policy and Regulation Guides 2520 are mandated in accordance with N.J.S.A. 18A:34-1.

Policy Guide 2520 is **MANDATED**

Regulation Guide 2520 is **MANDATED**

P3217 – Use of Corporal Punishment *Revised*

R4217 – Use of Corporal Punishment *New*

Policy Guide 3217 has been revised to align directly with the governing statute N.J.S.A. 18A:6-1. Policy Guide 3217 addresses the situations in which it is appropriate for staff members to use force when dealing with a student. Policy Guide 4217 has been developed to address the requirements in N.J.S.A. 18A:6-1 for support staff members because the statute requires

compliance by any person employed by the Board. Policy Guides 3217 and 4217 are recommended.

Policy Guide 3217 is **RECOMMENDED**

Policy Guide 4217 is **RECOMMENDED**

P5305 – Health Services Personnel (M) *Revised*

N.J.A.C. 6A:16-2.3 has been re-adopted by the New Jersey State Board of Education with revisions. N.J.A.C. 6A:16-2.3 outlines the roles and responsibilities of the school physician, certified school nurse, certified school nurse/non-instructional, and non-certified school nurse. Strauss Esmay revised Policy Guide 5305 to include language from N.J.A.C. 6A:16-2.3 addressing the requirements for the school physician's license status and required employment contract, and to incorporate all of the provisions of N.J.A.C. 6A:16-2.3. Policy Guide 5305 is now mandated as the requirements for school district medical personnel should be adopted by the Board based on the recent pandemic and increased scrutiny on a district's practices concerning medical care of students and staff.

Policy Guide 5305 is **MANDATED**

P5308 & R 5308 – Student Health Records (M) *Revised*

N.J.A.C. 6A:16 – Programs to Support Student Development and N.J.A.C. 6A:32-7 – Student Records have been re-adopted by the New Jersey State Department of Education with revisions. Strauss Esmay has updated Policy and Regulation Guides 5308 with minor revisions due to language changes in N.J.A.C. 6A:16-2.4 and 6A:32-7.4. Policy and Regulation Guides 5308 must be adopted by the Board and are mandated.

Policy Guide 5308 is **MANDATED**

Regulation Guide 5308 is **MANDATED**

P5310 & R5310 – Health Services (M) *Revised*

N.J.A.C. 6A:16 – Programs to Support Student Development has been re-adopted by the New Jersey State Department of Education with revisions. Policy and Regulation Guides 5310 have been updated to address the revisions to N.J.A.C. 6A:16-1.3, 2.1, and 2.2. These Administrative Code revisions are minimal and include updates to terminology and a reordering of the provisions in the Administrative Code. Policy and Regulation Guides 5310 have been revised to address these changes. In addition, Policy Guide 5310 has been revised to remove provisions that are duplicated verbatim in Regulation Guide 5310. Policy and Regulation Guides 5310 must be adopted by the Board and are mandated.

Policy Guide 5310 is **MANDATED**

Regulation Guide 5310 is **MANDATED**

P6112- Reimbursement of Federal and Other Grant Expenditures (M) *Revised*

R6115.01 – Federal Awards/Funds Internal Controls – Allowability of Costs (M) *New*

R6115.04 – Federal Funds – Duplication of Benefits (M) *New*

P6311 – Contracts for Goods or Services Funded by Federal Grants (M) *Revised*

The New Jersey Department of Education (NJDOE) – Office of Fiscal Accountability and Compliance (OFAC) recently completed a Carl D. Perkins Federal Grant Audit for a school district and the NJDOE recently completed Federal Integrity Audits related to Federal COVID-19 funding conducted by the NJDOE in school districts. As a result of these Audits, the NJDOE is requiring one new Policy Guide 6115.04, revisions to two existing Policy Guides 6112 and 6311, and a new Regulation Guide 6115.01.

These Policy and Regulation Guides apply to Federal grants and Federal funds received by a school district. The revisions are as follows:

- 1. Policy Guide 6112 (M) (Revised)** – An OFAC Audit indicated the Carl D. Perkins Career and Technical Act of 2006 has been recently renamed to the Strengthening Career and Technical Education for the 21st Century Act. Policy Guide 6112 has been updated to include this revision and is mandated.

Policy Guide 6112 is **MANDATED**

2. **Regulation Guide 6115.01 (M) (New)** – An OFAC Audit indicated the school district should have a procedure/regulation to include, among other things, a description of the process used in the district for grant and budget development through the close-out of a grant. In addition, OFAC recommended the district’s regulation should include a required training tool and guide for employees to be developed locally by the district. Strauss Esmay developed a new Regulation Guide 6115.01 that provides a basic process a school district may use for Federally-funded programs and grants. A school district should review the procedures outlined in Regulation Guide 6115.01 and should make any revisions to reflect the process used in the district if the process used in the district is different than the process provided in Regulation Guide 6115.01. Regulation Guide 6115.01 is mandated and must be adopted by the Board.

Regulation Guide 6115.01 is **MANDATED**

3. **Policy Guide 6115.04 (M) (New)** – A Federal Integrity Audit required a school district to have a policy that addresses duplication of benefits. Duplication of benefits occurs when a person, household, business, government, or other entity receives financial assistance from multiple sources for the same purpose, and the total assistance received for that purpose is more than the total need for assistance. Strauss Esmay developed a new Policy Guide 6115.04 that requires a school district to identify and prevent duplication of benefits. Policy Guide 6115.04 is mandated.

Policy Guide 6115.04 is **MANDATED**

4. **Policy Guide 6311 (M) (Revised)** – An OFAC Audit indicated a school district needed a Policy Guide requiring vendor suspension and disbarment checks completed by the school district for the purchase of goods or services funded by a Federal grant. The Policy Guide should indicate these checks are applicable for contracts or purchase orders over \$25,000, unless the district chooses a lower threshold; the Federal System for Award Management (SAM) is accessible at www.sam.gov; and compliance with the provisions of Policy Guide 6311 must be demonstrated with written evidence. Policy Guide 6311 has been revised to include these provisions and is mandated.

Policy Guide 6311 is **MANDATED**

P7440 – School District Security (M) *Revised*

N.J.S.A. 18A:41-7.1 was recently revised. Prior to this revision, the district was required to provide local law enforcement copies of current blueprints and maps of all schools and school grounds in the district and to provide revised copies to law enforcement upon making any changes. N.J.S.A. 18A:41-7.1 now requires the district to provide local law enforcement authorities with “critical incident mapping data” for all schools and school grounds and any subsequent revisions to the “critical incident mapping data”. The revised statute provides a description of “critical incident mapping data” and this new requirement replaces the old requirement of providing blueprints or maps. Policy Guide 7440 has been revised to reflect the revisions to N.J.S.A. 18A:41-7.1, addresses the statutory requirements in detail, and includes the statutory definition of “critical incident mapping data”. Policy Guide 7440 is mandated.

Policy Guide 7440 is **MANDATED**

P9100 – Public Relations (*Abolished*)

A district may have Policy Guide 9100 – Public Relations in their Policy Manual, which includes similar language that is included in N.J.A.C. 6A:23A-5.2 and Policy Guide 9120. Policy Guide 9120 is mandated as a result of the State Board of Education adopting Fiscal Accountability, Efficiency, and Budgeting Procedures (Accountability Regulations) first introduced in 2009. N.J.A.C. 6A:23A-5.2 requires a public relations and professional services policy consistent with the provisions of the Administrative Code. The public relations provisions of N.J.A.C. 6A:23A-5.2 are included in the mandated Policy Guide 9120. As Policy Guide 9100 is not a mandated Policy and the provisions of Policy Guide 9120 are mandated by N.J.A.C. 6A:23A-5.2(a), it is recommended Policy Guide 9100 be abolished.

Policy Guide 9100 is **ABOLISHED**

P9140 – Citizens Advisory Committees *Revised*

R9140 – Citizens Advisory Committee (M) *Abolished*

Policy Guide 9140 is a long-standing Policy Guide establishing citizens advisory committees that are required for some Federal and State funded programs. However, over the years, Strauss Esmay Associates has included a funded program requirement for a citizens advisory committee in specific Policy Guides addressing the program, statute, and/or Administrative Code. Therefore, Policy Guide 9140 is no longer mandated. However, Strauss Esmay

recommends a Board consider adopting updated Policy Guide 9140 as the Board may want a Policy that authorizes citizens advisory committees for other purposes. There is no legal requirement for Policy Guide 9140 and a Board may revise Policy Guide 9140 to meet local needs. In addition, it is recommended Regulation Guide 9140 be abolished as Policy Guide 9140 includes similar information.

Policy Guide 9140 is **RECOMMENDED**

Regulation Guide 9140 is **ABOLISHED**