



## **LIVINGSTON BOARD OF EDUCATION PUBLIC HEARING ON BUDGET/VOTING MEETING AGENDA**

Tuesday, April 26, 2022

Executive Session - Administration Building - 6:30 p.m.

Public Session - Hybrid Meeting at Administration Building - 7:00 p.m.

*This is a public meeting of the Board of Education. The Livingston Board of Education will be video recording and posting its open public meetings on the district website. The Board reserves the right to edit the videotape prior to posting to protect the privacy of students and staff.*

*The Board's Bylaw #0168 allows videotaping and livestreaming of public meetings with prior approval from the Board Secretary. Any member of the public may record the proceedings of a public meeting of the Board in a manner that does not interrupt the proceedings, inhibit the conduct of the meeting, distract Board members or other observers present at the meeting, or violate the privacy of students and staff. The Board will permit the use of tape recorder(s), video camera(s) or live streaming only when notice of such intended use has been given to the Board Secretary five days in advance of the meeting. Any camera(s) must be operated in an inconspicuous location in the meeting room. The Board reserves the right to request a copy of the tape. The presiding officer shall determine when any recording device interferes with the conduct of a Board meeting and may order that an interfering device be removed.*

***While the Board of Education discourages the videotaping/livestreaming of students without written parental consent, public meetings are not subject to the same restrictions as other school events. Please be aware that you and your children may be videotaped or livestreamed as a result of your participation at this meeting.***

*In accordance with Policy #9131, the Livingston Board of Education members, district administration, and staff will treat students, parents/guardians and other members of the public with respect and expect the same consideration in return. The district is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/district grounds.*

### **I. OPEN SESSION**

#### **A. Call to Order – Mr. Seth Cohen, President**

#### **B. Reading of Meeting Notice**

Adequate notice of this meeting has been provided by amendment to notice approved at the Board's reorganization meeting on January 4, 2022 and posted at the Board of Education office and communicated to *The Star Ledger*, *West Essex Tribune*, *TAPinto Livingston* and the Livingston Township Clerk.

#### **C. Executive Session**

**Whereas**, the Open Public Meetings Act, N.J.S.A. 10:4-11, permits the Board of Education to meet in closed session to discuss certain matters; now, therefore be it

**Resolved**, that the Livingston Board of Education adjourns to closed session to discuss:

- a real property transfer

Action may be taken upon return to the public session. The full length of the meeting is anticipated to be approximately 30 minutes and be it

**Further Resolved**, the minutes of this closed session be made public when the need for confidentiality no longer exists.

## **ROLL CALL VOTE**

### **D. Pledge of Allegiance / Roll Call**

### **E. Public Hearing on Budget**

1. Presentation
2. Discussion
3. Questions and Comments from Public
  - Speakers are asked to stand and state name and address for the board and public
  - Speakers may raise their hand, state their name and address for the board and speak through the webinar
  - Each person may speak once with a three (3) minute time limit until all who wish to be heard have had an opportunity to speak

### **F. Adoption of 2022-2023 Budget**

**Resolved**, that the Livingston Board of Education approves the 2022-2023 Proposed School District Budget:

	<u>General Fund</u>	<u>Special Revenues</u>	<u>Debt Service</u>	<u>Total</u>
2022-2023 Total Appropriations	\$128,473,307	\$2,553,387	\$8,191,675	\$139,218,369
Less: Anticipated Revenues	\$14,332,093	\$2,553,387	\$2,235,202	\$19,120,682
Taxes to be Raised	\$114,141,214	-----	\$5,956,473	\$120,097,687

## **ROLL CALL VOTE**

### **G. Superintendent's Report**

### **H. Board Reports**

### **I. Approval of Minutes**

The Superintendent recommends the following:

1. Voting Meeting Minutes of March 22, 2022
2. Workshop/Voting Meeting Minutes of April 5, 2022
3. Five-on-Five Minutes of April 11, 2022

## **ROLL CALL VOTE**

## **J. Public Input on Agenda Items ~ up to 15 minutes**

An excerpt from Policy #0167 adopted on December 13, 2004, revised on January 10, 2011 and reviewed on March 4, 2013 and January 23, 2017 states that The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

Public participation shall be governed by the following rules:

1. A participant must be recognized by the presiding officer and must preface comments by an announcement of his/her name, place of residence, and group affiliation, if appropriate;
2. Each statement made by a participant shall be limited to three minutes' duration;
3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;
4. All statements shall be directed to the presiding officer; no participant may address or question Board members individually.

The portion of the meeting during which the participation of the public is invited shall be limited to fifteen minutes, or at the discretion of the presiding officer.

## **II. RECOMMENDATIONS FOR APPROVAL**

### **1. PROGRAM/CURRICULUM**

The Superintendent recommends the following:

#### **1.1 Student Teachers**

**Resolved**, that the Livingston Board of Education approves the student teachers as shown on ***Attachment A***.

#### **1.2 Field Trips**

**Resolved**, that the Livingston Board of Education approves the field trips as shown on ***Attachment B***.

## **ROLL CALL VOTE**

### **2. STUDENT SERVICES**

The Superintendent recommends the following:

#### **2.1 Related Services/Medical Consultants**

**Resolved**, that the Livingston Board of Education approves the following consultants that will be utilized to provide related services for the 2021-2022 school year:

#### **AUGMENTATIVE AND ALTERNATIVE COMMUNICATION AND ASSISTIVE TECHNOLOGY**

Pillar Care Continuum	\$1,200.00/evaluation
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#### **OCCUPATIONAL THERAPY**

Roxbury Public Schools	\$350.00/evaluation
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#### **PHYSICAL THERAPY**

P.G. Chambers	\$525.00/evaluation
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#### **PSYCHOLOGICAL EVALUATION**

Roxbury Public Schools	\$600.00/evaluation
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**SPEECH THERAPY**

Speak with Me Therapy Services, LLC  
Roxbury Public Schools

\$130.00/45 minutes  
\$500.00/evaluation

**ROLL CALL VOTE****3. BUSINESS**

The Superintendent recommends the following:

**3.1 Payment of Bills**

**Whereas**, the Board Secretary has audited certain vendor claims as required by N.J.S.A. 18A:19-2 and Board Policy 6470 and presented them to the Livingston Board of Education with the recommendation they be paid, now therefore be it

**Resolved**, that the Livingston Board of Education approves the payment of the following bills in the amounts listed and attach a complete copy of these bills to the minutes of this meeting.

<b><u>Fund</u></b>	<b><u>Name</u></b>	<b><u>Amount</u></b>
10&11	Regular	4,389,820.99
12	Regular	533,967.97
20	Regular	322,508.74
	<b>TOTAL</b>	<b>5,246,297.70</b>

Regular Checks	95683-96807	5,246,297.70
	<b>TOTAL</b>	<b>5,246,297.70</b>

**3.2 Board Secretary Report – February 2022**

**Whereas**, the Livingston Board of Education has received the Report of the Board Secretary for February 28, 2022, consisting of:

- 1) Interim Balance Sheets
- 2) Interim Statements Comparing Budgeted Revenue with Actual to Date and Appropriations with Expenditures and Encumbrances to Date
- 3) Schedule of Revenues - Actual Compared with Estimated
- 4) Statement of Appropriations Compared with Expenditures and encumbrances, and

**Whereas**, the Livingston Board of Education has received the report of the Treasurer for February 28, 2022, which report is in agreement with the Report of the Board Secretary, and

**Whereas**, these reports show the following balances on the date indicated:

	Cash Balance	Appropriation Balance	Fund Balance
(10) General Current Exp. Fund	19,470,999	9,483,250	
(11) Current Expense			11,830,746
(12) Capital Outlay		300,645	4,389,775
(20) Special Revenue Fund	613,047	1,889,397	
(30) Capital Projects Fund	4,544,416		

(40) Debt Service Fund	165,773		
Total:	24,794,235	11,673,292	16,220,521

**Whereas**, pursuant to N.J.A.C. 6:20-212(d), the Board Secretary has certified that as of February 28, 2022, no budgetary line item account has obligations and payments contractual orders which in total exceed the amount appropriated by the district board of education pursuant to N.J.S.A. 18A:22-8, 18A:22-8.1, now therefore be it

**Resolved**, the Livingston Board of Education accepts the above referenced reports and certification and directs that they be made part of this resolution by reference, and be it

**Further Resolved**, the Livingston Board of Education certifies that, after review of the Secretary's monthly financial report (appropriations section) and upon consultation with the appropriate district officials, to the best of its knowledge no major account or fund has been over-expended in violation of N.J.A.C.6:20-2.13(d) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

### **3.3 Transfers**

**Whereas**, the Superintendent of Schools recommends certain transfers among accounts in the 2021-2022 budget for February pursuant to Board of Education Policy 6422, now therefore be it

**Resolved**, that the Livingston Board of Education ratify transfers pursuant to N.J.S.A. 18A:22-8.1 and N.J.A.C. 6:20-2A.10:

<u>Object</u>	<u>Description</u>	<u>To</u>	<u>From</u>
0260	Workers Compensation		1,000
0270	Health Benefits		200,000
0320	Purc Prof Educational Svcs		254,500
0330	Purchased Professional	4,000	
0340	Purch Technical Svcs		568
0514	Contracted Services	200,000	
0520	Insurance	1,000	
0566	Tuition Priv School Handicapped	246,000	
0600	Supplies and Material	18,532	
0610	General Supplies		13,414
0640	Textbooks		1,050
0890	Other Objects	1,000	
	<b>TOTALS</b>	<b>\$470,532</b>	<b>\$470,532</b>

### **3.4 Conferences and Overnight Trips**

**Resolved**, that the Livingston Board of Education approves the conferences and overnight trips as shown on **Attachment C**.

**Resolved**, that the Livingston Board of Education approves *Michael Davison*, Business Administrator and *Patricia Ramos*, Assistant Business Administrator, to attend the New Jersey Association of School Business Officials Annual Conference from June 7 to 10, 2022, in Atlantic City, NJ, at a cost not to exceed \$1,065 each.

### **3.5 Subscription Bus Pricing**

**Resolved**, that the Livingston Board of Education establishes a subscription bus rate of \$810 round trip and \$405 one way per child for the 2022-2023 school year.

### **3.6 Safety Grant**

**Resolved**, that the Livingston Board of Education approves the submission of a grant application for the 2022 Safety Grant Program through the New Jersey School Insurance Group's NJEIF Subfund for the purpose described in the application, in the amount of \$34,952, for a period July 1, 2022 to June 30, 2023.

### **3.7 Joint Transportation Agreement with Sussex County Regional Cooperative**

**Resolved**, that the Livingston Board of Education enters into a jointure with Sussex County Regional Cooperative for participation in public transportation services for the 2022-2023 school year.

**Resolved**, that the Livingston Board of Education enters into a jointure with Sussex County Regional Cooperative for participation in transportation services for Athletic Events and Extracurricular/Field Trips for the 2022-2023 school year.

**Resolved**, that the Livingston Board of Education enters into a jointure with Sussex County Regional Cooperative for participation in special education transportation services for the 2022-2023 school year.

### **3.8 Agreement to Provide Legal Services**

**Whereas**, the law firm of Flanagan, Barone & O'Brien, LLC. has the expertise and experience to provide professional services to the Board of Education (hereinafter referred to as the "Board"); and

**Whereas**, the Board is desirous of appointing the law firm of Flanagan, Barone & O'Brien, LLC., to provide professional services to the Board; and

**Whereas**, the Public School Contracts Laws (N.J.S.A. 18A:18A-5) requires that a resolution authorizing the contracting of a Professional Service without competitive bids be adopted; and

**Now, Therefore, Be it Resolved** that the Board appoints the law firm of Flanagan, Barone & O'Brien, LLC. as Special Investigative Counsel until June 30, 2022 in accordance with the terms and conditions set forth in the Agreement which is attached hereto and made a part thereof. As the Special Investigative Counsel, the firm will provide legal services to the Board of Education at an hourly rate of \$175.00 for all investigative services and \$75.00 for all paralegal services. The Board President and the Board Secretary are hereby authorized to execute the Agreement and any and all other documents necessary to effectuate the terms of this resolution. The Board Secretary is hereby directed to publish a notice of this Award in the official newspaper of the Board.

### **3.9 Agreement to Provide Legal Services**

**Whereas**, there exists a need for specialized legal services in connection with the capital program and the authorization and issuance of obligations of The Board of Education of the Township of Livingston in the County of Essex (the "Board"), a body corporate of the State of New Jersey, including the preparation and review of procedures in connection with such obligations and the rendering of approving legal opinions acceptable to the financial community in connection therewith; and

**Whereas**, such special legal services can be provided only by a recognized law firm, and the law firm of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey is so recognized by the financial community; and

**Whereas**, funds are or will be available for this purpose.

**BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE TOWNSHIP OF LIVINGSTON IN THE COUNTY OF ESSEX, NEW JERSEY AS FOLLOWS:**

1. The law firm of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey is hereby retained from April 27, 2022 to June 30, 2022, to provide specialized bond counsel legal services necessary in connection with the capital program and the authorization and the issuance of obligations by the Board.

2. The Board President and the Board Secretary are hereby authorized to execute a Bond Services Contract (the "Contract").

3. The Contract is awarded without competitive bidding and as a "Professional Service" in accordance with the Public School Contracts Law, N.J.S.A. 18A:18A-5(a)(1), because it is for services performed by persons authorized by law to practice a recognized profession.

4. A copy of this resolution as well as the Contract shall be placed on file with the Secretary of the Board. The publication required pursuant to Section 5(a)(1) of the School Public Contracts Law, N.J.S.A. 18A:-1 et seq. is hereby authorized.

**3.10 Policies & Regulations**

**Resolved**, that the Livingston Board of Education approves the following Policies and Regulations for first reading:

Section	Policy or Regulation #	Title	comments
Program	Policy #2415.05	Student Surveys, Analysis, Evaluations, Examinations, Testing, or Treatment (M)	with revisions
	Policy #2431.4	Prevention and Treatment of Sports-Related Concussions and Head Injuries (M)	with revisions
	Regulation #2431.4	Prevention and Treatment of Sports-Related Concussions and Head Injuries (M) (with revisions)	with revisions
	Regulation #2460.30	Additional/Compensatory Special Education and Related Services (M)	new to district

	Policy #2622	Student Assessment (M)	with revisions
	Regulation #2622	Student Assessment (M)	new to district
<b>Property</b>	Regulation #7432	Eye Protection (M)	with revisions
	Policy #7540	Joint Use of Facilities	with revisions
<b>Operations</b>	Policy #8465	Bias Crimes and Bias-Related Acts (M)	with revisions
	Regulation #8465	Bias Crimes and Bias-Related Acts (M)	with revisions
	Policy #8600	Student Transportation (M)	with revisions
<b>Community</b>	Policy #9560	Administration of School Surveys (M)	new to district

## ROLL CALL VOTE

### 4. **PERSONNEL**

The Superintendent recommends the following:

#### 4.1 **Resignations**

**Resolved**, that the Livingston Board of Education accepts the resignations of:

<b>Name</b>	<b>Position</b>	<b>Reason</b>	<b>Location</b>	<b>Last Day of Employment</b>
<i>James Murray</i>	Custodian	Retirement	RHE	January 31, 2023
<i>Nicole Edelson</i>	Elementary School Teacher	Resignation	Harrison	June 30, 2022
<i>Jessica Rivchin</i>	Teacher of English	Resignation	LHS	June 30, 2022
<i>Dr. Rebecca DeFrancisco</i>	School Psychologist	Resignation	BHE	June 30, 2022
<i>Christine Islinger</i>	Intervention/Enrichment Specialist	Resignation	HMS	June 30, 2022
<i>Laurie Zwang</i>	Instructional Aide	Resignation	HMS	April 29, 2022
<i>Matthew Haine</i>	IT Support Specialist	Resignation	District	June 30, 2022
<i>Anthony Bennett</i>	IT Support Specialist	Resignation	District	June 30, 2022

*\*as amended from a previous agenda*



#### 4.2 Leaves of Absences

**Resolved**, that the Livingston Board of Education approves the leaves of absences of:

Name	Location	Position	LOA w/pay and benefits	LOA w/o pay, but with benefits (if applicable)	Extended LOA w/o pay or benefits	Return Date
Niobel Torres*	LHS	TOSD	1/3/2022-2/25/2022	2/28/2022-5/27/2022**	5/30/2022-6/30/2022	8/30/2022
Shawna Byer*	MPMS	Teacher of English	3/21/2022-5/5/2022	5/6/2022-6/30/2022**	NA	8/30/2022
Meghan Reid	LHS	Teacher of English	8/30/2022-11/2/2022 & 11/3/2022-11/11/2022**	11/14/2022-2/2/2023**	2/3/2023-6/30/2023	8/30/2023
Kirstie Medina	BHE	ABA Discrete Trial TA	5/13/2022-6/17/2022	6/18/2022-6/30/2022 & 8/30/2022-11/22/2022**	11/23/2022-1/16/2023	1/17/2023
Dina Lawrence	LHS	Teacher of Math	NA	NA	8/30/2022-6/30/2023	8/30/2023
Michelle Kim	Hillside	Teacher of ESL	8/30/2022-10/7/2022	10/8/2022-1/2/2023**	NA	1/3/2023
Robert Brenneck*	CO	IT Support Specialist	3/23/2022-4/12/2022**	4/13/2022-4/27/2022**	NA	4/28/2022
Kimberly Brenneck*	MPMS	Teacher of Math	3/23/2022-5/4/2022	5/5/2022-6/30/2022**	NA	8/30/2022
Daniel Paris*	Maintenance	Maintenance	7/1/2022-9/7/2022	9/8/2022-12/1/2022**	12/2/2022-12/31/2022	TBD
Ashley Messer	Collins	School Nurse	9/12/2022-11/14/2022	11/15/2022-2/28/2023**	3/1/2023-3/27/2023	3/28/2023

\*as amended from a previous agenda

\*\*Designates time counted toward NJFLA/FMLA

#### 4.3 Appointments

**Resolved**, that the Livingston Board of Education approves the applications indicated below (\*) for emergent hiring for the following appointments under the requirements of N.J.S.A. 18A:16-1 et. seq., N.J.S.A. 18A:39.17 et. seq.; N.J.S.A. 18A:6-4.13 et. seq. All appointments are contingent upon reference checks in accordance with P.L. 2018, c.5.

Name	Location	Title	Tenure Track/LOA or LT Replacement	Replacing	Guide	Step	Salary	Effective Date
Shawn Rembecky	LHS	Teacher of Business Education	First Year Tenure Track	V. Pronko	BA	11	\$73,350	8/30/2022
Lawrence Bahneman	District	IT Support Specialist	NA	R. Brenneck	NA	NA	\$55,000***	5/9/2022
Michael Mongioj	District	IT Support Specialist	NA	A. Kit	NA	NA	\$57,500***	5/9/2022
Onelia Rodriguez	LHS	Custodian (Nights)	Leave Replacement	N. Silveira	C	1**	\$41,652 plus \$975 for nights (prorated)	5/1/2022

Matthew Stewart	RHE	Custodian (Nights)	Leave Replacement	J. Murray	C	1**	\$41,652 plus \$975 for nights (prorated)	5/2/2022
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*\*as amended from a previous agenda*

*\*\*will remain on the same step in the 2022-2023 school year*

*\*\*\*salary will remain the same for the 2022-2023 school year*

**Resolved**, that the Livingston Board of Education approves the appointment of the ABA Discrete Trial TA's and Instructional Aides as listed on **Attachment D**.

#### **4.4 Transfers**

**Resolved**, that the Livingston Board of Education approves the transfers as listed on **Attachment E**.

#### **4.5 Substitutes**

**Resolved**, that the Livingston Board of Education approves the appointment of the individuals listed below to serve as substitutes on an as-needed basis for the 2021-2022 school year:

##### **Teachers**

*Deborah Cohen*

*Paul Prestia*

*Alyssa Reynolds*

*Julianna Koetter*

**Resolved**, that the Livingston Board of Education approves the appointment of the individual(s) listed below to serve as long-term substitutes as reflected below:

**Resolved**, that the Livingston Board of Education approves the individuals listed on **Attachment F** as certified substitutes. These individuals are currently employed by the District. In the event these individuals are called upon to serve as a substitute, they will be compensated an additional \$50/day (\$10/period) for that assignment.

**Resolved**, that the Livingston Board of Education approves the appointment of the individual(s) listed below to serve as long-term substitutes as reflected below:

Name	Location	Title	Leave Replacement or Long Term Sub	Replacing	Salary	Effective Date
Ellen Dyner*	LHS	Teacher of Art	Long Term Sub	A. Smith	\$130/day	3/21/2022-6/30/2022
Vincent Kulik	LHS	Job Coach	Long Term Sub Security	D. Weber	difference between salary and \$246/day	2/3/2022-6/23/2022

*\*amended from previous agenda*

#### **4.6 Extra Work Pay**

**Resolved**, that the Livingston Board of Education approves the following payments as listed on **Attachment G** for work performed.

#### **4.7 Extra Period Assignments**

**Resolved**, that the Livingston Board of Education approves the individuals listed on **Attachment H** for extra period assignments during the 2021-2022 school year.

#### **4.8 Stipends**

**Resolved**, that the Livingston Board of Education approves the individuals on **Attachment I** for athletic stipends at Livingston High School for the 2021-2022 school year in accordance with the contract between the LBOE and the LEA.

**Resolved**, that the Livingston Board of Education approves the individuals on **Attachment J** for co-curricular stipends at Livingston High School for the 2021-2022 school year in accordance with the contract between the LBOE and the LEA.

**Resolved**, that the Livingston Board of Education approves the individuals on **Attachment K** for co-curricular stipends at Heritage Middle School for the 2021-2022 school year in accordance with the contract between the LBOE and the LEA.

**Resolved**, that the Livingston Board of Education approves the individuals on **Attachment L** for co-curricular stipends at Mt. Pleasant Middle School for the 2021-2022 school year in accordance with the contract between the LBOE and the LEA.

#### **4.9 Memorandum of Understanding**

**Resolved**, that the Livingston Board of Education approves the MOU between itself and the Livingston Education Association dated April 26, 2022.

### **ROLL CALL VOTE**

#### **5. MISCELLANEOUS**

The Superintendent recommends the following:

##### **5.1 HIB Report**

**Resolved**, that the Livingston Board of Education accepts the findings of HIB cases.

### **ROLL CALL VOTE**

#### **K. Public Comment ~ up to 15 minutes**

An excerpt from Policy #0167 adopted on December 13, 2004, revised on January 10, 2011 and reviewed on March 4, 2013 and January 23, 2017 states that The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

Public participation shall be governed by the following rules:

1. A participant must be recognized by the presiding officer and must preface comments by an announcement of his/her name, place of residence, and group affiliation, if appropriate;
2. Each statement made by a participant shall be limited to three minutes' duration;
3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;
4. All statements shall be directed to the presiding officer; no participant may address or question Board members individually.

The portion of the meeting during which the participation of the public is invited shall be limited to fifteen minutes, or at the discretion of the presiding officer.

## **L. Old Business**

1. Bill A-3196

## **M. New Business**

1. Regulation #0155 - Board Committees

## **III. ADJOURNMENT**

### **EXECUTIVE SESSION**

**Whereas**, N.J.S.A. 10:4-1 et seq., also known as the "Sunshine Law," authorizes a public body to meet in executive or private session under certain limited circumstances, and

**Whereas**, said law requires the Board to adopt a resolution at a public hearing before it can meet in such an executive or private session, now, therefore, be it

**Resolved**, by the Livingston Board of Education that:

- (A) It does hereby determine that it is necessary to meet in executive session on April 26, 2022 to discuss the matters stipulated, in conformance with the subsections of said act which are indicated.
1. Matter rendered confidential by federal law, state statute or rule of court.
  2. Matter in which the release of information would impair a right to receive federal funds.
  3. Matter, the disclosure of which would constitute an unwarranted invasion of individual privacy unless the individual concerned shall request in writing that the same be disclosed publicly.
  4. Collective bargaining matter.
  5. Matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates, etc. where it would adversely affect the public interest if discussion were disclosed.
  6. Tactics and techniques utilized in protecting public property where disclosure could impair protection.
  7. Investigation of violations or possible violations of law.
  8. Pending or anticipated litigation or contract negotiation other than collective bargaining agreement.
  9. Personnel matters unless the individual employees or appointees affected requested that such matter be discussed at a public meeting.
  10. Deliberations occurring after a public hearing that may result in the imposition of a specific civil penalty.
- (B) The matters discussed will be made public when confidentiality is no longer required and formal action pursuant to said discussion shall take place only at a meeting to which the public has been invited.
- (C) No action will be taken.

### **PROPOSED FUTURE AGENDA ITEMS (dates subject to change)**

May 9, 2022 (*Executive Session on Personnel*)

May 12, 2022 (*Workshop/Voting*)

- Conference with the Livingston Education Association
- Personnel Appointments

May 24, 2022 (*voting*)

- Annual Appointments
- Sale of SRECs
- Out of District Tuition Rates
- New Jersey State Interscholastic Athletic Association
- YMCA Contract

June 7, 2022 (*workshop*)

- Retirement Ceremony
- SEPAC

April 26, 2022

June 21, 2022 (*voting*)

- Superintendent Summer Approval to Hire
- Student Representative to the Board
- Summer Work Appointments
- Curriculum Writer Names and Locations
- Summer Project Appointments
- Compliance with PL 2015, Chapter 47
- Transfer of Current Year Surplus to Capital Reserve

July 12, 2022 (*voting*)

- Property, Liability and WC Insurance
- Food Service Renewal
- Out of District Placements for 2022-2023
- Related Services and Medical Consultants for 2022-2023
- Extended School Year Out of District Placements Summer 2022

August 9, 2022 (*voting*)

- Enrollment Update
- Travel and Conferences Expenses
- Livingston Chinese School Contract
- Livingston Huaxia Chinese School Contract

September 6, 2022 (*workshop*)

September 20, 2022 (*voting*)

- District Goals
- District Nursing Services Plan

October 11, 2022 (*workshop*)

- NJSLA (as per Policy 2610)

October 18, 2022 (*voting*)

- Conference with the Livingston Education Association
- Summer Curriculum Writing Update

November 8, 2023 (*workshop*)

- Board Budget Goals

November 22, 2022 (*voting*)

- Assessment Update

December 6, 2022 (*voting*)

- National Merit Semi-Finalists Recognition Ceremony
- Public Hearing for District and School HIB Self-Assessment Report
- New Course Offerings

January 3, 2023 (*reorganization*)

Name	School	Type of Placement	In-District Location	Assigned Staff	Date
Michael Horn	Saint Thomas Aquinas College	Observation	Hillside Elementary	Amy Hinds	4/20/2022
Alexis Clawans	Farliegh Dickenson University	Observation	Harrison Elementary	Deborah Craig	8/30/2022
Katherine Orefice	Rutgers University	Internship	Central Office	Sue Burman	08/01/2022-01/31/2023

**FIELD TRIPS**

<b>SCHOOL</b>	<b>GRADE/COURSE</b>	<b>MONTH</b>	<b>DESTINATION</b>
Elementary	Grade 3	May	Ellis Island
Elementary	Grade 4	May	NJ State House
Secondary	Italian	April/May	Metropolitan Opera/Carmine's Restaurant
Secondary	Math Team	May	Caldwell University
Secondary	Environmental Science	May	Duke Farms
Secondary	AP Digital Photography	May	Jenkinson's Boardwalk
Secondary	Environmental Science	May	South Mountain Reservation
Secondary	Photography 1	June	Alstede Farm
Secondary	Italian and French	June	Metropolitan Museum of Art
Secondary	Digital Imaging	June	Silverball Museum
Secondary	AP Chinese & CCC Club	June	Snug Harbor Cultural Center & Botanical Gardens

Conference	Attendee(s)	Date(s)	Location	Cost
Moving From Power and Control to Collaboration and Problem Solving	Amro Mohammed	April 28-29, 2022	Virtual	\$395.00
Moving From Power and Control to Collaboration and Problem Solving	Jennifer Alvich	April 28-29, 2022	Virtual	\$395.00
Youcubed Data Science Virtual Workshop for High School Teachers	Patrick Catalano	June 8-9, 2022	Virtual	\$995.00
Code.org CSA Workshop	Matthew Cheng	June 27-July 1, 2022	Ewing Township, NJ	\$323.00
AP United States History Reading	Ernest Cuneo	May 30 - June 8, 2022	Tampa, FL	\$0.00
AP Reading	Michelle Sipe	June 2 - June 10, 2022	Cincinnati, OH	\$0.00
AP Reading	Daniel Lombardi	June 3 - June 9, 2022	Virtual	\$0.00
AP English Literature APSI	Amanda Buyes	July 5 -July 8, 2022	Virtual	\$970.00
AP Seminar Reading	Mary Kaspriskie	June 6 - June 9, 2022	Virtual	\$0.00
AP Reading	Nicholas Fernandez	May 6 - 16, 2022	Tampa, FL	\$0.00
Equity Institute: Advancing Racial Equity in Education 2022: Grades K-8	Lisa Capone Steiger	July 18 - July 22, 2022	Virtual	\$850.00
Equity Institute: Advancing Racial Equity in Education 2022: Grades K-8	Kristin Fullam	July 18 - July 22, 2022	Virtual	\$850.00
AP English Literature and Composition @ University of Wisconsin-Madison APSI	Andrew Nelson	July 18 - July 21, 2022	Virtual	\$825.00



## 2021-22 INSTRUCTIONAL AIDES

Attachment D

Last Name	First Name	LOC	Job Title	Step	Guide	Salary	Effective Date
Shulman	Arinn	MPE	Instructional Aide	1	I&KA	\$25,717 (prorated)	4/25/2022

**2021-22 TRANSFERS**

<b>Name</b>	<b>Transferring From</b>	<b>Location</b>	<b>Transferring To</b>	<b>Location</b>	<b>Replacing</b>	<b>Effective Date</b>
Deborah Faber	Elementary School Teacher	Harrison	Elementary School Teacher	Hillside	J. Eden	5/2/2022

LOCATION	LAST NAME	FIRST NAME
BHE	DiTacconi	Suzanne
BHE	Kalisek	Susan
BHE	Petrillo	Sharon
COL	Kahl	Lisa
HAR	Iftikhar	Ainne
HAR	Saenz	Ana
LHS	Szalay	Ann

NAME	DATE	POSITION	#HOURS WORKED	RATE	TOTAL AMOUNT
Breschard, Robert	3/2/2022	Game Worker/Basketball	2	\$22.50	\$45.00
	3/7/2022	Game Worker/Hockey	3	\$22.50	\$67.50
Casale, Kimberly	3/7/2022	Game Worker/Hockey	4.5	\$22.50	\$101.25
Cirlincione, Paul	3/7/2022	Game Worker/Hockey	4.5	\$22.50	\$101.25
Dlugo, Cara	1/21/2022	Game Worker/Hockey	3	\$22.50	\$67.50
	2/1/2022	Game Worker/Basketball	2.5	\$22.50	\$56.25
	2/5/2022	Game Worker/Hockey	3	\$22.50	\$67.50
	2/7/2022	Game Worker/Wrestling	4	\$22.50	\$90.00
	2/10/2022	Game Worker/Basketball	2	\$22.50	\$45.00
	2/18/2022	Game Worker/Hockey	2	\$22.50	\$45.00
	3/2/2022	Game Worker/Hockey	2.5	\$22.50	\$56.25
	3/7/2022	Game Worker/Hockey	4.5	\$22.50	\$101.25
Dzama, Brad	12/17/2021	Game Worker/Hockey	2	\$22.50	\$45.00
	1/8/2022	Game Worker/Hockey	2	\$22.50	\$45.00
	1/15/2022	Game Worker/Hockey	2	\$22.50	\$45.00
	1/17/2022	Game Worker/Hockey	2	\$22.50	\$45.00
	1/21/2022	Game Worker/Hockey	2	\$22.50	\$45.00
	2/5/2022	Game Worker/Hockey	2	\$22.50	\$45.00
	2/12/2022	Game Worker/Hockey	2	\$22.50	\$45.00
	2/28/2022	Game Worker/Hockey	2	\$22.50	\$45.00
Fischer, Anthony	12/21/2022	Game Worker/Basketball	1.75	\$22.50	\$39.38
	1/16/2022	Game Worker/Basketball	3.75	\$22.50	\$84.38
	1/20/2022	Game Worker/Basketball	1.5	\$22.50	\$33.75
	2/1/2022	Game Worker/Basketball	1.5	\$22.50	\$33.75
	2/10/2022	Game Worker/Basketball	1.75	\$22.50	\$39.38
	2/17/2022	Game Worker/Basketball	2.25	\$22.50	\$50.63
	2/24/2022	Game Worker/Basketball	2.75	\$22.50	\$61.88
	3/7/2022	Game Worker/Basketball	4.75	\$22.50	\$106.88
Leone, Ben	2/8/2022	Game Worker/Basketball	2.75	\$22.50	\$61.88
	2/9/2022	Game Worker/Wrestling	4	\$22.50	\$90.00
	2/12/2022	Game Worker/Basketball	6	\$22.50	\$135.00
	2/12/2022	Game Worker/Hockey	3	\$22.50	\$67.50
	2/14/2022	Game Worker/Hockey	3	\$22.50	\$67.50
	2/15/2022	Game Worker/Basketball	6	\$22.50	\$135.00
	2/17/2022	Game Worker/Hockey	3	\$22.50	\$67.50
	2/24/2022	Game Worker/Basketball	4	\$22.50	\$90.00
	2/25/2022	Game Worker/Basketball	2.75	\$22.50	\$61.88
	2/25/2022	Game Worker/Hockey	2.5	\$22.50	\$56.25
	2/28/2022	Game Worker/Hockey	3	\$22.50	\$67.50
	3/2/2022	Game Worker/Hockey	3	\$22.50	\$67.50
	3/7/2022	Game Worker/Hockey	4	\$22.50	\$90.00

Sullivan, Joe	3/12/2022	Security/BH Play	5.5	\$25.00	\$137.50
	3/24/2022	Security/MPM Bash	5	\$25.00	\$125.00
	4/1/2022	Security/Harrison Rehearsal	5	\$25.00	\$125.00
	4/2/2022	Security/Hillside Garage Sale	6	\$25.00	\$150.00
	4/3/2022	Security/Harrison Talent Show	5	\$25.00	\$125.00
					<b>\$3,373.75</b>

Name	Position	Location	# of classes	Dates
Corey Yersak	Teacher of Tech Ed	LHS	0.2	3/14/2022 - 6/30/2022
Cheryl Coursen	Teacher of Math	LHS	0.2	3/11/2022 - 6/30/2022
Matthew Cheng	Teacher of Comp Sci	LHS	0.2	3/14/2022 - 6/30/2022
David Richards	Teacher of Tech Ed	LHS	0.2	3/14/2022 - 6/30/2022
Matthew Cheng*	Teacher of Comp Sci	LHS	0.2	2/14/2022 - 6/30/2022
Corey Yersak*	Teacher of Tech Ed	LHS	0.2	2/14/2022 - 6/30/2022
David Richards*	Teacher of Tech Ed	LHS	0.2	2/14/2022 - 6/30/2022
Brian Megaro*	Teacher of Tech Ed	LHS	0.2	2/14/2022 - 6/30/2022
Ryan Karpack*	Teacher of Tech Ed	LHS	0.2	2/14/2022 - 6/30/2022
Michael Ladolcetta*	Teacher of Math	LHS	0.2	2/14/2022-4/14/2022
Kathleen Youtz	Grade 6 Math Teacher	MPMS	0.2	3/23/2022-6/30/2022
Kristi DeMiceli	TOSD	MPMS	0.2	3/23/2022-6/30/2022
Sydney Pollard	TOSD	MPMS	0.2	3/23/2022-6/30/2022
James Diegnan	Elementary School Teacher	MPE	0.2	3/23/2022-4/29/2022
Dana Wallock	Intervention/Enrichment Specialist	MPE	0.2	3/23/2022-4/29/2022
Laura Gordon	Intervention/Enrichment Specialist	MPMS	0.2	5/2/2022-6/30/2022
Kathryn Fierro	TOSD	HMS	0.2	3/7/2022-4/8/2022
Allison Bruh	TOSD	HMS	0.2	3/7/2022-TBD
Brooke Newman	TOSD	HMS	0.2	3/7/2022-TBD
Robin Altomare	TOSD	HMS	0.2	3/7/2022-TBD
Lenore Gallo	TOSD	HMS	0.2	4/8/2022-5/13/2022
Danielle Cohen	TOSD	HMS	0.2	4/8/2022-5/13/2022
Jayne Merlo	TOSD	HMS	0.2	4/8/2022-5/13/2022
Ekaterina Vorobiev	TOSD	HMS	0.2	4/8/2022-5/13/2022
Kerri Beinhacker	TOSD	HMS	0.2	4/8/2022-5/13/2022

Melissa Giordano	TOSD	HMS	0.2	4/8/2022-5/13/2022
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*\*amended from previous agenda*

## 2021-22 LHS ATHLETIC STIPENDS

Attachment I

<b>Sport</b>	<b>Title</b>	<b>Amount</b>	<b>First Name</b>	<b>Last Name</b>
Intramural	Coach	\$38.51/hr	Kelly	Nann
Game Worker			Theresa (Val)	Desamours



**LIVINGSTON HIGH SCHOOL CO-CURRICULAR STIPENDS**

<b>Position</b>	<b># of Positions</b>	<b>2021/2022 Amount</b>	<b>Approved 2021/2022</b>
Inner Circle Theater		\$317.75	Mary Brancaccio
		\$317.75	Kimberly Hughes

<b>HMS CO-CURRICULAR STIPENDS</b>			
<b>SPRING MUSICAL</b>			
Costumes	1	\$1,271.00	Nell White (OD)
Orchestra	1	\$500.00	Marc Pannullo (OD)

**Mount Pleasant Middle School Stipend Positions 2021-2022**

<b>Stipend Title</b>	<b>Teacher(s)</b>	<b>Amount</b>
Spring Production Stage Director	Janene DePalo (replacing C. Russoniello)	\$3,177
Spring Production Musical Director	Alyssa LaMedica	\$1,271
Spring Production Costumes	Barbara Geiger (OD) (replacing C. Russoniello)	\$1,271
Spring Production Technical Director of Stage Crew	Alyssa LaMedica (replacing C. Russoniello)	\$1,271
Spring Production Set Design (listed as House Manager)	Alexandra Fiore	\$635

2415.05 – STUDENT SURVEYS, ANALYSIS, EVALUATIONS, EXAMINATIONS,  
TESTING, OR TREATMENT (M)

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. §1232h; 34 CFR Part 98) applies to school districts that receive funding from the United States Department of Education.

## Consent

PPRA requires written consent from parents/legal guardians and pupils who are eighteen years old or emancipated minor pupils before minor students are required to participate in a survey, analysis, or evaluation funded in whole or in part by a program of the United States Department of Education that concerns one or more of the following nine areas



referred to as “protected information surveys”:

1. Political affiliations or beliefs of the pupil or pupil’s parent;
2. Mental or psychological problems of the pupil or pupil’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as with lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or parents;
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or
9. Social Security number.

This consent requirement also applies to the collection, disclosure or use of pupil information for marketing purposes, referred to as “marketing surveys”, and for certain physical examinations and screenings.

#### “Opt a Pupil Out” Notice

The parents and eligible pupils will be provided an opportunity to opt a pupil out of participating in:



STUDENT SURVEYS, ANALYSIS, EVALUATIONS, EXAMINATIONS, TESTING, OR TREATMENT (M)

1. The collection, disclosure, or use of personal information obtained from pupils for marketing, to sell, or otherwise distribute information to others;
2. The administration of any other “protected information survey” not funded in whole or in part by the United States Department of Education; and
3. Any non-emergency, invasive physical examination required as a condition of attendance, administered by the school district or its agents, and not necessary to protect the immediate health and safety of a pupil, except for hearing, vision, scoliosis screenings, or any physical examination or screening permitted or required under State law.

## Inspection

The parents and eligible pupils, upon request and before administration or use, have the right to inspect:

1. Protected information surveys of pupils;
2. Instruments used to collect personal information from pupils for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

The Superintendent or his/her designee shall be responsible for obtaining the consent, annual direct notification to parents and eligible pupils at the start of each school year and after any substantive changes of the “opt a pupil out” rights and the inspection rights provisions of PPRA and this Policy. The “opt a pupil out” notice shall include any specific or approximate dates of the activities eligible for a pupil to “opt out.”

## PPRA Consent/Opt Out Violations

Parents or students who believe their rights under PPRA may have been violated may file a complaint with United States Department of Education.



# POLICY

## LIVINGSTON BOARD OF EDUCATION

Program

2415.05/Page PAGE 1 of NUMPAGES 1

STUDENT SURVEYS, ANALYSIS, EVALUATIONS, EXAMINATIONS, TESTING, OR TREATMENT (M)



# POLICY

## LIVINGSTON BOARD OF EDUCATION

Program

2415.05/Page PAGE 1 of NUMPAGES 1

STUDENT SURVEYS, ANALYSIS, EVALUATIONS, EXAMINATIONS, TESTING, OR TREATMENT (M)

The Protection of Pupil Rights Amendment (PPRA)  
(20 U.S.C. §1232h; 34 CFR Part 98)  
No Child Left Behind Act of 2001, Title X, Part F, §1061





# POLICY

## LIVINGSTON BOARD OF EDUCATION

Program

2415.05/Page PAGE 1 of NUMPAGES 1

STUDENT SURVEYS, ANALYSIS, EVALUATIONS, EXAMINATIONS, TESTING, OR TREATMENT (M)

Adopted: 10 August 2010



PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES (M)

2431.4 PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS  
AND HEAD INJURIES (M)

A concussion is a traumatic brain injury caused by a direct or indirect blow to the head or body. In order to ensure the safety of students that participate in interscholastic athletics and cheerleading programs, it is imperative that student-athletes, cheerleaders, coaches, and parents are educated about the nature and treatment of sports-related concussions and other head injuries. Allowing a student-athlete or cheerleader to return to play before recovering from a concussion increases the chance of a more serious brain injury.

Every school district that participates in interscholastic athletics or cheerleading programs is required to adopt a policy concerning the prevention and treatment of sports-related concussions and other head injuries among student-athletes and cheerleaders in accordance with the provisions of N.J.S.A. 18A:40-41.1 et seq. For the purpose of this Policy, "interscholastic athletics" shall be Kindergarten through twelfth grade school-sponsored athletic programs where teams or individuals compete against teams or individuals from other schools or school districts. For the purpose of this Policy, "cheerleading program" shall be Kindergarten through twelfth grade school-sponsored cheerleading programs.

The school district will adopt an Interscholastic Athletic and Cheerleading Head Injury Training Program to be completed by the team or school physician, licensed athletic trainer(s) involved in the interscholastic athletic program, all staff members that coach an interscholastic sport or cheerleading program, designated school nurses, and other appropriate school district personnel as designated by the Superintendent. This Training Program shall be in accordance with guidance provided by the New Jersey Department of Education and the requirements of N.J.S.A. 18A:40-41.2.

The Principal or designee shall distribute the New Jersey Department of Education Concussion and Head Injury Fact Sheet and Parent/Guardian Acknowledgement Form to every student-athlete who participates in interscholastic sports and every cheerleader who participates in a cheerleading program. The Principal or designee shall obtain a signed acknowledgement of the receipt of the Fact Sheet by the student-athlete or cheerleader's parent and keep on file for future reference.



## PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES (M)

Prevention of a sports-related concussion and head injuries is an important component of the school district's program. The school district may require pre-season baseline testing of all student-athletes and cheerleaders before the student begins participation in an interscholastic athletic or cheerleading program.

Any student-athlete or cheerleader who exhibits the signs or symptoms of a sports-related concussion or other head injury during practice or competition shall be immediately removed from play and may not return to play that day. Emergency medical assistance shall be contacted when symptoms get worse, loss of consciousness, direct neck pain associated with the injury, or any other sign the supervising school staff member determines emergency medical attention is needed. If available when the student-athlete or cheerleader is exhibiting signs or symptoms, the student will be evaluated by the school or team physician. The Principal or designee shall contact the student's parent and inform the parent of the suspected sports-related concussion or other head injury.

Possible signs of a concussion can be observed by any school staff member or the school or team physician. Any possible symptoms of a concussion can be reported by the student-athlete or cheerleader to: coaches; licensed athletic trainer; school or team physician; school nurse; and/or parent. The Principal or designee shall provide the student-athlete or cheerleader with Board of Education approved suggestions for management/medical checklist to provide to their parent and physician or other licensed healthcare professional trained in the evaluation and management of sports-related concussions and other head injuries.

A student-athlete or cheerleader who participates in interscholastic athletics or a cheerleading program and who sustains or is suspected of sustaining a concussion or other head injury shall be required to have a medical examination conducted by their physician or licensed health care provider. The student's physician or licensed health care provider shall be trained in the evaluation and management of concussion to determine the presence or absence of a sports-related concussion or head injury.

The student's physician or licensed health care provider must provide to the school district a written medical release/clearance for the student indicating when the student is able to return to the activity. The medical release/clearance must indicate the student-athlete or cheerleader is asymptomatic at rest and either may return to the interscholastic athletic activity or cheerleading program because the injury was not a concussion or other head injury or may begin the district's graduated return to competition and practice protocol outlined in Regulation 2431.4. A medical release/clearance not in compliance with this Policy will not be accepted. The medical release/clearance must be reviewed and approved by the school or team physician.



## PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES (M)

The school district shall provide a copy of this Policy and Regulation 2431.4 to all youth sports team organizations that operate on school grounds. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the school district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that operates on school grounds, if the youth sports team organization provides the school district proof of an insurance policy in the amount of not less than \$50,000 per person, per occurrence insuring the youth sports team organization against liability for any bodily injury suffered by a person and a statement of compliance with the school district's Policy and Regulation 2431.4 - Prevention and Treatment of Sports-Related Concussions and Head Injuries.

For the purposes of this Policy a "youth sports team organization" means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.

This Policy and Regulation shall be reviewed and approved by the school physician and shall be reviewed annually, and updated as necessary, to ensure it reflects the most current information available on the prevention, risk, and treatment of sports-related concussion and other head injuries.

A student who participates in an athletic competition or practice and who sustains or is suspected of sustaining a concussion or other head injury shall be immediately removed from athletic competition or practice. A student removed from athletic competition or practice shall not participate in further athletic competition or practice until they are evaluated by a physician or other licensed healthcare provider trained in the evaluation and management of concussions and receives written clearance from a physician trained in the evaluation and management of concussions to return to athletic competition or practice; and the student returns to regular school activities and is no longer experiencing symptoms of the injury when conducting those activities in accordance with N.J.S.A. 18A:40-41.4.



## PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES (M)

N.J.S.A. 18A:40-41.1; 18A:40-41.2; 18A:40-41.3; 18A:40-41.4; 18A:40-41.5

New Jersey Interscholastic Athletic Association Concussion Policy

Zurich Consensus Statement from the 3rd International Congress on Concussion in Sport,  
2009

Adopted: 15 August 2011

Revised: 20 October 2014



## 2622 STUDENT ASSESSMENT (M)

The Commissioner of Education, in accordance with N.J.S.A. 18A:7C-1 et seq. and 18A:7E-2 and 3, may implement assessments of student achievement in any grade(s) and by such assessments as he or she deems appropriate. The Commissioner shall report to the State Board of Education the results of such assessments.

The Commissioner shall implement a system and related schedule of Statewide assessments to evaluate student achievement of the New Jersey Student Learning Standards (NJSLs). The Commissioner, with the approval of the State Board of Education, shall define the scope and level of student performance on Statewide assessments that demonstrate thorough understanding of the knowledge and skills delineated by the NJSLs at grade levels three through twelve. After consultation with the Commissioner, the State Board of Education shall establish by resolution uniform Statewide criteria defining adequate school district progress toward meeting the NJSLs.

State assessments are intended to provide parents with important information about their child's progress; detailed diagnostic information about each individual student's performance that educators, parents, and students can utilize to enhance foundational knowledge and student achievement.



Pursuant to N.J.A.C. 6A:8-4.1(b) and (c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled. There is no provision for a student to opt-out of Statewide assessments. If a student is absent on a testing date, the student will be expected to take the missed test on another school day designated as a makeup day. Parents and students will be informed of all scheduled testing dates, including make-up testing dates for students who missed the initial testing date. At the high school level, through 2019, the State of New Jersey has provided alternative assessments, which may be used to satisfy the Federal requirement for all students to meet proficiency in English and mathematics by graduation.

## Statewide Assessment System

The Superintendent of Schools, or his/her designee, shall develop and annually present to the Board for its approval an assessment program that complies with the rules of the State Board of Education.

The Board of Education shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments, including the following major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight; the high school end-of-course assessments; and the alternative assessment for students with disabilities; and provide notification to each student entering grades three through twelve of the Statewide assessment schedule.

The Department of Education shall implement the elementary component of the Statewide assessment of the NJSLs consisting of continued administration of mathematics and English language arts in grades three, four, and five, and of science in grade five.



The Department of Education shall implement the middle school component of the Statewide assessment of the NJSLs consisting of the following: continued administration of mathematics and English language arts in grades six, seven, and eight; and of science in grade eight.

The Department of Education shall implement a high school assessment program component of the NJSLs that assesses, at a minimum, English language arts, mathematics, and science with the exception that students may receive a waiver from the Board of Education from taking the high school end-of-course assessment in ELA 11 due to the student's participation in another English language/literature college placement assessment during the same school year.

The Board of Education shall provide appropriate accommodations or modifications to the Statewide assessment system as specified by the Department of Education for English Language Learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act as determined by the IEP or 504 Team in accordance with N.J.A.C. 6A:8-4.1(d)1. The Board may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or English. The Board of Education shall have the option for a first-year ELL of substituting a Department of Education-approved language proficiency test only for the English language arts section of the elementary or middle school component of the Statewide assessment, when the student has entered the United States after July 1 of the calendar year prior to the test administration.

The Board of Education shall ensure students with disabilities as defined in N.J.A.C. 6A:14-1.3 participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10.

At specific times prescribed by the Commissioner of Education, the Board of Education shall administer the alternative assessment for students with disabilities to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities. The Department of Education shall implement the alternative assessment for students with disabilities according to the schedules in N.J.A.C. 6A:8-4.1(c)1, 2, and 3. The alternative assessment for students with disabilities measures the progress of





students who have been determined eligible for the alternative assessment for students with disabilities by the IEP team in accordance with N.J.A.C. 6A:14-4.10.

The Board of Education shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(f).

## Test Administration Procedures and Security Measures

The Board of Education shall be responsible for ensuring the security of all components of the Statewide assessment system that are administered within the school district. All Statewide assessments shall be administered in accordance with the Department of Education's required test administration procedures and security measures. Any breach of such procedures or measures shall be immediately reported to the Superintendent or designee.

## Documentation of Student Achievement

The Department of Education shall provide the Superintendent with documentation of student performance after each test administration in accordance with the provisions of N.J.A.C. 6A:8-4.2. Information regarding individual student test scores shall only be released in accordance with Federal and State law.

The Board of Education shall transmit within ten business days any official records, including transcripts, of students who transfer to other school districts or institutions.

The Board of Education shall maintain an accurate record of each student's performance on Statewide assessments.



The Board of Education shall maintain for every student a ninth grade through graduation transcript that contains the following, as available:

1. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth in N.J.A.C. 6A:8-5.1(a)6;
2. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);
3. Evidence of instructional experience and performance in the NJSLS;
4. Evidence of technological literacy;
5. Evidence of career education instructional experiences and career development activities;
6. Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in Department of Education-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and
7. Any other information deemed appropriate by the Board of Education.



## Accountability

The Superintendent, or his/her designee shall report preliminary and final results of annual assessments to the Board of Education within sixty days of receipt of information from the New Jersey Department of Education pursuant to N.J.A.C. 6A:8-4.3(a). The District will provide parents, students, and citizens with results of annual assessments according to N.J.A.C. 6A:8-4.3. The District shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area either on Statewide or local assessments. All students shall be expected to demonstrate career and college readiness as well as the knowledge and skills of the NJSLs as measured by the Statewide assessment system.

## Annual Review and Evaluation of School Districts

The Department of Education shall review the performance of schools and school districts in accordance with the provisions of N.J.A.C. 6A:8-4.4.

## Public Reporting

In accordance with the requirements of N.J.A.C. 6A:8-4.5, the Department of Education shall report annually to the State Board of Education and the public on the progress of all students and student subgroups in meeting the NJSLs as measured by the Statewide assessment system by publishing and distributing the Department of Education's annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 5. After each test administration, the Department of Education shall report to the Board of Education on the performance of all students and of student subgroups. The Department of Education shall report performance on the APA with the same frequency and in the same detail as it reports on other Statewide assessments, including school and school district means, and the number and percentage of participating students. In public reporting of school and district performance data, the Department of Education shall not compromise the confidentiality of individual students.



## Parental Notification

Parents shall be informed of the district assessment system and of any special tests that are to be administered to their children.

N.J.S.A. 18A:7C-1; et seq.; 18A:7E-1 et seq.

N.J.A.C. 6A:8-4.1 et seq.; 6A:8-5.1;

6A:14-1.1 et seq.; 6A:14-3.7;

6A:14-4.10

Adopted: 09 November 2009

Revised: 12 November 2012

Revised: 11 April 2016

Revised: 14 June 2016

Revised: December 10, 2018

Revised: August 19, 2020



## 7540 JOINT USE OF FACILITIES

The Board of Education advocates the joint expenditure of district funds and municipal or county funds to provide those facilities from which the entire community, children and adults alike, may derive benefits.

In accordance with this policy, the Board may, as opportunity or need arises and as it is entitled to do so by law, join with the local municipal governing body in acquiring, improving, equipping, operating, or maintaining jointly used facilities.

N.J.S.A. 18A:20-19 et seq.; 18A:20-34

Adopted: 09 January 2006



## 8465 HATE CRIMES AND BIAS-RELATED ACTS (M)

The Board of Education is committed to providing a safe and healthy environment for all children in the school district. Hate crimes and bias-related acts involving students can lead to further violence and retaliation. Hate crimes and bias-related acts, by their nature, are confrontational, inflame tensions, and promote social hostility and will not be tolerated by the school district. The school district employees will work closely with local law enforcement and the county prosecutor's office to report or eliminate the commission of hate crimes and bias-related acts.

### Definitions

A "hate crime" is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race, color, national origin, ethnicity, religion, gender, sexual orientation, gender identity or expression, or disability.

A "bias-related act" is an act directed at a person, group of persons, private property, or public property that is motivated in whole or part by race, color, national origin, ethnicity, religion, gender, sexual orientation, gender identity or expression, or disability. A bias-related act need not involve conduct that constitutes a criminal offense. All hate crimes are also bias-related acts, but not all bias-related acts will constitute a hate crime.

### Required Actions

Whenever any school employee in the course of his/her employment develops reason to believe that (1) a hate crime has been committed or is about to be committed on school property, or has been or is about to be committed by any student, whether on or off school property and whether or not such offense was or is about to be committed during operating school hours, or (2) a student enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during operating school hours, the school employee shall immediately notify the Building Principal and Superintendent, who in turn shall notify the Livingston Police Department. The Principal shall notify the Livingston Police Department immediately if there is reason to believe that a hate crime that involves an act of violence has been or is about to be physically committed against a student or there is otherwise reason to believe that a life has been or will be threatened.



Whenever any school employee in the course of his/her employment has reason to believe that a bias-related act has been committed or is about to be committed on school property, or has been or is about to be committed by any student, whether on or off school property and whether or not such bias-related act was or is to be committed during operating school hours, the school employee should immediately notify the Building Principal and Superintendent, who in turn should promptly notify the Livingston Police Department.

In deciding whether to refer the matter of a bias-related act to the Livingston Police Department, the Building Principal and the Superintendent, should consider the nature and seriousness of the conduct and the risk that the conduct posed to the health, safety and well-being of any student, school employee or member of the general public. The Building Principal and Superintendent should also consider the possibility that the suspected bias-related act could escalate or result in some form of retaliation which might occur within or outside school property.

It is understood a referral to the Livingston Police Department is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge.

Unless the Livingston Police Department requests otherwise, the school district may continue to investigate a suspected hate crime or bias-related act occurring on school property and may take such actions as necessary and appropriate to redress and remediate any such acts.



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School officials will secure and preserve any such graffiti or other evidence of a suspected hate crime or bias-related act pending the arrival of the Livingston Police Department. The school officials, when feasible, will cover or conceal such evidence until the arrival of the Livingston Police Department.

N.J.A.C. 6A:16-6.1 et seq.; 6A:16-6.3(e)

State Memorandum of Agreement approved by the Department  
of Law & Public Safety and the Department of Education

Adopted: 22 March 2010





## 8600 TRANSPORTATION (M)

The Board of Education shall transport eligible students to and from school and school related activities in accordance with N.J.S.A. 18A:39-1 et seq., N.J.A.C. 6A:27-1 et seq. and Board policy. Transportation shall be provided only to eligible public and nonpublic school students, authorized school staff members, and adults serving as approved chaperones.

Nonpublic school transportation or aid in lieu of transportation shall be provided for resident students in accordance with N.J.S.A. 18A:39-1 et seq. and N.J.A.C. 6A:27-2.1 et seq.

Charter or renaissance school transportation or aid in lieu of transportation shall be provided for resident students in accordance with N.J.S.A. 18A:39-1 et seq. and N.J.A.C. 6A:27-3.1 et seq.

The Board will provide transportation to and from school for public school students in grades K-8 who live more than 2 miles from the school they attend and in grades 9-12 who live more than 2.5 miles from the school they attend. A student may be excluded from transportation because of disorderly conduct as provided for by statute. Parents of those students suspended from using district provided transportation will be notified in advance by the Principal.

The Board may transport students certified by a physician as temporarily disabled regardless of the distance between their home and school.

Students with special needs shall be provided transportation in accordance with N.J.S.A. 18A:39-1 et seq., and with their Individualized Education Program (IEP) pursuant to N.J.A.C. 6A:27-5.1.

The Board will not be responsible for the transportation of nonresident students to or from school, except that transportation to and from school will be provided for homeless students; students residing in group homes; students residing in resource family homes; and students residing in shared custody homes pursuant to N.J.A.C. 6A:27-6.2, 6.3, 6.4, and 6.5.



Vehicles used to transport students to and from school or school related activities shall meet standards, registration, and inspection requirements of the New Jersey Departments of Education (NJDOE) , the NJ Motor Vehicle Commission (NJMVC), and any applicable Federal regulations. The operation and fiscal management of the district's transportation system shall be conducted in strict accordance with rules of the NJ State Board of Education and the NJDOE.

In addition to the provisions of any State law, rule, or regulation containing more stringent requirements, provided that those requirements are compatible with Federal law, and notwithstanding the provisions of any State law, rule, or regulation to the contrary, school bus operations in the State shall comply with the requirements outlined in N.J.S.A. 39:3B-27.

N.J.S.A. 18A:18A-1 et seq.; 18A:39-1 et seq.;18A:39-11.1 et seq.

N.J.S.A. 27:15-16

N.J.S.A. 39:3B-1 et seq.; 39:3B-2.1; 39:3B-10; 39:3B-27

N.J.A.C. 6A:27-1.1 et seq.; 6A:27-2.1 et seq.;

6A:27-3.1 et seq.; 6A:27-4.1 et seq.; 6A:27-5.1;

6A:27-6.2 through 6.5;

6A:27-7.1 et seq.; 6A:27-9.1 et seq.;

6A:27-10.1 et seq.; 6A:27-11.1 et seq.;

6A:27-12.1 et seq.

Adopted: 10 May 2010

Revised: February 24, 2020



## 9560 ADMINISTRATION OF SCHOOL SURVEYS (M)

The Board of Education believes the administration of school surveys may be necessary and valuable to the educational program in the school district. The Board recognizes certain student information is personal and some students or parents may not want this information shared with the school district. Therefore, the Board shall ensure school surveys are administered in accordance with N.J.S.A. 18A:36-34 and 18A:36-34.1 and this Policy.

### A. School Surveys, Certain, Parental Consent Required Before Administration – N.J.S.A. 18A:36-34

1. Unless the school district receives prior written informed consent from a student's parent and provides for a copy of the document to be available for viewing at convenient locations and time periods, the school district shall not administer to a student any academic or nonacademic survey, assessment, analysis, or evaluation which reveals information concerning:
  - a. Political affiliations;
  - b. Mental and psychological problems potentially embarrassing to the student or the student's family;
  - c. Sexual behavior and attitudes;
  - d. Illegal, anti-social, self-incriminating, and demeaning behavior;
  - e. Critical appraisals of other individuals with whom a respondent has a close family relationship;
  - f. Legally recognized privileged or analogous relationships, such as lawyers, physicians, and ministers;
  - g. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program; or
  - h. Social security number.



2. The school district shall request prior written informed consent at least two weeks prior to the administration of the survey, assessment, analysis, or evaluation.

3. A student shall not participate in any survey, assessment, analysis, or evaluation that concerns the issues listed in A.1. above and N.J.S.A. 18A:36-34.a. unless the school district has obtained prior written informed consent from the student's parent.

**B. Voluntary Survey for Students with Prior Parental Written Notification – N.J.S.A. 18A:36-34.1**

1. In accordance with N.J.S.A. 18A:36-34.1 and notwithstanding, N.J.S.A. 18A:36-34 and A. above, or any other law, rule, or regulation to the contrary, if the school district sends prior written notification to the parent of the student, the school district may administer an anonymous, voluntary survey, assessment, analysis, or evaluation to the student which reveals information concerning any of the following issues:

- a. Use of alcohol, tobacco, drugs, and vaping;
- b. Sexual behavior and attitudes;
- c. Behaviors that may contribute to intentional or unintentional injuries or violence; or
- d. Physical activity and nutrition-related behaviors.

2. Written notification provided by the school district to the parent of the student shall be delivered to the parent by regular mail, electronic mail, or a written acknowledgement form to be delivered by the student at least two weeks prior to administration of the survey, assessment, analysis, or evaluation. Written notification shall contain, at minimum, the following information:

- a. A description of the survey, assessment, analysis, or evaluation;
- b. The purpose for which the survey, assessment, analysis, or evaluation is needed;



- c. The entities and persons that will have access to the information generated by the survey, assessment, analysis, or evaluation;
  - d. Specific instruction as to when and where the survey, assessment, analysis, or evaluation will be available for parental review prior to its administration;
  - e. The method by which the parent can deny permission to administer the survey, assessment, analysis, or evaluation to the student; a form specifically providing for such denial shall be included with this notice;
  - f. The names and contact information of persons to whom questions can be directed; and
  - g. A statement advising that failure to respond indicates approval of participation in the survey, assessment, analysis, or evaluation.
3. Information obtained through a survey, assessment, analysis, or evaluation administered to a student in accordance with N.J.S.A. 18A:36-34.1 and B. above, shall be submitted to the New Jersey Department of Education and the New Jersey Department of Health. Information may be used to develop public health initiatives and prevention programs. Information shall not be used for marketing or other commercial purposes that are not related to student health.

#### C. Violations – N.J.S.A. 18A:36-34.d.

A violation by the school district of N.J.S.A. 18A:36-34; 18A:36-34.1, and this Policy shall be subject to such monetary penalties as determined by the New Jersey Commissioner of Education.

#### D. Compliance with Federal Law

In addition to compliance with the provisions of N.J.S.A. 18A:36-34, 18A:36-34.1, and this Policy, the Superintendent or designee shall ensure compliance with the provisions of Policy 2415.05 – Student Surveys, Analysis, Evaluations, Examinations, Testing, or Treatment before students are required to participate in a survey, analysis, evaluation, examination, testing, or treatment



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funded in whole or part by a program of the United States Department of Education that concerns one or more of the areas outlined in Policy 2415.05.

N.J.S.A. 18A:36-34; 18A:36-34.1

Adopted:



PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES (M)

2431.4 PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS  
AND HEAD INJURIES (M)

A concussion is a traumatic brain injury caused by a direct or indirect blow to the head or body. Allowing a student-athlete or cheerleader to return to play before recovering from a concussion increases the chance of a more serious brain injury that can result in severe disability and/or death. The following procedures shall be followed to implement N.J.S.A. 18A:40-41.1 et seq. and Policy 2431.4.

A. Interscholastic Athletic/Cheerleading Program Head Injury Training Program

1. The school district will adopt an Interscholastic Athletic/Cheerleading Program Head Injury Training Program to be completed by the school or team physician, licensed athletic trainer(s) involved in the interscholastic athletic program, all staff members that coach an interscholastic sport or cheerleading program, designated school nurses, and other appropriate school district personnel as designated by the Superintendent.
2. This Training Program shall be in accordance with the guidance provided by the New Jersey Department of Education and the requirements of N.J.S.A. 18A:40-41.1 et seq.

B. Prevention

1. The school district may require pre-season baseline testing of all student-athletes and cheerleaders before the student begins participation in athletic interscholastic athletic program or activity or cheerleading program. The baseline testing program shall be reviewed and approved by the school or team physician trained in the evaluation and management of sports-related concussions and other head injuries.
2. The Principal or designee will review educational information for students participating on prevention of concussions.



## PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES (M)

3. All school staff members, student-athletes, cheerleaders, and parents of student-athletes and cheerleaders shall be informed through the distribution of the New Jersey Department of Education Concussion and Head Injury Fact Sheet and Parent/Guardian Acknowledgement Form and other communications from the Principal and coaches on the importance of early identification and treatment of concussions to improve recovery.

### C. Signs or Symptoms of Concussion or Other Head Injury

1. Possible signs of concussions can be observed by coaches, licensed athletic trainer, school or team physician, school nurse, or other school staff members. Possible signs of a concussion may be, but are not limited to, the student-athlete or cheerleader:
  - a. Appears dazed, stunned, or disoriented;
  - b. Forgets plays, or demonstrates short-term memory difficulty;
  - c. Exhibits difficulties with balance or coordination;
  - d. Answers questions slowly or inaccurately; and/or
  - e. Loses consciousness.
2. Possible symptoms of concussion shall be reported by the student-athlete or cheerleader to coaches, licensed athletic trainer, school or team physician, school nurse, and/or parent. Possible symptoms of a concussion are, but not limited to:
  - a. Headache;
  - b. Nausea/vomiting;
  - c. Balance problems or dizziness;
  - d. Double vision or changes in vision;
  - e. Sensitivity to light or sound/noise;
  - f. Feeling sluggish or foggy;





- g. Difficulty with concentration and short-term memory;
- h. Sleep disturbance; or
- i. Irritability.

D. Emergency Medical Attention for Concussion or Other Head Injury

1. Any student-athlete or cheerleader who is exhibiting the signs or symptoms of a sports-related concussion or other head injury during practice or competition shall immediately be removed from from play and activities and may not return to the practice or competition that day.
2. The school staff member supervising the student-athlete or cheerleader when the student is exhibiting signs or symptoms of a sports-related concussion or other head injury shall immediately contact emergency medical assistance when symptoms get worse, loss of consciousness, direct neck pain associated with the injury, or any other sign the supervising school staff member determines emergency medical attention is needed.
  - a. In the event the school or team physician is available when the student-athlete or cheerleader is exhibiting signs or symptoms of a sports-related concussion or other head injury, the physician may make the determination to call emergency medical assistance.
3. The school staff member supervising the student-athlete or cheerleader when the student is exhibiting signs or symptoms of a sports-related concussion or other head injury during practice or competition shall report the occurrence to the Principal or designee. The Principal or designee shall contact the student's parent and inform the parent of the suspected sports-related concussion or other head injury.



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E. Sustained Concussion or Other Head Injury



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### PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES (M)

1. A student-athlete or cheerleader who participates in interscholastic athletics or cheerleading program and who sustains or is suspected of sustaining a concussion or other head injury shall immediately be removed from practice or competition and shall be required to have a medical examination conducted by their physician or licensed health care provider. The student's physician or licensed health care provider shall be trained in the evaluation and management of concussion to determine the presence or absence of a sports-related concussion or head injury.
2. The student-athlete or cheerleader suspected of sustaining a concussion or other head injury shall be provided a copy of Board of Education Policy and Regulation 2431.4 and a copy of Board of Education approved suggestions for management/medical checklist to provide to their parent and their physician or licensed health care professional.
3. The student-athlete or cheerleader's physician must provide to the school district, upon the completion of a medical examination, a written medical release/clearance when the student is able to return to the activity. The release/clearance must indicate:
  - a. The medical examination determined the injury was not a concussion or other head injury, the student is asymptomatic at rest, and the student may return to the interscholastic athletic or cheerleading activity; or
  - b. The medical examination determined the injury was a concussion or other head injury, the student is asymptomatic at rest, and can begin the graduated return to competition and practice protocol outlined in F. below.

A medical release/clearance not in compliance with this requirement will not be accepted. The student-athlete or cheerleader may not return to the activity or begin the graduated return to competition and practice protocol until he/she receives a medical evaluation and provides a medical clearance/release that has been reviewed and approved by the school or team physician.

4. Complete physical, cognitive, emotional, and social rest is advised while the student is experiencing symptoms and signs of a sports-related concussion or



## PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES (M)

other head injury. (Minimize mental exertion, limit over-stimulation and multi-tasking, etc.)

### F. Graduated Return to Competition and Practice Protocol

1. Upon the school physician's acceptance of the written medical release/clearance, the student-athlete or cheerleader may begin a graduated return to competition and practice protocol supervised by a licensed athletic trainer, school or team physician, or designated school nurse trained in the evaluation and management of concussions and other head injuries. The following steps shall be followed:

Step 1 - Completion of a full day of normal cognitive activities (attendance at school, studying for tests, watching practice, interacting with peers, etc.) without re-emergence of any signs or symptoms. If there is no return of signs or symptoms of a concussion, the student-athlete or cheerleader may advance to Step 2 below on the next day. If a re-emergence of any signs or symptoms of a concussion occur, the student shall be required to have a re-evaluation by their physician or licensed healthcare provider. The student shall not be permitted to begin the graduated return to competition and practice protocol until a medical clearance, as required in E.3. above, is provided and approved by the school or team physician.

Step 2 - Light aerobic exercise, which includes walking, swimming, or stationary cycling, keeping the intensity less than 70% maximum percentage heart rate. There shall be no resistance training. The objective of this Step is increased heart rate. If there is no return of any signs or symptoms of a concussion, the student-athlete or cheerleader may advance to Step 3 below on the next day. If a re-emergence of any signs or symptoms of a concussion occur, the student shall return to Step 1.

Step 3 - Sport-specific exercise including skating and/or running. There shall be no head impact activities. The objective of this Step is to add movement and continue to increase the student-athlete or cheerleader's heart rate. If there is no return of any signs or symptoms of a concussion, the student may advance to Step 4 below on the next day. If a re-emergence of any signs or symptoms of a concussion occur, the student shall return to Step 2.

Step 4 - Non-contact training drills such as passing drills, agility drills, throwing, catching, etc. The student-athlete or cheerleader may initiate



## PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES (M)

progressive resistance training. If there is no return of any signs or symptoms of a concussion, the student may advance to Step 5 below on the next day. If a re-emergence of any signs or symptoms of a concussion occur, the student shall return to Step 3.

Step 5 - The student's medical condition, upon completing Step 4 with no return of any signs or symptoms of a concussion, shall be evaluated for medical clearance based upon consultation between the school district's licensed athletic trainer, school or team physician, designated school nurse, and the student's physician. After this consultation and upon obtaining written medical release/clearance approved by the school or team physician, the student may participate in normal training activities. The objective of this Step is to restore the student's confidence and for the coaching staff to assess the student's functional skills. If there is no return of any signs or symptoms of a concussion, the student may advance to Step 6 below on the next day. If a re-emergence of any signs or symptoms of a concussion occur or if the student does not obtain medical release/clearance to proceed to Step 6, the school or team physician, in consultation with the student's physician, shall determine the student's return to competition and practice protocol.

Step 6 - Return to play involving normal exertion or game activity. If the student exhibits a re-emergence of any concussion signs or symptoms once he/she returns to physical activity, he/she will be removed from further activities and returned to Step 5.

### G. Temporary Accommodations for Student-Athletes and Cheerleaders with Sports-Related Head Injuries

1. Rest is the best "medicine" for healing concussions or other head injuries. The concussed brain is affected in many functional aspects as a result of the injury. Memory, attention span, concentration, and speed of processing significantly impact learning. Further, exposing the concussed student to the stimulating school environment may delay the resolution of symptoms needed for recovery. Accordingly, consideration of the cognitive effects in returning to the classroom is also an important part of the treatment of sports-related concussions and head injuries.
2. Mental exertion increases the symptoms from concussions and affects recovery. To recover, cognitive rest is just as important as physical rest. Reading, studying, computer usage, testing, texting, and watching movies if a



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student is sensitive to light/sound, can slow a student's recovery. In accordance with the Centers for Disease Control's toolkit on managing concussions, the Board of Education may look to address the student's cognitive needs in the following ways. Students who return to school after a concussion may need to:

- a. Take rest breaks as needed;
- b. Spend fewer hours at school;
- c. Be given more time to take tests or complete assignments (all courses should be considered);
- d. Receive help with schoolwork;
- e. Reduce time spent on the computer, reading, and writing; and/or
- f. Be granted early dismissal from class to avoid crowded hallways.

Adopted: March 27, 2017



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ADDITIONAL/COMPENSATORY SPECIAL EDUCATION AND RELATED SERVICES (M)

### 2460.30 ADDITIONAL/COMPENSATORY SPECIAL EDUCATION AND RELATED SERVICES (M)

The Board of Education shall provide additional or compensatory special education and related services to students with disabilities beyond the age of twenty-one pursuant to N.J.S.A. 18A:46-6.3.

As used in N.J.A.C. 18A:46-6.3(h) and this Regulation, "parent" means the natural or adoptive parent, the legal guardian, resource family parent when willing to so serve, a surrogate parent, or a person acting in the place of a parent, such as a grandparent or stepparent with whom the student lives, or a person legally responsible for the student's welfare. "Parent" shall also include an adult student who has attained the age of eighteen, who is not under legal guardianship, and who is entitled to receive special education and related services.

#### A. Additional Special Education and Related Services

1. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
  - a. In the 2021-2022 school year, provide special education and related services contained in an Individualized Education Program (IEP) to a student with disabilities who attains the age of twenty-one during the 2020-2021 school year, provided the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2021-2022 school year.
    - (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.a. and A.1. shall not be eligible to receive such education and services beyond June 30, 2022, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.
2. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:





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### ADDITIONAL/COMPENSATORY SPECIAL EDUCATION AND RELATED SERVICES (M)

- a. in the 2022-2023 school year, provide special education and related services contained in an IEP to a student with disabilities who attains the age of twenty-one during the 2021-2022 school year, provided the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2022-2023 school year.
  - (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.b. and A.2. shall not be eligible to receive such education and services beyond June 30, 2023, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.
3. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
  - a. In the 2023-2024 school year, provide special education and related services contained in an IEP to a student with disabilities who attains the age of twenty-one during the 2022-2023 school year, provided that the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2023-2024 school year.
    - (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.c. and A.3. shall not be eligible to receive such education and services beyond June 30, 2024, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.
- B. Rights, Privileges, and Remedies
  1. A student receiving special education and related services, including transition services, pursuant to N.J.S.A. 18A:46-6.3 and this Regulation shall be afforded the same rights, privileges, and remedies provided to students with disabilities pursuant to State law, New Jersey State Board of Education regulations concerning special education, and the Federal "Individuals with Disabilities Education Act," (IDEA) 20 USC §1400 et seq.



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### ADDITIONAL/COMPENSATORY SPECIAL EDUCATION AND RELATED SERVICES (A)

2. Any disputes that arise with respect to the provision or nature of services provided to a student with disabilities in the additional year as provided in accordance with N.J.S.A. 18A:46-6.3.a., b. and c., and A. above may be addressed as determined by the parent of the student with disabilities, by either:
  - a. Mediation;
  - b. A written request for a complaint investigation submitted to the Director of the Office of Special Education Policy and Dispute Resolution in the New Jersey Department of Education; or
  - c. A special education due process hearing pursuant to IDEA, N.J.S.A. 18A:46, or administrative code.

#### C. Funding

1. The special education and related services, including transition services, provided to students with disabilities pursuant to the provisions of N.J.S.A. 18A:46-6.3 and this Regulation, to the extent permitted by Federal law, be paid for from the monies received by the State or a school district under the Federal "Coronavirus Aid, Relief, and Economic Security (CARES) Act," Pub.L.116-136, the Federal "Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, 2021," Pub.L.116-260, the Federal "American Rescue Plan (ARP) Act," Pub.L.117-2, or any other Federal funding provided to address the impact of the coronavirus pandemic on elementary and secondary schools as it becomes available.
2. To the extent the Federal funds described in N.J.S.A. 18A:46-6.3.e.(1) and C.1. above do not cover the costs borne by the school district to provide the special education and related services, including transition services, to students with disabilities pursuant to the provisions of N.J.S.A. 18A:46-6.3 and this Regulation, the State of New Jersey shall appropriate funds as necessary from the Property Tax Relief Fund to reimburse the school district for these costs.
3. The special education and related services funded pursuant to the provisions of N.J.S.A. 18A:46-6.3.e. may include, but are not limited to, the additional staff, programs, and facilities deemed necessary by the school district to provide the special education and related services, including transition services, required under N.J.S.A. 18A:46-6.



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ADDITIONAL/COMPENSATORY SPECIAL EDUCATION AND RELATED SERVICES (M)

Adopted:



# REGULATION

## LIVINGSTON BOARD OF EDUCATION

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STUDENT ASSESSMENT (M)

### 2022 – STUDENT ASSESSMENT

#### A. Statewide Assessment System – N.J.A.C. 6A:8-4.1

1. The school district shall, according to a schedule prescribed by the Commissioner of Education, administer the applicable Statewide assessments, including the following major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight; the high school assessment component; and the alternative State assessment for students with disabilities; and provide notification to each student entering grades three through twelve of the Statewide assessment schedule.
2. Pursuant to N.J.A.C. 6A:8-4.1(c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner of Education pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled.
  - a. The school district shall provide all appropriate accommodations or modifications to the Statewide assessment system as specified by the New Jersey Department of Education (NJDOE) for English language learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or students eligible under Section 504 of the Rehabilitation Act as specified in a student's Individualized Education Program (IEP) or 504 plan in accordance with N.J.A.C. 6A:8-4.1(d)1.
    - (1) The school district may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or English.
    - (2) The school district shall have the option for a first-year ELL of substituting a NJDOE-approved language proficiency test only for the English language arts component of the Statewide assessment, when the student has entered the United States after June 1 of the calendar year prior to the test administration.
  - b. The school district shall ensure students with disabilities as defined in N.J.A.C. 6A:14-1.3 participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10.



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STUDENT ASSESSMENT (M)

- c. At specific times prescribed by the Commissioner of Education, the school district shall administer the alternative State assessment for students with disabilities to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities in accordance with N.J.A.C. 6A:8-4.1(d)3.
    - d. The school district shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, (f), (g), (h), or (i), as applicable.
  - 3. Test Administration Procedures and Security Measures
    - a. The school district shall be responsible for ensuring the security of all components of the Statewide assessment system that are administered within the school district.
    - b. All Statewide assessments shall be administered in accordance with the NJDOE's required test administration procedures and security measures.
    - c. Any breach of such procedures or measures shall be immediately reported to the Superintendent or designee.
- B. Documentation of Student Achievement – N.J.A.C. 6A:8-4.2
  - 1. After each test administration, the NJDOE shall provide the Superintendent the following:
    - a. Rosters of student performance in each content area;
    - b. Individual student reports; and
    - c. School and school district summary data, including school and school district means, numbers tested, and percent achieving at each performance level.
      - (1) The school district summary data shall be aggregated and disaggregated, and school summary data shall be disaggregated, for students with disabilities as defined in N.J.A.C. 6A:14-1.3 and for ELLs.



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## LIVINGSTON BOARD OF EDUCATION

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STUDENT ASSESSMENT (M)

2. THE SCHOOL DISTRICT SHALL TRANSMIT WITHIN TEN BUSINESS DAYS ANY OFFICIAL records, including transcripts, of students who transfer to other school districts or institutions.
  3. The school district shall maintain an accurate record of each student's performance on Statewide assessments.
  4. The school district shall maintain for every student a ninth grade through graduation transcript that contains the following, as available:
    - a. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth at N.J.A.C. 6A:8-5.1(a)6;
    - b. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);
    - c. Evidence of instructional experience and performance in the New Jersey Student Learning Standards (NJSLS);
    - d. Evidence of technological literacy;
    - e. Evidence of career education instructional experiences and career development activities;
    - f. Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in NJDOE-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and
    - g. Any other information deemed appropriate by the school district.
- C. Accountability – N.J.A.C. 6A:8-4.3
1. The Superintendent shall provide educators, parents, and students with results of annual assessments as required under N.J.A.C. 6A:8-4.2(a) and B.1. above, within thirty days of receipt of information from the NJDOE.
  2. The Superintendent shall report final results of annual assessments to the Board and members of the public at a public meeting within sixty days of receipt of the information from the NJDOE.



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STUDENT ASSESSMENT (M)

3. The school district shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area either on the Statewide or local assessments.
  4. All students shall be expected to demonstrate the knowledge and skills of the NJSLS as measured by the Statewide assessment system.
- D. Annual Review and Evaluation of School Districts – N.J.A.C. 6A:8-4.4
1. The NJDOE shall review the performance of schools and school districts by using a percent of students performing at the proficient level as one measure of annual measurable objective (AMO) and incorporating a progress criterion indicative of systemic reform.
    - a. The review shall include the performance of all students, including students with disabilities as defined by N.J.A.C. 6A:14-1.3, students from all racial and ethnic groups, economically disadvantaged students, and ELLs.
    - b. The review shall take place at each grade level in which Statewide assessments are administered, using the AMO targets.
- E. Public Reporting – N.J.A.C. 6A:8-4.5
1. In accordance with the requirements of N.J.A.C. 6A:8-4.5, the NJDOE shall report annually to the New Jersey State Board of Education and the public on the progress of all students and student subgroups in meeting the NJSLS as measured by the Statewide assessment system by publishing and distributing the NJDOE's annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 5.
  2. After each test administration, the NJDOE shall report to the Board on the performance of all students and of student subgroups.
- F. Parental Notification
- Parents shall be informed of the school district assessment system and of any special tests that are to be administered to their children.

Adopted:



## REGULATION

LIVINGSTON PROPERTY  
**BOARD OF EDUCATION**  
 R 7452 Page PAGE 16 NUMBACS  
 EYE PROTECTION (M)

**R 7432 EYE PROTECTION PRACTICES (M)**

[illegible]



# REGULATION

LIVINGSTON PROPERTY  
**BOARD OF EDUCATION**  
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EYE PROTECTION (M)




# REGULATION

## A. Eye Protection Devices

1. The following types of eye protective devices must be worn by all pupils, staff members, and visitors (including persons attending evening adult school programs) participating in the activity or process designated wherever it may occur on school premises:

<u>Potential eye hazard</u>	<u>Protective devices</u>
Caustic or explosive	Goggle, flexible fitting materials, hooded ventilation; add plastic window face shield for severe exposure
Dust producing operations	Goggle, flexible fitting, hooded ventilation
Electric arc welding	Welding helmet in combination with spectacles with eye cup or semi- or flat-fold side shields
Oxy-acetylene welding	Welding goggle, eye cup type with tinted lenses; welding goggle, coverspec type with tinted lenses or tinted plate lens
Hot liquids and gases	Goggle, flexible fitting, hood ventilation; add plastic window face shield for severe exposure



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Hot solids	Clear or tinted goggles or spectacles with side shields
Molten materials	Clear or tinted goggles and plastic or mesh window face shield
Heat treatment or tempering	Clear or tinted goggles or clear or tinted spectacles with side shields
Glare operations	Tinted goggles; tinted spectacles with side shields or welding goggles, eye cup or coverage type with tinted lenses or plate lens
Shaping solid materials	Clear goggles, flexible or rigid body; clear spectacles with side shields; add plastic window face shield for severe exposure
Laser device operation or experimentation	Appropriate for specific hazard
Repair or servicing of vehicles	Clear goggles, flexible or rigid body; clear spectacles with side shields
Other potentially hazardous processes or activities	Appropriate for specific hazard

2. The supplier of any eye protective device to this district shall certify in writing that the device meets or exceeds ANSI standards. All spectacle type eye protective devices shall have side shields of the eye cup, semi-, or flat-fold type.



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3. Staff members shall regularly and frequently inspect the eye protective devices used in their classes and shall report to the Principal devices that are defective or poorly fitting. All eye protective devices shall be identified with the name(s) of the user(s) and shall be properly stored when not in use.
4. An eye protective device that is shared shall be disinfected between uses by a method prescribed by the local school medical inspector.
5. The use of contact lenses shall be restricted in learning environments which entail exposure to chemical fumes, vapors or splashes, intense heat, molten metals, or highly particulate atmospheres. Staff members in these learning environments shall identify the pupils in his/her class who wear contact lenses. A list of such pupils shall be kept by the staff member in order that appropriate emergency eye care may be given; the list shall be destroyed at the end of the course of study.

When permitted, contact lenses may be worn only in conjunction with appropriate eye protective devices. The contact lens wearer shall be identified for appropriate emergency eye care in hazardous learning environments.

6. A pupil who wears prescription glasses shall be provided with an appropriate eye protective device that fits over his/her glasses. A pupil or staff member may wear his/her personal corrective eye wear in the course of an activity hazardous to the eyes provided that the eye wear has been certified in writing by a licensed optician to meet or exceed ANSI standards as defined in N.J.A.C. 6:29-1.7(b)1 and 2 for the appropriate eye protective device required.
7. The responsible staff member will provide each visitor to an area in which an activity hazardous to eyes is conducted with an appropriate eye protective device.

## B. Eye Wash Fountains

1. Eye wash fountains or similar devices, capable of a minimum of fifteen minutes of continuous flow of eye wash solution shall be provided in



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accordance with Policy No. 7432 and the standards of the State Department of Education and N.J.A.C. 6:29-1.7(d).

2. Eye wash fountains shall be routinely checked by the responsible staff member and any fountain that does not operate properly shall be promptly reported to the Principal.

## C. Enforcement

1. Staff members shall not permit pupils to engage in an activity potentially hazardous to the eyes without appropriate eye protection and shall dismiss from the class period a pupil who refuses or persistently neglects to wear eye protection or to observe established eye protection practices. Any such dismissed pupil shall be reported absent for the class.
2. Staff members shall report to the Building Principal a visitor who refuses or persistently neglects to wear eye protection or observe established eye protection practices.
3. The Principal shall annually inspect the school premises for the existence of conditions potentially hazardous to the eyes, for the placement of signs requiring appropriate eye protective devices, and for an adequate supply of appropriate eye protective devices in satisfactory condition. Conditions potentially hazardous to the eyes include, in addition to the activities listed in paragraph A1 above, the likelihood of flying objects and spilled liquids and the presence of protruding and sharp objects.

## D. Training and Supplies

The school district shall provide annual training and appropriate supplies and equipment to all school personnel responsible for implementing the eye safety policies and program. The training shall include all aspects of eye protection as defined in this regulation.



# REGULATION

## R 8465 HATE CRIMES AND BIAS-RELATED ACTS (M)

### A. Definitions

1. A hate crime is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race, color, national original, ethnicity, religion, gender, sexual orientation, gender identity or expression, or disability.

2. A bias-related act is an act directed at a person, group of persons, private property, or public property that is motivated in whole or in part by race, color, national original, ethnicity, religion, gender, sexual orientation, gender identity or expression, or disability. A bias-related act need not involve an act that constitutes a criminal offense.

All hate crimes are also bias-related acts, but not all bias-related acts will constitute a hate crime.

### B. Procedure For Reporting Hate Crimes

1. A school employee will notify the Building Principal whenever the school employee, in the course of his/her employment, develops reason to believe that:

a. A hate crime has been committed or is about to be committed on school property; or

b. A hate crime has been or is about to be committed by any student, whether on or off school property and whether or not such offense was or is about to be committed during operating school hours; or

c. That a student enrolled in the school has been or is about to become the victim of a hate crime, whether committed on school property or during school hours.

2. The Building Principal will notify the Superintendent, the Livingston Police Department and Bias Incident Officer for the county prosecutor's office.



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3. The Principal and the Superintendent shall notify the Livingston Police Department and the county prosecutor's office immediately if there is reason to believe that a hate crime that involves an act of violence has been or is about to be physically committed against a student or there is otherwise reason to believe that a life has been or will be threatened.

## C. Procedure For Reporting Bias Incidents

1. A school employee should immediately notify the Building Principal whenever the school employee, in the course of his/her employment, develops reason to believe that:

a. A bias-related act has been committed or is about to be committed on school property; or

b. A bias-related act has been or is about to be committed by any student, whether on or off school property and whether or not such bias-related act was or is to be committed during school hours.

2. The Building Principal will notify the Superintendent and the Livingston Police Department.

3. In deciding whether to refer the matter of a bias-related act to the Livingston Police Department or the county prosecutor's office, the Building Principal and the Superintendent, should consider:

a. The nature and seriousness of the conduct; and

b. The risk that the conduct posed to the health, safety and well-being of any student, school employee or member of the general public.

4. The Building Principal will consult with the Superintendent and should consider:

a. That the police department or the county prosecutor's office may possess, or have access to, other information that could put the suspected bias-related act in proper context, which could shed light on the motivation for the act or some other unsolved hate crime; and



# REGULATION

b. The possibility that the suspected incident could escalate or result in some form of retaliation that might occur within or outside school property.

## D. Nature of Referral

1. The mandatory referral for suspected or committed hate crimes and the presumptive referral for suspected or committed bias-related acts as described in the regulation is only a request to the law enforcement agencies to conduct an investigation and is nothing more than the transmission of information which may be pertinent to any such law enforcement investigation.

2. Any referral in accordance with this regulation is not an accusation or formal charge.

3. Any referral pursuant to this regulation is predicated on the basis of reasonable suspicion, which is less than probable cause, less than the proof sufficient to sustain an adjudication of delinquency or a finding of guilt in a court of law and less than the proof sufficient to justify the imposition of school discipline.

4. All doubts by school officials should be resolved in favor of referring a matter to the Livingston Police Department or the county prosecutor's office.

## E. Concurrent Jurisdiction

1. Unless the Livingston Police Department or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected hate crime or bias-related act occurring on school property and may take such actions as necessary and appropriate to redress and remediate any such acts.

2. The school officials will promptly discontinue the in-school investigation if the Livingston Police Department or the county prosecutor's office believe the school investigation could jeopardize an on-going law enforcement investigation or otherwise endanger the public safety.

## F. Preservation of Evidence





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LIVINGSTON OPERATIONS  
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CRIMES AND BIAS-RELATED ACTS (M)

1. School officials will secure and preserve any such graffiti or other evidence of a suspected hate crime or bias-related act pending the arrival of the Livingston Police Department or the county prosecutor's office.
2. The school officials, when feasible, will cover or conceal such evidence until the arrival of the Livingston Police Department or county prosecutor's office in a manner designed to minimize the harm and continued exposure to students by such evidence, but that will not permanently damage or destroy such evidence or otherwise limit its utility in an ongoing investigation or prosecution.
3. The Livingston Police Department and/or the county prosecutor's office will photograph or otherwise document the location and content of any such graffiti or other bias-based evidence as soon as possible, so that the graffiti or other evidence may be removed or eliminated at the school district's earliest opportunity.

Adopted: October 16, 2017

