

**DISTRICT REGULATIONS
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District Regulation

**1001 - PREPARATION OF BOARD AGENDA AND SUPPORTING MATERIALS
(Regulation)**

The agenda for scheduled Board meetings shall provide for orderly, timely, and coordinated consideration of District operation.

The Superintendent, in cooperation with the Board Secretary/School Business Administrator, shall prepare the agenda for all meetings of the Board. He shall consult with the Board President in so doing. Members of the Board may request that items be placed on the agenda.

Time for public comment shall be scheduled for business meetings. Public comment will not be scheduled for meetings held for discussion of the agenda of a business meeting. The Board President may allow exceptions.

Organization of the agenda shall usually follow the committee structure of the Board, with such additional matters as the Superintendent and Board President may think necessary. The Board shall follow the order of business set by the agenda unless altered by majority vote of the members present. At a regularly scheduled and advertised meeting, items of business not on the agenda may be discussed and voted on by action of a majority of the Board members present. However, existing Board policies may not be revised or new ones adopted unless the proposals are on the written agenda.

Members of the community may request that a particular matter be considered by submitting their concerns in writing to the President of the Board. This correspondence will be formally accepted at a regular meeting and assigned to a committee or the administration for review and possible action.

The agenda, together with supporting materials, shall be distributed to Board members in sufficient time prior to the meeting to permit careful consideration. The agenda shall also be made available to the press, representatives of community and staff groups, members of the community, and others, upon request.

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

Adopted: 21 December 1995

District Regulation

***1240 - EVALUATION OF SUPERINTENDENT (Regulation)**

M

A. Frequency of evaluation

Annual - by April 30 of each year

B. Evaluation criteria

1. Ability to manage
2. Ability to lead
3. Ability to make decisions
4. Ability to communicate
5. Supervision and Staff Development
6. Responsiveness to others
7. Creativity
8. Ability to maintain an effective educational climate
9. Implementation of Board policies and procedures
10. Physical and financial resources
11. General Knowledge

C. Collection and reporting of evaluation data

1. Committee reports
2. Superintendent's reports
3. Observation
4. Monitoring reports

D. Preparation of written evaluation report

Directed by Board president

E. Conduct of annual performance conference

1. Report to whole Board by April 1

2. Report to public by April 30

Submit evaluation to County Superintendent of Schools by May 15

Adopted: 21 December 1995

1330 - EVALUATION OF SCHOOL BUSINESS ADMINISTRATOR (Regulation)

M

A. Frequency of evaluation

The Superintendent will evaluate the performance of the Board Secretary/School Business Administrator annually.

B. Evaluation criteria

1. Criteria for the evaluation of the Board Secretary/School Business Administrator will be based upon the job description and will relate directly to each of the tasks described. Each criteria will be brief and will focus on a major function of the position, be based on observable information rather than factors requiring subjective judgment, and be written in a consistent format.
2. The Board shall develop and approve criteria for the evaluation which will be reviewed as necessary and as requested by the Board Secretary/School Business Administrator but not less than annually, and upon any revision of the Board Secretary/School Business Administrator's job description. Any proposed revision of the evaluation criteria will be provided to the Board Secretary/School Business Administrator for comment before its adoption, and a copy of the adopted revision shall be provided to the Board Secretary/School Business Administrator within ten working days of its adoption.

C. Collection and reporting of evaluation data

Data for the evaluation of the Board Secretary/School Business Administrator will be gathered by any one or more of the following methods:

1. Direct observation,
2. Review of a document produced by the Board Secretary/School Business Administrator in the performance of his or her assigned duties;
3. Interviews with the Board Secretary/School Business Administrator by the Superintendent regarding his or her knowledge of assigned duties;
4. Paper and pencil instruments (such as competency tests, staff surveys, and the like);
5. A review of the Board Secretary/School Business Administrator's performance by an outside observer (such as the district auditor);

6. Audio-visual monitoring of the Board Secretary/School Business Administrator in the performance of assigned duties; and
7. Reference to previous performance reports.

D. Preparation of written evaluation report

An annual written performance report shall be prepared by the Superintendent. The report will include, but need not be limited to,

1. Performance areas of strength;
2. Performance areas needing improvement;
3. A plan for professional growth and development; and
4. Provision for performance data not included in the report which may be entered into the report by the Board Secretary/School Business Administrator within ten working days after the completion of the report.

E. Conduct of annual performance conference

1. An annual summary conference with the Board Secretary/School Business Administrator will be conducted by the Superintendent before the annual performance report is filed.
2. The conference shall include but need not be limited to:
 - a. A performance review based upon achieving and implementing, as applicable, the district's goals, program objectives, policies, priorities, and statutory requirements;
 - b. A review of the most recent audit report; and
 - c. Growth toward the performance objectives established in the previous performance conference.
3. The purpose of the annual performance conference shall be to provide a total review of the year's work, to identify strategies for improvement where necessary, to recognize achievement and good practice, and to specify a plan for professional growth and development. Adequate time shall be allotted for the conference in order to cover the required topics of discussion and to permit a full exploration of the possible solutions to any problems identified.
4. The annual performance report will be signed by the Superintendent at the time of the annual performance conference and by the Board Secretary/School Business

Administrator within ten working days of that conference. It will be filed in the Board Secretary/School Business Administrator's personnel file, and a copy will be provided to him or her.

5. It will be the duty of the Board Secretary/School Business Administrator to implement the plan for professional growth as prepared; his or her failure to do so may result in disciplinary action up to and including certification of tenure charges.

Adopted: 21 December 1995

***1400 - JOB DESCRIPTIONS (Regulation)**

M

- A. A job description shall be prepared for each job position in the district, including all administrative, educational specialist, instructional, and support staff positions.
- B. Each job description must include
 - 1. The goals of the position as they relate to district goals;
 - 2. The qualifications of the position holder including the certificate and endorsement required for the position and such other prerequisites for employment as the possession of a license to operate a vehicle or machine;
 - 3. The functions, duties, and responsibilities of the position;
 - 4. The extent and limits of the position holder's authority; and
 - 5. The working relationships of the position within and outside the school district.
- C. Each job description will
 - 1. Be written in clear language that briefly describes the major functions of the position;
 - 2. Whenever possible, be generic in form, covering a number of specific positions;
 - 3. Be written in the same format, using the active and present tense, operational verbs, common terminology, and a direct, simple style;
 - 4. Be gender neutral or employ both male and female pronouns.
- D. Maintenance of district job descriptions shall be the responsibility of the Board Secretary/School Business Administrator. Job descriptions shall be reviewed on request of the majority of persons in positions covered by the job description.
- E. Each employee shall be sent a copy of his or her current job description annually by the Board Secretary/School Business Administrator. Any revision of a job description shall be provided to each holder of a position covered by the job description within 30 working days of its approval.
- F. Suggested revisions to job descriptions by a job holder shall be referred initially to the job holder's immediate supervisor.

Adopted: 21 December 1995

1510 - RIGHTS OF PERSONS WITH HANDICAPS OR DISABILITIES/NON-DISCRIMINATION (Regulation)

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In compliance with Section 504 of the Rehabilitation Act of 1973 as administered by the U.S. Department of Health, Education, and Welfare, regarding the establishment of complaint procedures for pupils and public employees who may have been denied the benefits of participation in or have been subject to discrimination under any program or activity of this district solely by reason of disability, the following procedures for the orderly settlement of complaints of pupils and employees of the school district are promulgated.

A. Definitions

1. "Aggrieved individual" means a pupil or employee who alleges a grievance or the representative of such pupil or employee.
2. "Board of Education" means the Board of Education of the City of Passaic School District.
3. "Compliance officer" means the district official responsible for the coordination of activities relating to compliance with Section 504.
4. "Day" means calendar day.
5. "Employee" means an individual who receives remuneration from the school district for services rendered.
6. "Grievance" means an unresolved problem concerning the interpretation or application by an officer or employee of this school district of law and regulations regarding discrimination by reason of disability.
7. "Immediate supervisor" means any employee responsible for, or exercising any degree of supervision or authority over another employee or pupil.
8. "Intermediate supervisor" means the administrator to whom the immediate supervisor is directly responsible.
9. "Pupil" means an individual enrolled in any formal educational program provided by the school district.
10. "School district" means the City of Passaic School District.

B. Complaint Procedure

1. The aggrieved individual shall file a written complaint, stating the specific facts of his or her grievance and the alleged discriminatory act, with the compliance officer.
2. The compliance officer shall make all reasonable efforts to resolve the matter informally by having the aggrieved individual review the complaint with his or her immediate supervisor.
3. The immediate supervisor shall render a determination to the aggrieved individual within ten days after hearing the complaint. If such complaint is not satisfactorily resolved at this stage, the aggrieved individual may proceed to the next stage.

4. Within ten days after a determination has been made at the preceding stage, the aggrieved individual may present the complaint in writing to the intermediate supervisor, if such there be, who shall orally discuss the complaint with the aggrieved individual. The intermediate supervisor shall render a determination to the aggrieved individual within ten days after receiving the complaint. If such complaint is not satisfactorily resolved at this stage, the aggrieved individual may proceed to the next stage.
5. Within ten days after a determination has been made by the intermediate supervisor, the aggrieved individual may make a written request to the compliance officer for review and determination.
6. The compliance officer shall immediately notify the individual, immediate supervisor, and intermediate supervisor in the case to submit written statements to him or her within ten days setting forth the specific nature of the complaint, the facts relating thereto, and the determinations previously rendered.
7. The compliance officer shall notify all parties concerned in the case of the time and place when an informal hearing will be held where the parties may appear and present oral and written statements supplementing their position in the case and the manner in which the hearing will be conducted. Such hearing shall be held within ten days of receipt of the written statements pursuant to paragraph 5.
8. The compliance officer shall render a determination within ten days after the written statements pursuant to paragraph 5 have been presented to him or her, or ten days after the completion of the informal hearing. The compliance officer will provide a written copy of his or her determination to all parties.
9. The aggrieved individual may appeal the determination of the compliance officer to the Board within ten days of the receipt of the compliance officer's determination. The appeal shall be in writing and attached to copies of the original complaint, the minutes of the formal hearing, and the written determination of the compliance officer. The Board may, in its discretion, convene a hearing at which the parties may present additional testimony and argument.
10. Within 30 days of the filing of appeal, the Board shall provide both parties with a written decision.
11. If the complaint has not been satisfactorily resolved in the above stages, the aggrieved individual may appeal in writing directly to the Office of Civil Rights.

C.

1. If the same or substantially the same grievance is made by more than one individual, a single individual may process the grievance through the grievance procedure on behalf of all aggrieved individuals. The names of all aggrieved individuals shall appear on all documents related to the settlement of the grievance.
2. An aggrieved individual may be represented or accompanied at any time by a person chosen by the individual.
3. An employee may use personal leave time when it becomes necessary to process a grievance during work hours.
4. A grievance that arises late in the school term will be submitted to an expedited process in order that the grievance may be resolved as soon after the school term as possible.
5. There will be no reprisal of any kind taken against any aggrieved individual for participation in a grievance.
6. All documents, communications, and records regarding the processing of a grievance will be filed in a separate file and will not be kept in the personnel or pupil file.

Adopted: 21 December 1995

**1530 - EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE
(Regulation)**

M

A. Purpose and application

1. The purpose of this procedure is to give any district employee or candidate for employment the opportunity to appeal an alleged denial of equal employment opportunity in violation of state and federal laws and Policy No. 1530, guaranteeing "equal access to all categories of employment without regard to the candidate's race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation or sex, social or economic status, or disability."
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and should be implemented in an informal manner.
3. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
4. All participants in the procedure will respect the confidentiality that this district accords to information about individual employees.

B. Definitions

1. "Board of Education" means the Board of Education of the City of Passaic School District.
2. "Complaint" means an alleged discriminatory act or practice.
3. "Complainant" means a teaching staff member who alleges a discriminatory act or practice.
4. "Day" means a calendar day.
5. "Discriminatory act or practice" means denial of equal employment opportunity in violation of state and federal laws and Policy No. 3125, guaranteeing "equal employment opportunities without regard to the applicant's race, color, national origin, religion, age, gender, or disability."
6. "School district" means the City of Passaic School District.

C. Procedure

1. A complainant who believes that he or she has been harmed or adversely affected by a discriminatory practice or act prohibited by law and/or policy shall discuss the matter with his or her immediate supervisor in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within ten days, the complainant may submit a written complaint to the Affirmative Action Officer. The complaint will include
 - a. The complainant's name and address;
 - b. The specific act or practice that the complainant complains of;
 - c. The school employee, if any, responsible for the allegedly discriminatory act;
 - d. The results of discussions conducted in accordance with paragraph C1; and
 - e. The reasons why those results are not satisfactory.
3. The Affirmative Action Officer will investigate the matter informally and will respond to the complaint in writing no later than ten days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.
4. The response of the Affirmative Action Officer may be appealed to the Superintendent in writing within ten days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have acted discriminatorily.
5. On his or her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than ten days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with a discriminatory act and any other person with knowledge of the act complained of.
6. The Superintendent will render a written decision in the matter no later than ten days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties.

7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than ten days after receipt of the Superintendent's decision. The appeal shall include
 - a. The original complaint;
 - b. The response to the complaint;
 - c. The Superintendent's decision;
 - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented; and
 - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. A copy of the appeal to the Board must be given to the staff member, if any, charged with a discriminatory act.
9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
10. The Board will render a written decision no later than 30 days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
11. The complainant will be informed of his or her right to appeal the Board's decision to the
 - a. Commissioner of Education
Division of Controversies and Disputes
New Jersey State Department of Education
225 West State Street
Trenton, New Jersey 08625
Telephone: (609) 292-5705 or the
 - b. New Jersey Division on Civil Rights
1100 Raymond Boulevard
Newark, New Jersey 07102
Telephone: (201) 648-2700

D. Record

1. The records of any complaint processed in accordance with this procedure shall be maintained in a file kept by the Affirmative Action Officer.
2. A copy of the decision rendered at the highest level of appeal will be kept in the employee's personnel file.

Adopted: 21 December 1995

1550 - AFFIRMATIVE ACTION PROGRAM FOR EMPLOYMENT AND CONTRACT PRACTICES/EMPLOYMENT PRACTICES PLAN COMPLAINT PROCEDURE (Regulation)

M

A. Purpose and application

1. The purpose of this procedure is to give any district employee or candidate for district employment the opportunity to appeal an alleged violation of the district's affirmative action plan for employment and contract practices, as set forth in Policy No. 1550 or in a plan formally adopted by the Board of Education and approved by the Commissioner.
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and should be implemented in an informal manner.
3. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
4. All participants in the procedure will respect the confidentiality that this district accords to information about individual teaching staff members.

B. Definitions

1. "Board of Education" means the Board of Education of the City of Passaic School District.
2. "Complaint" means an alleged violation of the district's affirmative action plan or policy.
3. "Complainant" means a teaching staff member who alleges a violation of the district's affirmative action plan or Policy No. 1550.
4. "Day" means a calendar day.
5. "School district" means the City of Passaic School District.
6. "Violation" means the failure of a district official or employee to take the positive steps outlined in Policy No. 1550 or the duly approved affirmative action plan to remove impermissible bias or preference from all aspects of district employment practices and/or to correct the results of past discrimination.

C. Procedure

1. A complainant who believes that he or she has been harmed or adversely affected by a failure to enforce the district's affirmative action plan for employment and contract practices shall discuss the matter with his or her immediate supervisor in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within ten days, the complainant may submit a written complaint to the affirmative action officer. The complaint will include
 - a. The complainant's name and address;
 - b. The specific failure to act that the complainant complains of;
 - c. The school officer or employee, if any, responsible for the alleged violation of the affirmative action plan;
 - d. The results of discussions conducted in accordance with C1; and
 - e. The reasons why those results are not satisfactory.
3. The affirmative action officer will investigate the matter informally and will respond to the complaint in writing no later than ten days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.
4. The response of the affirmative action officer may be appealed to the Superintendent in writing within ten days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have violated the affirmative action plan.
5. On his or her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than ten days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with violation of the affirmative action plan and any other person with knowledge of the violation complained of.
6. The Superintendent will render a written decision in the matter no later than ten days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties and to the Board of Education.

7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary/School Business Administrator no later than ten days after receipt of the Superintendent's decision. The appeal will include
 - a. The original complaint;
 - b. The response to the complaint;
 - c. The Superintendent's decision;
 - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented; and
 - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. A copy of the appeal to the Board must be given to the staff member, if any, charged with a violation of the affirmative action plan.
9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
10. The Board will render a written decision no later than 30 days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
11. The complainant will be informed of his or her right to appeal the Board's decision to the:
 - a. Commissioner of Education
Division of Controversies and Disputes
New Jersey State Department of Education
225 West State Street
Trenton, New Jersey 08625
Telephone: (609) 292-5705 or the
 - b. New Jersey Division on Civil Rights
1100 Raymond Boulevard
Newark, New Jersey 07102
Telephone: (201) 648-2700

D. Record

1. The records of any complaint processed in accordance with this procedure shall be kept in a file maintained by the affirmative action officer.
2. A copy of the decision rendered at its highest level of appeal will be kept in the complainant's personnel file.

Adopted: 21 December 1995