

### Foreword

In addition to the bylaws, policies, and regulations contained in this Policy Manual, the Lopatcong Township Board of Education has authorized the Superintendent to promulgate administrative regulations and/or procedures, except where approval by the Board is required by statute or administrative code, for the orderly operations of the Lopatcong Township School District that are binding on all students, employees, and visitors to the district.

These administrative regulations and/or procedures are intended to give direction to staff members in carrying out Board policies, statutory mandates, and contractual obligations. The operations directed by these regulations and/or procedures should be efficient, amenable to assessment, and considerate of the needs and rights of students and employees. Any suggestions for additions or improvements that help attain these objectives are welcome.

The policies and regulations in this Policy Manual apply to the entire school district. Building Principals may establish additional rules as necessary to apply these policies and regulations to their school, provided that school rules do not exceed the authority set forth in these policies and regulations.

These policies and regulations are available to each employee. Employees and students who violate these policies and regulations are subject to disciplinary action.



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#### **Definitions**

The following terms used in these bylaws, policies, and regulations will have the meanings set forth below unless the context requires a different meaning or a different definition is supplied in an individual policy or regulation:

“Board” means the Lopatcong Township Board of Education.

“Board Member” means a Lopatcong Township resident that has been duly elected or appointed to the Lopatcong Township Board of Education.

“Business Day,” “Working Day,” or “Administrative Day” means a day when the administrative offices of the school district are open.

“Bylaw” means a rule formally adopted by the Lopatcong Township Board of Education for its own operation.

“Chief School Administrator” means the Chief Executive Officer of this school district, whose title in this district is Superintendent.

“Collective Bargaining,” “Negotiated Agreement,” or “Collective Bargaining Agreement” means a contract collectively negotiated by the Board of Education and the Lopatcong Education Association (LEA) a recognized bargaining unit.

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

“Core Curriculum Content Standards” or “Common Core State Standards” means the New Jersey Student Learning Standards.

“County Superintendent” or “Executive County Superintendent” means the Executive County Superintendent designated by the Department of Education for this school district.

“Day” unless otherwise qualified means a calendar day.

“Division of Youth and Family Services” or “DYFS” means the New Jersey Department of Children and Families – Division of Child Protection and Permanency or DCP&P.

“Full Board” means the authorized number of voting members of the Lopatcong Township Board of Education.

“Meeting” means a gathering that is attended by or open to all of the members of the Board of Education, held with the intent on the part of the Board members present to discuss or act as a unit on the specific public business of the Board of Education.

“Parent(s)” means the birth parent(s), adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a student. Where parents are separated or divorced, “parent” means the person or agency that has legal custody of the student, as well as the birth or adoptive parent(s) of the student provided such parental rights have not been terminated by a court of appropriate jurisdiction. In addition, a foster parent may act as a parent under the provisions of N.J.A.C.



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6A:32, if the parent's authority to make educational decisions on the student's behalf has been terminated by a court of appropriate jurisdiction.

"Policy" means a statement, formally adopted by the Lopatcong Township Board of Education, in which the Board recognizes the mandates and constraints of law, establishes practices and standards binding on staff members and students, and gives direction to the Superintendent.

"President" means the President of the Board of Education.

"Principal" or "Building Principal" means the administrator in charge of a school building or facility; and, except where prohibited by law, "Principal (or designee)" or "Building Principal (or designee)" also means the qualified person duly delegated by the (Building) Principal to discharge a particular duty in place of the (Building) Principal.

"Professional Employee" means a teaching staff member/employee who holds a position for which a certificate issued by the New Jersey State Board of Examiners is required.

"Pupil" means a student enrolled in a school in this district.

"Regulation" means a Statement developed and promulgated by the Superintendent that details the specific operations by which Board policy or a legal mandate is implemented.

"School Day" or "Student Day" means a day when the school district is in session for the purpose of educating students (it does not include staff member in-service or professional development days).

"Secretary" means the Secretary of the Lopatcong Township Board of Education.

"Student" means a pupil enrolled in a school in this district.

"Superintendent" means the Chief School Administrator of this school district; and, except where prohibited by law, "Superintendent (or designee)" also means the qualified person duly delegated by the Superintendent to discharge a particular duty in place of the Superintendent.

"Support Staff Member" means an employee who holds a position for which no certificate issued by the New Jersey State Board of Examiners is required.

"Teaching Staff Member" means an employee who holds a position for which a certificate issued by the New Jersey State Board of Examiners is required.

"Treasurer" means the Treasurer of School Moneys for this school district.

### Construction

The following rules of construction apply to these bylaws, policies and regulations:

- A. Wherever possible, language will be given its clear and ordinary interpretation;
- B. Language will be construed to have a meaning that complies with law;
- C. In the event bylaws, policies, and/or regulations conflict with one another, the later adopted bylaw, policy, and/or regulation will take precedence over the earlier, and the more specific bylaw, policy, and/or regulation will take precedence over the more general;



- D. Except as otherwise provided by the context, the auxiliary verbs “shall,” “will,” and “must” indicate a mandated action, and the auxiliary verb “may” indicates an action that is permitted but is not mandated.
- E. Staff and Board Members act in other capacities (e.g., scout leader, athletic coach for organizations other than this school district); these policies and regulations only apply when they are acting or may be reasonably considered to be acting in their capacity as a Staff or Board Member.

## Effectuation

Except as may otherwise be expressly provided, a bylaw, policy, or regulation will become effective on the date it is adopted and a revised bylaw, policy, or regulation will become effective on the date it is revised by vote of the Lopatcong Township Board of Education.

## Citations

Bylaws, policies, and regulations may contain citations to the following codifications of state and federal laws and regulations:

1. United States Code - U.S.C
2. United States Regulations - Code of Federal Regulations (C.F.R.)
3. New Jersey Statutes
  - N.J.S.A. 2C Code of Criminal Justice
  - N.J.S.A. 9 Children-Juvenile and Domestic Relations
  - N.J.S.A. 10 Civil Rights
  - N.J.S.A. 11 Civil Service
  - N.J.S.A. 17 Corporations and Institutions for Finance and Insurance
  - N.J.S.A. 18A Education
  - N.J.S.A. 19 Elections
  - N.J.S.A. 24 Food and Drug
  - N.J.S.A. 26 Health and Vital Statistics
  - N.J.S.A. 27 Highways
  - N.J.S.A. 30 Institutions and Agencies
  - N.J.S.A. 34 Labor and Worker’s Compensation
  - N.J.S.A. 36 Legal Holidays
  - N.J.S.A. 39 Motor Vehicles and Traffic Regulation
  - N.J.S.A. 41 Oaths and Affidavits
  - N.J.S.A. 45 Professions and Affidavits
  - N.J.S.A. 47 Public Records
  - N.J.S.A. 52 State Government, Departments, and Officers
  - N.J.S.A. 53 State Police
  - N.J.S.A. 54 Taxation



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- N.J.S.A. 59                      Tort Claims
- 4. New Jersey Administrative Code
  - N.J.A.C. 1                      Administrative Law
  - N.J.A.C. 6 & 6A              Education
  - N.J.A.C. 8                      Health
  - N.J.A.C. 10                     Human Services
  - N.J.A.C. 13                    Law and Public Safety
  - N.J.A.C. 17                    Treasury-General

## Severability

If any part of this Policy Manual is made invalid by judicial decision or legislative or administrative enactment, all other parts will remain in full effect unless and until they are amended or repealed by the Lopatcong Township Board of Education or until regulations issued by the Superintendent are amended.

## Enactment

The official record of the adoption, issuance, amendment, or repeal of the bylaws, policies and regulations of this district will be the minutes of meetings of the Board of Education. Such alterations will be duly entered in this manual; a master copy of the bylaw, policy and regulation manual will be maintained by the Superintendent's office and will be the manual to which all others may be compared for accuracy.

Adopted:        August 18, 2009  
Revised:        April 25, 2017

