



## LIVINGSTON BOARD OF EDUCATION VOTING MEETING AGENDA

Tuesday, May 24, 2022

Executive Session - Hybrid Meeting - 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:

- Legal Issue

Action may be taken upon return to 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. Superintendent's Report**

1. Student Recognition
2. Environmental Impact Assessment - ARH Associates and Anthony Gianforcaro
3. End of Year Goals Report

### **F. Board Reports**

### **G. Approval of Minutes**

The Superintendent recommends the following:

1. Public Hearing on the Budget/Voting Meeting Minutes of April 26, 2022
2. Public Portion of Executive Session Meeting Minutes of May 9, 2022
3. Workshop/Voting Meeting Minutes of May 12, 2022

## **ROLL CALL VOTE**

### **H. 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 Textbooks and DVDs**

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

**1.2 Student Teachers**

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

**1.3 Field Trips**

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

**1.4 Student Internship Program**

**Resolved**, that the Livingston Board of Education approves students participating in the Senior Internship Program to work a minimum of 24 hours per week between May 31 and June 20, 2022 at the businesses as shown on **Attachment D**.

**ROLL CALL VOTE**

**2. STUDENT SERVICES**

The Superintendent recommends the following:

**2.1 Out of District Placements**

**Resolved**, that the Livingston Board of Education approves placement for the academic year 2021-2022 for two (2) Livingston students with disabilities, as classified and recommended by the Child Study Team, in facilities with tuition costs to be determined within the limits established by the New Jersey Board of Education as shown on **Attachment E**.

**2.2 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:

**BEHAVIORAL TRAINING & ASSISTANCE / APPLIED BEHAVIORAL ANALYSIS**

KDDS Too, Inc. t/a North Jersey Outreach for Therapeutic and Training Services \$125.00/hou

**OCCUPATIONAL THERAPY**

KDDS Too, Inc. t/a North Jersey Outreach for Therapeutic and Training Services \$125.00/hou

**SPEECH THERAPY**

KDDS Too, Inc. t/a North Jersey Outreach for Therapeutic and Training Services \$125.00/hou

**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>Fund</b>	<b>Name</b>	<b>Amount</b>
10&11	Regular	1,844,657.66
12	Regular	70,892.83
20	Regular	240,581.56
60	Cafeteria	460,723.16
	<b>TOTAL</b>	<b>2,616,855.21</b>

Regular Checks	96813-97216	2,156,132.05
Cafeteria	1368-1372	460,723.16
	<b>TOTAL</b>	<b>2,616,855.21</b>

### **3.2 Board Secretary Report – March 2022**

**Whereas**, the Livingston Board of Education has received the Report of the Board Secretary for March 31, 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 March 31, 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	12,392,669	7,153,889	
(11) Current Expense			11,830,746
(12) Capital Outlay		117,260	4,389,775
(20) Special Revenue Fund	668,948	1,719,030	
(30) Capital Projects Fund	4,544,802		
(40) Debt Service Fund	165,773		
Total:	17,772,192	8,990,179	16,220,521

**Whereas**, pursuant to N.J.A.C. 6:20-212(d), the Board Secretary has certified that as of March 31, 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 March 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>
0100	Salaries	77,087	
0270	Health Benefits		28,500
0320	Purchased Prof Educ Services		18,349
0330	Purchased Professional Services	12,499	
0332	Audit Fees		1,900
0339	Other Prof Services	6,400	
0420	Clean/Repair Maintenance		550
0421	Hardware Maintenance		48,708
0500	Other Purchased Services		5,000
0503	Aid in Lieu Payments	28,500	
0600	Supplies and Materials	40,780	
0610	General Supplies		517
0731	Instructional Equipment	15,845	
0890	Other Objects		77,587
	<b>TOTALS</b>	<b>\$181,111</b>	<b>\$181,111</b>

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

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

**Resolved**, that the Livingston Board of Education approves *Tom Garzon* and *Hal Mordkoff* to chaperone approximately 17 students participating in the FBLA National Conference in Chicago, IL from June 28 to July 3, 2022, at no cost to the district.

### **3.5 General Education Out of District Tuition Rates**

**Resolved**, that the Livingston Board of Education approves general education out of district tuition rates for the 2022-2023 school year as follows:

Kindergarten (full day)	\$15,927
Grades 1-5	\$16,078
Grades 6-8	\$16,878
Grades 9-12	\$17,985

### **3.6 Sale of SRECs**

**Resolved**, that the Livingston Board of Education designates the Business Administrator/Board Secretary to act on behalf of the Board as the officer to sell and to award the Solar Renewable Energy Certificates (SRECs). The SRECs will be sold via a competitive auction through SREC Trade, San Francisco, California at no cost per SREC and the Business Administrator/Board Secretary shall report in writing the result of the sale to the Board.

### **3.7 New Jersey State Interscholastic Athletic Association**

**Resolved**, that the Livingston Board of Education approves the enrollment of Livingston High School as a member of the New Jersey State Interscholastic Athletic Association to participate in the approved interscholastic athletic program sponsored by NJSIAA for the 2022-2023 school year.

### **3.8 RESOLUTION OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF LIVINGSTON IN THE COUNTY OF ESSEX, NEW JERSEY AUTHORIZING THE SOLICITATION OF BIDS FOR A TAX-EXEMPT LEASE PURCHASE FINANCING NOT TO EXCEED \$2,045,000 FOR THE ACQUISITION OF VARIOUS EQUIPMENT AND THE AWARD AND EXECUTION OF A LEASE PURCHASE FINANCING**

**Resolved**, that the Livingston Board of Education approves the resolution as shown on **Attachment G**.

### **3.9 Annual Appointments**

**Resolved**, that the Livingston Board of Education approves the following appointments for the 2022-2023 school year which are in effect until changed by resolution:

Board Secretary/SBA	Michael Davison
Custodian of Records	Michael Davison
OPRA Representative	Michael Davison
Public Agency Compliance Officer (PACO)	Michael Davison
Qualified Purchasing Agent	Michael Davison
Treasurer	Michael Davison
Assistant Board Secretary	Tatiana Gilbert
AHERA Coordinator	James Perrette
Integrated Pest Management Coordinator	James Perrette
Right to Know Officer	James Perrette
504 Compliance Officer	Lisa Capone-Steiger
Affirmative Action Officers	Lisa Capone-Steiger and Amro Mohammed
Anti-Bullying Coordinator	Lisa Capone-Steiger
Homeless Liaison	Sinead Crews
School Safety Specialist	Justin Toomey
Title IX Coordinator	TBD
Issuing Officers for Working Papers	Karen Alessio and Lauren Mercer
Bond Counsel	Wilentz, Goldman & Spitzer, P.A.
Broker of Record	IMAC Insurance Agency
Continuing Disclosure Agent	Phoenix Advisors
School Physician	Dr. Michael Kelly
Board Attorney	Sciarrillo, Cornell, Merlino, McKeever & Osborne, LLC
Special Counsel	Machado Law Group, LLC
Livingston Public Broadcasting Executive Board	Stu Bodow, Don Schwartz, Frank Sheehan

### 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
<b>Bylaws</b>	Reg #0155	Board Committees	with revisions
<b>Students</b>	Policy #5111	Eligibility of Resident/Non-Resident Students (M)	with revisions
<b>Finances</b>	Policy #6115.01	Federal Award/Funds Internal Controls - Allowability of Costs (M)	new to district
	Policy #6115.02	Federal Award/Funds Internal Controls - Mandatory Disclosures (M)	new to district
	Policy #6115.03	Federal Award/Funds Internal Controls - Conflict of Interest (M)	new to district
	Policy #6311	Contracts for Goods or Services Funded by Federal Grants (M)	new to district
<b>Operations</b>	Reg #8420.1	Fire and Fire Drills (M)	with revisions
	Policy #8550	Meal Charges/Outstanding Food Service Bill (M)	with revisions
<b>Community</b>	Policy #9131	Civility	with revisions

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

Section	Policy or Regulation #	Title	Comments
<b>Administration</b>	Policy #1110	Organizational Chart	with revisions
<b>Program</b>	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:

Name	Position	Reason	Location	Last Day of Employment
<i>Lauren Castoro</i>	Elementary School Teacher	Resignation	Hillside	June 30, 2022
<i>Kaitlyn Rooney</i>	ABA TA	Resignation	BHE	June 30, 2022
<i>Jessica Klima</i>	School Nurse	Resignation	HMS	May 7, 2022
<i>Lauren Chin</i>	Elementary School Teacher	Resignation	BHE	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
<i>Sinead Crews*</i>	LHS	Director of School	4/11/2022-6/24/2022 &	NA	NA	8/22/2022

		Counseling	6/25/2022-8/19/2022**			
Johanna Frye*	LHS	Teacher of Biology	4/4/2022-6/10/2022	6/13/2022-11/7/2022**	NA	11/8/2022

\*as amended from a previous agenda

\*\*Designates time counted toward NJFLA/FMLA

#### 4.3 Transfer

**Resolved**, that the Livingston Board of Education approves the transfer as listed on **Attachment H**.

#### 4.4 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
Tatiana Gilbert	CO	Assistant Business Administrator	First Year Tenure Track	P. Ramos	NA	NA	\$123,500 (prorated)	7/25/2022
Katherine Collins	LHS	Teacher of Art	First Year Tenure Track	A. Newman	MA	10	\$76,733	8/30/2022
Rachel Frieman	Harrison	Elementary School Teacher	First Year Tenure Track	N. Edelson	MA	2/3	\$63,155	8/30/2022
Daniel King	LHS	Teacher of Music	First Year Tenure Track	new	MA	12	\$84,773	8/30/2022
Alyssa Evanik	HMS	Teacher of Social Studies	First Year Tenure Track	L. Friedman	MA	2/3	\$63,155	8/30/2022
Amira Padilla	Hillside	Elementary School Teacher	First Year Tenure Track	L. Castoro	BA	2/3	\$55,600	8/30/2022
Samantha Russo	Hillside	Elementary School Teacher	First Year Tenure Track	S. Pacheco	BA	4	\$56,300	8/30/2022
Oleksiy Lytvyn	District	IT Support Specialist	NA	A. Bennett	NA	NA	\$65,000** (prorated)	6/1/2022
Heather Ruesch	District	School Nurse (non-certified)	NA	A. Ellis	NCSN	7	\$75,080	8/30/2022
James Soutar	MPE	Playground Aide	NA	NA	NA	NA	\$15.50/hr	5/23/2022

\*as amended from a previous agenda

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

#### 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

Samia Tanagho

Sharon Treiber

Karen Friedman

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

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

#### **4.7 ESEA Title I and Title IIA Salary Allocations**

**Resolved**, that the Livingston Board of Education approves the revised reallocation of a portion of the salaries of the individuals listed on **Attachment J** to be funded through the ESEA grant.

#### **4.8 IDEA Basic and IDEA Preschool Salary Allocations**

**Resolved**, that the Livingston Board of Education approves and reallocates the revised salaries of the individuals listed on **Attachment K** to be funded through the IDEA Basic and IDEA preschool grants.

#### **4.9 Summer Work**

**Resolved**, that the Livingston Board of Education approves the individuals listed on **Attachment L** to work over the summer of 2022 at the Summer Intervention Program at the approved rate.

**Resolved**, that the Livingston Board of Education approves the individuals listed on **Attachment M** for 2022 Extended School Year (ESY) staffing at the listed hourly rates.

**Resolved**, that the Livingston Board of Education approves *Stuart Lukowiak* and *Lester Ambio* to work over the summer of 2022 as substitute security aides at Livingston High School at \$25.00 per hour.

#### **4.10 Extra Period Assignments**

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

#### **4.11 Summer Intervention Meetings**

**Resolved**, that the Livingston Board of Education authorizes all Intervention/Enrichment Specialists who are hired to teach BSI Math to attend meetings regarding Math Intervention over the summer of 2022 at the approved curriculum writing rate.

#### **4.12 Contract Adjustments**

**Resolved**, that the Livingston Board of Education amends the effective date of the contract adjustments as listed on **Attachment O** (previously approved as *Attachment J* at the May 12, 2022 meeting).

### **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.

### **5.2 Suspension Report**

**Resolved**, that the Livingston Board of Education approves the Suspension Report for the months of March and April.

## **ROLL CALL VOTE**

### **I. 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.

### **J. Old Business**

### **K. New Business**

## **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 May 24, 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)**

June 7, 2022 (*workshop*)

- Retirement Ceremony
- Seal of Biliteracy

June 21, 2022 (*voting*)

- SEPAC
- Strategic Plan
- 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*)

**PROGRAM/CURRICULUM**

<b><u>Title</u></b>	<b><u>Author/Publisher</u></b>	<b><u>Year</u></b>	<b><u>Grade</u></b>	<b><u>Subject/Course</u></b>	<b><u>Rationale</u></b>
Medical Terminology for Health Professions	Ehrlich, Schroeder Ehrilich, & Schroeder	2017	11/12	Science	This book will be used by students in the Health Sciences Pathway In both their Anatomy & Physiology 1 and 2 courses in preparation for their Rutgers School of Health Professions Medical Terminology exam (3 credits). Rutgers uses this book to write the Medical Terminology exam, making it critical in helping students prepare properly. The book provides excellent definitions of terms as well as pictorial representations where appropriate. There are practice quizzes and flashcards for students to use as well.

Name	School	Type of Placement	In-District Location	Assigned Staff	Date
Abigail Castillo	Verona High School	Volunteer	Central Office	Lisa Capone Steiger	5/16/2022
Paul Cirlincione	Montclair State University	Administrative Internship	Central Office	Dr. Matthew Block	5/12/2022
Grisel Santos	Montclair State University	Administrative Internship	Central Office	Lisa Capone Steiger	5/12/2022

**FIELD TRIPS**

<b>SCHOOL</b>	<b>GRADE/COURSE</b>	<b>MONTH</b>	<b>DESTINATION</b>
Elementary	Grade 3	June	Sterling Hill Mine
Elementary	Grade 5	June	Meadowbrook Day Camp
Secondary	Mural Painting & Design	June	Grounds for Sculpture
Secondary	Forensic Science	June	Livingston Police Department
Secondary	Tech & Design I and II	June	Town Pool

**BUSINESS****Hybrid/In-Person Internships**

Bee Bee Designs  
Beth Nydick Media  
Board & Brush Creative Studio  
Camp Stuff for Less  
Canoe Brook Country Club  
Cooperman Barnabas Medical Center  
Crown Home Mortgage  
DLSZ Marketing Corporation - Murphy Business Sales  
Ear Nose & Throat Center of NJ  
Florham Parks Sports Dome & Events Center  
Intek Auto Leasing  
ME Safris & Co LLC  
Mountainside Medical Center  
Mt. Pleasant Animal Shelter  
Oze Capital  
Pandolph Center of Oral & Maxillofacial Surgery  
Precision Sports Performance  
Rubino Ob/Gyn Group of West Oragne  
Sacks Orthodontics  
SJ Health Insurance Advocates, LLC  
Strix Media  
The Coder School  
The Mochi Ice Cream Company  
Visual Arts Center of NJ  
West Essex Tribune

**Remote Internships**

Astreca Consulting  
Ben Jen Holdings  
Hive Nation  
Recordati Rare Diseases  
Wealthland Capital LLC

School	Program Type	Type	School Year 2021-2022			Extraordinary Services			Extended School Year			Total School
			# of Stud	Tuition 2021-2022	Total Tuition	# of Stud	Aide(s)	# of Stud	ESY Tuition	Total ESY Tuition		
Celebrate the Children	Multiple Disabilities	N	1	\$ 16,068.00	\$ 16,068.00	1	\$ 5,850.00	\$ 5,850.00				\$ 21,918.00
Saint Joseph's School for the Blind	Multiple Disabilities	T	1	\$ 18,404.80	\$ 18,404.80	1	\$ 6,600.00	\$ 6,600.00				\$ 25,004.80
Total			2		\$ 34,472.80	2		\$ 12,450.00				\$ 46,922.80

**Type**

Renewal (R) indicates that the student has been at that OOD school and is continuing to be placed there.

New (N) indicates that the student is a newly placed OOD student or an additional service has been added.

Transfer (T) indicates that the student has been OOD, but has transferred to another OOD school.

New to District (ND) indicated that the student moved in and was already placed OOD.

<b>Conference</b>	<b>Attendee(s)</b>	<b>Date(s)</b>	<b>Location</b>	<b>Cost</b>
Greater Schools Partnership Retreat	Block, Matthew	July 25- July 28. 2022	Portland, Maine	\$1,820.00
Greater Schools Partnership Retreat	Bright, Sara	July 25- July 28. 2022	Portland, Maine	\$2,800.00
Greater Schools Partnership Retreat	Dolan, Lorena	July 25- July 28. 2022	Portland, Maine	\$1,612.00
Greater Schools Partnership Retreat	Fullam, Kristin	July 25- July 28. 2022	Portland, Maine	\$1,800.00
Greater Schools Partnership Retreat	Gajewski, Brittany	July 25- July 28. 2022	Portland, Maine	\$1,530.05
Greater Schools Partnership Retreat	Mohammed, Amro	July 25- July 28. 2022	Portland, Maine	\$1,568.18
Greater Schools Partnership Retreat	O'Leary, Bronawyn	July 25- July 28. 2022	Portland, Maine	\$1,359.05
Greater Schools Partnership Retreat	Steiger, Lisa	July 25- July 28. 2022	Portland, Maine	\$1,820.00
Greater Schools Partnership Retreat	Weiss, Joshua	July 25- July 28. 2022	Portland, Maine	\$1,800.00
Greater Schools Partnership Retreat	Christopher Bickel	July 25- July 28. 2022	Portland, Maine	\$1,583.18
Greater Schools Partnership Retreat	Charles Raphael	July 25- July 28. 2022	Portland, Maine	\$1,530.05

**RESOLUTION OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF LIVINGSTON IN THE COUNTY OF ESSEX, NEW JERSEY AUTHORIZING THE SOLICITATION OF BIDS FOR A TAX-EXEMPT LEASE PURCHASE FINANCING FOR THE ACQUISITION OF VARIOUS EQUIPMENT AND THE AWARD AND EXECUTION OF A LEASE PURCHASE FINANCING**

**WHEREAS**, The Board of Education of the Township of Livingston in the County of Essex, New Jersey (the "Board") seeks to acquire and to install, as necessary, various technology equipment and related equipment including, but not limited to, chromebooks, cases, printers, computers, switches, whiteboards, access point, upgrades to the labs, and any ancillary technology equipment, three (3) cargo vans, and two (2) schools buses (collectively, the "Equipment"); and

**WHEREAS**, the Board intends to finance the Equipment through a tax-exempt lease purchase financing in an amount not to exceed \$2,045,000 (the "Lease Purchase Financing"); and

**WHEREAS**, the Board wishes to solicit bids (hereinafter "Bids"), for such Lease Purchase Financing, to delegate the award of such Bid to the Business Administrator/Board Secretary and to authorize the entering into such Lease Purchase Financing.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE TOWNSHIP OF LIVINGSTON IN THE COUNTY OF ESSEX, NEW JERSEY**, as follows:

**SECTION 1.** The Board hereby approves and directs Phoenix Advisors, LLC (the "Municipal Advisor") and Wilentz, Goldman & Spitzer ("Bond Counsel") to solicit Bids, on behalf of the Board in order to finance the Equipment through a tax-exempt Lease Purchase in an amount not to exceed \$2,045,000.

**SECTION 2.** The Board reasonably expects to reimburse itself from the proceeds of the Lease Purchase Financing for certain costs of the Equipment paid prior to the execution and delivery of the Lease Purchase Financing from sources other than the Lease Purchase Financing which have been or are reasonably expected to be reserved, allocated on a long-term basis or have otherwise been set aside by the Board, pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 2 is intended to be and hereby is a declaration of the Board's official intent to reimburse any expenditures toward certain costs of the Equipment to be incurred and paid prior to the execution and delivery of the Lease Purchase Financing in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements under section 148 of the Code. The proceeds of the Lease

Purchase Financing used to reimburse the Board for any expenditures toward certain costs of the Equipment will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create or increase the balance in "replacement proceeds", within the meaning of Treasury Regulation Section 1.148-1 of the Lease Purchase Financing, or any other agreement, with respect to any obligation of the Board or to replace funds, or (iii) to reimburse the Board for any expenditure or payment that was originally paid with the proceeds of any obligation of the Board. The Lease Purchase Financing used to reimburse the Board for any expenditure toward certain costs of the Equipment, as described above, will be issued in an amount not to exceed \$2,045,000. The costs to be reimbursed with the proceeds of the Lease Purchase Financing will be "capital expenditures" in accordance with the meaning of section 150 of the Code and Treasury Regulation Section 1.150-1. This Section 2 shall take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

**SECTION 3.** Upon receipt of the Bids and the analysis thereof, the Business Administrator/Board Secretary, is authorized to award the Lease Purchase Financing to the lessor that bid the most economically advantageous proposal to the Board based upon the advice and recommendation of the Municipal Advisor. The term of the Lease shall not exceed five (5) years. In consultation with Bond Counsel and the Municipal Advisor, the Board President, the Board Vice President, the Superintendent and/or the Business Administrator/Board Secretary are each hereby authorized and directed to execute all documents including, but not limited to, a lease purchase agreement, an escrow agreement, as applicable, and all closing documents in connection with the Lease Purchase and are hereby authorized to take any other action necessary therefor or incidental thereto.

**SECTION 4.** The Board hereby covenants that it will comply with any conditions subsequently imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Lease Purchase Financing, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Lease Purchase Financing. The Lease Purchase Financing will be designated as "qualified tax-exempt obligations" for purposes of section 265(b)(3)(B)(ii) of the Code.

**SECTION 5.** This resolution shall take effect immediately upon its adoption.

**CERTIFICATION**

I, Michael Davison, Business Administrator/Board Secretary to The Board of Education of the Township of Livingston in the County of Essex, New Jersey (the "Board"), HEREBY CERTIFY that the resolution entitled, "**RESOLUTION OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF LIVINGSTON IN THE COUNTY OF ESSEX, NEW JERSEY AUTHORIZING THE SOLICITATION OF BIDS FOR A TAX-EXEMPT LEASE PURCHASE FINANCING FOR THE ACQUISITION OF VARIOUS EQUIPMENT AND THE AWARD AND EXECUTION OF A LEASE PURCHASE FINANCING**" is a copy of a resolution which was duly adopted by the Board at a meeting duly called and held on May 24, 2022, in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout and which resolution has been compared by me with the original thereof as contained in the minutes as officially recorded in my office in the Minute Book of the Board and is a true, complete and correct copy thereof and the aforesaid resolution has not been repealed, amended or rescinded but remains in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

---

**Michael Davison,  
Business Administrator/  
Board Secretary**

(SEAL)

**2022-23 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>
Stefanie Velardi	Elementary School Teacher	BHE	Intervention/ Enrichment Specialist (BSI Math)	Harrison	M. Oswald	8/30/2022

NAME	DATE	POSITION	#HOURS WORKED	RATE	TOTAL AMOUNT
Ambio, Lester	5/7/2022	Security/LHS Chinese New Year	3	\$25.00	\$75.00
Dlugo, Cara	3/24/2022	Game Worker/Lacrosse	2.5	\$22.50	\$56.25
	4/2/2022	Game Worker/Lacrosse	3	\$22.50	\$67.50
	4/9/2022	Game Worker/Lacrosse	4	\$22.50	\$90.00
	4/11/2022	Game Worker/Lacrosse	2.5	\$22.50	\$56.25
	4/12/2022	Game Worker/Lacrosse	2.5	\$22.50	\$56.25
	4/14/2022	Game Worker/Lacrosse	3.5	\$22.50	\$78.75
	5/4/2022	Game Worker/Lacrosse	3.5	\$22.50	\$78.75
Getz, Patrick	4/21/2022	Game Worker/Lacrosse	2.5	\$22.50	\$56.25
Matsakis, James	2/17/2022	Game Worker/Hockey	3	\$22.50	\$67.50
	2/28/2022	Game Worker/Hockey	3	\$22.50	\$67.50
	3/2/2022	Game Worker/Hockey	3	\$22.50	\$67.50
	4/18/2022	Game Worker/Lacrosse	2.5	\$22.50	\$56.25
	4/30/2022	Game Worker/Lacrosse	2	\$22.50	\$45.00
	4/30/2022	Game Worker/Lacrosse	2.5	\$22.50	\$56.25
Munley, Michael	3/2/2022	Game Worker/Hockey	2.5	\$22.50	\$56.25
	3/7/2022	Game Worker/Hockey	4.5	\$22.50	\$101.25
Sullivan, Joe	4/18/2022	Security/softball & baseball	4	\$25.00	\$100.00
	4/20/2022	Security/softball & baseball	4	\$25.00	\$100.00
	4/21/2022	Security/softball & baseball	4	\$25.00	\$100.00
	4/22/2022	Security/softball & baseball	4	\$25.00	\$100.00
	4/26/2022	Security/Harrison Food Truck	2.5	\$25.00	\$62.50
	4/28/2022	Security/BH Show	4.5	\$25.00	\$112.50
	4/30/2022	Security/Lacrosse	4	\$25.00	\$100.00
	5/10/2022	Security/MPMS Concert	2	\$25.00	\$50.00
	5/11/2022	Security/MPE Multi-Cultural Night	2	\$25.00	\$50.00
					<b>\$1,907.50</b>

<b>Name</b>	<b>Location</b>	<b>Salary Charged to ESEA Title I</b>
Peklo, Will	LHS	\$20,982
Mankikar, Priti	LHS	9,187
Greenberg, Andrew	LHS	15,007
Lytle, Dana	LHS	12,377
Keeble, Leslie	LHS	3,831
Alfaro, Lila	LHS	16,006
Braschi, Kristy	LHS	6,722
Brill, Daniel	LHS	13,732
Total:		\$97,844

<b>Name</b>	<b>Location</b>	<b>Salary Charged to ESEA Title IIA</b>
Fishter, Ellen	District	\$54,044

**IDEA Basic Salary Allocations**

Name	Location	Salary Charged to IDEA Basic
Abad, Don	Harrison	25,717.00
Allen, Carmela	Riker Hill	30,329.00
Binsol, Dulce	BHE	23,383.00 *
Carolan, Allison	MPM	29,195.00
Choi, Kayla	Riker Hill	26,309.00
Cullen, Lauren	Harrison	31,842.00
Dente-Murray, Sandra	Collins	26,309.00
Mahler-Cardoso, Kirsten	Collins	20,638.00 *
Fabrizio, Mary Ellen	MPE	31,492.00
Garrel, Linda	Heritage	30,329.00
Katalifos, Helen	Hillside	28,061.00
Kraft, Jacqueline	Harrison	26,309.00
Lockwood, Teresa	Riker Hill	30,329.00
Mandler, Eniko	Harrison	22,557.00 *
Mattia, Christopher	Harrison	26,309.00
Mehta, Sejal	MPE	28,061.00
Russo, Kelly-Ann	Harrison	30,329.00
Schiffenhaus, Rebecca	Harrison	25,717.00
Schoenbach, Michelle	Hillside	30,329.00
Siniscal, Susan	MPM	30,329.00
Terrana, Diana	Harrison	25,717.00
Verniero, Emily	MPE	30,329.00
Yeung, Teri	MPE	26,309.00
Bauer, Pia	Hillside	54,164.00 *
Gursky, Lindsey	Hillside	41,829.00 *
Carangelo, Nicole	Riker Hill	44,034.00 *
Crosby, Stephanie	Collins	8,825.00 *

\$785,080.00

\*Portion of salary charged to IDEA may increase based on any dockages on other aides

Name	Location	Salary Charged to IDEA Preschool
Petrillo, Sharon	Burnet Hill	\$37,814.00

**Summer Intervention 2022**

**Teachers to be approved:**

Lucia Santarella  
Kelly Feeney  
Celine Falchetta  
Wendy Weiner  
Deborah Craig  
Anna Incognito  
Kristen Trebbe  
Tracey Dunleavy  
Kevin Sinsimer  
Jessica Reid  
Samantha Russo  
Emily Schulke  
Karen Montalto  
James Diegnan  
Giulia Melucci

**Substitutes to be approved:**

Kristina Doherty  
Carol Silberfein

*Hourly Rate: \$60.90 through June 30, 2022  
\$61.81 effective 7/1/2022*

<b>Related Service</b>
Lauren Butera
Leigh Brown
Brittany Arrington
Nicole Sajecki
Emily O'Neill

Rate: \$60.90 through 6/30/22  
 \$61.81 eff. 7/1/2022

<b>Teacher</b>
Deanna Iacullo
Holli Gibbs
Breanne Mannes
Katelyn Viverito
Taryn DePreker
Marisa Gengaro
Angela Selnick
Kristina Duda
Chirstina Ness
Amanda Veneroso
Danielle Cohen
Margaret Lafferty
Alyssa LaMedica
Ashley Addison
Laura Fabrizio
Erin Vaccaro
Lenore Gallo
Brooke Newman
Michael Ennis
Suzanne Ditacconi
Maryanne Cullen-Nurse
Dena Goldberg-Nurse

Rate: \$60.90 through 6/30/22  
 \$61.81 eff. 7/1/2022

<b>Aides</b>
Christopher Mattia
Abigail Tofanelli
Karen Haley
Cheri Ratner
Josephine Agostinelli
Elizabeth Arias
Lisa Stefanelli
Margaret Wescott
Laura Novotny
Laura Urato
Amy Dagistino
Helen Katalifos
Lauren Harte
Swarandeeep Anand
Shari Kane
Maisy Coyne
Patrick Getz
Aimee deRonde
Carroll Alston
Janice Backman-Glasspool
Alexandra Wynn
Kelly Correia
Jill Weiss
Gina Rossell
Laura Hickey
Teri Yeung
Lisa Mannion
Daisy Ramos
Elysa Ruderman
Maryellen Fabrizio
Kayla Choi

<b>Substitute Teachers</b>
Benny Thomas
Rhonda Isakower
Heidi Slurzberg
Freddie Ruth Jr
Janice Backman-Glasspool
Alexandra Wynn
Cheri Ratner
Sejal Mehta

Rate: \$60.90 through 6/30/22  
 \$61.81 eff. 7/1/2022

Matthew DeFeo
Megan Hanna
Heidi Slurzberg
Freddie Ruth Jr
Susan Basarab
Eniko Mandler
Marissa Reynolds
Shari Hudes
Nicole Feria
Rita Knight
Barbara Racaniello
Eileen Bach
Terri Ciecierski
Noreen Smith
Kaitlyn Meehan
Sharron Gregory-Egypt
Rhonda Isakower
Diana Terrana
Kimberly Hughes
Luca Bonvini
Susan Gille
Benny Thomas
Laurensa Theodore
Blanche Aragon
Katy Quillen
Raymond Salvagno
Marlena Pasquarosa
Cindy DeFuria
Mikie Hagler
Giulia Melucci
Celina Lewis
Ana Saenz

2022 ESY STAFFING

Attachment M

Sejal Mehta
Jennifer Ferris-Hoagland

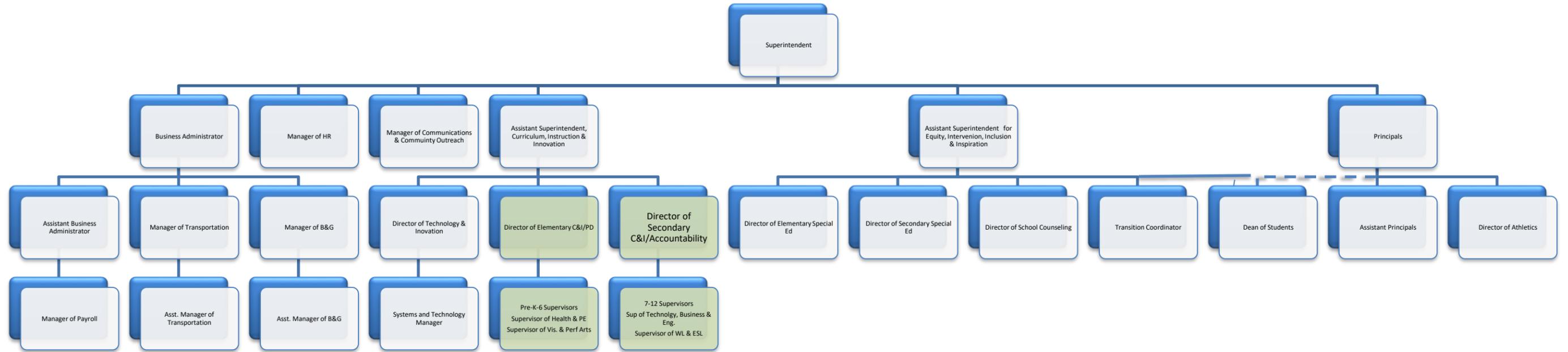
Rate: \$20.30 through 6/30/2022  
\$20.60 effective 7/1/2022

Name	Position	Location	# of classes	Dates
Grisel Santos	Teacher of Science	LHS	0.25	5/7/2022-6/10/2022
David Cohen	TOSD	LHS	0.25	5/6/2022-6/10/2022
Patricia Kaes	Teacher of Science	LHS	0.25	5/7/2022-6/10/2022
Nikola Poposki	Teacher of Science	LHS	0.25	5/7/2022-6/10/2022
Denise Urbanski*	TOSD	MPMS	0.2	3/14/2022 - 6/30/2022
David D'Addozio*	Teacher of Science	MPMS	0.2	3/14/2022 - 6/30/2022
Christina Ness*	TOSD	MPMS	0.2	3/14/2022 - 6/30/2022
Kimberly Nicolette*	Teacher of Science	MPMS	0.2	3/14/2022 - 6/30/2022
Katy Quillen*	Teacher of Science	MPMS	0.2	3/14/2022 - 6/30/2022
Cindy Cooney	Teacher of Business Ed	HMS	0.2	4/11/2022 -6/30/2022

*\*amended from previous agenda*

Last Name	First Name	Location	Guide	Step	Base Salary	Longevity	Other	Total Salary	FTE	Effective dates
Blomn	Jessica	MPM	BA	16	\$91,800	\$2,340	\$0	\$94,140	100	8/30/2021
Lalli	Pamela	Hillside	BA	16	\$91,800	\$0	\$0	\$91,800	100	8/30/2021
Rosenberg	Tracey	LHS	BA	16	\$91,800	\$3,490	\$0	\$95,290	100	8/30/2021

# Reporting Structure effective 7/1/22



## R 0155 Board Committees

The Livingston Board of Education has established three standing committees: Curriculum, Finance/Facilities and Policy. The following establishes general and specific guidelines related to the newly created committee structure.

### General Guidelines

1. Committee meetings shall have specific agendas built cooperatively between the committee chairpersons and the Superintendent or his/her designee. Committee chairpersons will be responsible for ensuring agendas are available to all committee members at least 24 hours before committee meetings. A calendar of meeting dates will be shared with committee members, the Board, and the Superintendent.
2. Preferably, committee meetings should last no longer than necessary to complete the established agenda, respecting committee members' time.
3. Minutes of the meeting will be compiled and distributed to all Board members, a minimum of 24 hours prior to the next Board of Education meeting.

School Board Standing Committees exist to facilitate the work of the school board. Each standing committee has a board member that serves as chair, a second board member as a member of the committee. Each committee will have District administration representation, as well as representation of faculty and staff members, when appropriate. If an assigned committee member cannot attend a meeting, he or she should inform the chair so that the Board President or his/her designee may attend.

Standing committees are not decision-making bodies. They:

1. make recommendations to the full Board.
2. study issues more deeply than time would allow at the board meeting.
3. allow for community or staff input on relevant issues, as needed.

### Curriculum Committee

Purpose: review and recommend textbook selection, new programs, curriculum and assessment modifications, test results, various data elements and academic progress to the full Board.

Some of the functions of the Committee are to:



1. Review current instructional materials and future options for updating those materials at all levels. Textbooks and other materials are discussed and examined for course relevance and appropriateness before being presented to the Board for approval.
2. Review recommendations of new textbooks and technology and report findings to the full Board.
3. Review curriculum adoption and implementation cycle in collaboration with the Directors of Curriculum and Instruction, Assistant Superintendent and Superintendent and report to the full Board as appropriate.
4. Receive updates regarding curriculum mandates and ensure that action is taken to implement necessary programs.
5. Ensure that resources are planned for in the area of curriculum review and staff development within the community's financial resources.
6. Review standardized test and evaluation results of the District prior to the full Board presentation.
7. Inform and direct the Board's annual approval of learning goals in support of the District's educational mission.
8. Guide the Board in periodic assessment of progress toward achievement of these goals in compliance with the District's Strategic Plan.
9. Attend information meetings with appropriate professional staff members dealing with curriculum items including current and innovative matters as representatives of the Board, as appropriate.
10. Discuss proposed structural changes that impact staffing as related to curriculum & instruction initiatives.
11. Review proposed or revised job descriptions related to staffing adjustments.

## Finance & Facilities

Purpose: work with the Business Administrator and the Superintendent on the District finances and issues relating to the funding of the District. In addition, the committee would be apprised of the District's physical operating systems and structures, including District buildings and fields, capital projects, maintenance and repairs and construction.

Some functions of the Committee are to:

1. Review and monitor issues related to the school District budget.
2. Recommend cost effective and efficient projects and initiatives for full Board consideration.
3. Review the needs and uses of District buildings and grounds.
4. Study the budgetary impact of suggested improvements.



5. Recommend, with input from administration **and staff, as appropriate**, long- and short-term uses and facility improvement plans that are in the best interest of the community and the District.
6. Explore alternative revenue sources to supplement the District's budget and financial goals.
7. **Discuss proposed structural changes that impact staffing as related to business operations of the District.**
8. **Review proposed or revised job descriptions related to staffing adjustments.**

## Policy:

**Purpose:** Work with the Manager of Human Resources and the Superintendent to review, revise, and draft District's Bylaws, Policies, and mandated Regulations. The committee brings recommendations to add or change policies to the full Board for discussion and adoption.

Some functions of the Committee are to:

1. Review Bylaw, Policy, and Regulation recommendations and mandated updates as submitted by policy consultant.
2. Prepare Bylaws, Policies, and mandated Regulations and appropriate revisions for full Board review of the BOE.
3. Suggest policies that may require review or modification as topics arise within the community that would require the same.
4. Provide an explanation to the Board of any new Bylaws, Policies, or mandated Regulations proposed for adoption and any subsequent changes to the same.

Issued 10/16/17

Revised: April 5, 2022



ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS/PUPILS (M)

5111 ELIGIBILITY OF RESIDENT/NONRESIDENT PUPILS-STUDENTS (M)

The Livingston Board of Education will admit to its schools, free of charge, persons who are eligible to be admitted pursuant to N.J.S.A. 18A:38-3, or such younger or older student as is otherwise entitled by law to a free public education.

### Eligibility to Attend School

The Board will admit students eligible to attend school free of charge who are domiciled within the district as defined in N.J.A.C. 6A:22-3.1.

A child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in a time of war or national emergency shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A.18A: 38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.

The Board will also admit any student that is kept in the home of a person other than the student's parent or guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child in accordance with N.J.A.C. 6A:22-3.2. A student is only eligible to attend school in the district pursuant to this provision if the student's parent or guardian files, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the student due to family or economic hardship and that the student is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the student must file a sworn statement that he or she is domiciled within the school district, is supporting the child without remuneration and intends to do so for a time longer than the school term, and will assume all personal obligations for the student relative to school requirements, and a copy of his or her lease if a tenant, or sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner. Pursuant to N.J.S.A. 18A:38-1, any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial supporter of that child; and any person who fraudulently claims to have given up custody of his or her child to a person in another district commits a disorderly persons offense.



## ELIGIBILITY OF RESIDENT/NONRESIDENT ~~STUDENTS~~PUPILS (M)

A student is eligible to attend school free of charge in this school district pursuant to N.J.S.A 18A:38-1 if the student is kept in the home of a person domiciled in the district, other than the parent or guardian, where the parent or guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in in time of war or national emergency. Eligibility under this provision shall cease at the end of the current school year during which the parent or guardian return from active military duty.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A 18A:38-1 if the student's parent or guardian temporarily resides within the district and elects to have the student attend school in the school district of temporary residence, notwithstanding the existence of a domicile elsewhere. Where required by the district, the parent or guardian shall demonstrate that such temporary residence is not solely for purposes of a student attending school within the district of temporary residence. Where one of a student's parents or guardians temporarily resides in the district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance with the criteria of N.J.A.C. 6A:22-3.1(a)1.i.

A student is eligible to attend school in the district free of charge:

1. If the student's parent or guardian moves to another district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2 - Education of Homeless Children;
2. If the student is placed by court order or by society, agency or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2;
3. If the student had previously resided in the school district and the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the student out of the school district, pursuant to N.J.S.A. 18A:38-3(b). The district shall not be obligated for transportation costs; and
4. If the student resides on federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other law, rule, or regulation to the contrary, a student who moves out of the school district as a



## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTSPUPILS (M)

result of domestic violence, sexual abuse, or other family crises shall be permitted to remain enrolled in the school district for the remainder of the school year in pursuant to N.J.S.A. 18A:38-1.1 and in accordance with the provisions of N.J.A.C. 6A:22-3.2(h). If the student remains enrolled in the school district for the remainder of the school year, the school district shall provide transportation services to the student, provided the student lives remote from school, and the State shall reimburse the school district for the cost of the transportation services. Nothing in N.J.S.A. 18A:38-1.1 shall be construed to affect the rights of homeless students pursuant to N.J.S.A. 18A:7B-12, N.J.S.A. 18A:7B-12.1, or any other applicable State or Federal law.

If the district of residence cannot be determined according to the criteria contained in N.J.S.A. 18A:7B-12; if the criteria contained in N.J.S.A. 18A:7B-12 identify a district of residence out of the State; or if the child has resided in a domestic violence shelter, homeless shelter, or transitional living facility located outside of the district of residence for more than one year, the State shall assume fiscal responsibility for the tuition of the child in accordance with N.J.S.A. 18A:7B-12.d.

A student's eligibility to attend this school shall not be affected by the physical condition of an applicant's housing, or his or her compliance with local housing ordinances, or terms of lease.

Except as set forth in N.J.A.C. 6A:22-3.3(b)1, immigration/visa status shall not affect eligibility to attend school and the school district shall not condition enrollment in the school district on immigration status. A student's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b) and Regulation 5111.

### Proof of Eligibility

The district will accept a combination of forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the district in accordance with N.J.A.C. 6A:22.3.4 et seq. The district will consider the totality of information and documentation offered by an applicant, and will not deny enrollment based on failure to provide a particular form of documentation, or a particular subset of documents, without regard to other evidence presented.

The district will not condition enrollment on the receipt of information or document protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school as outlined in N.J.A.C.



## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS/PUPILS (M)

6A:22-3.4(d) The district will not require or request, directly or indirectly, such disclosure as an actual or implied condition of enrollment.

In the case of a dispute between the school district and the parent or guardian of a student in regard to the student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission (NJMVC) the parent or guardian's name and address for use in verifying a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.S.A. 18A:38-1.3. The NJMVC shall disclose to a school district the information requested in accordance with procedures established by the NJMVC. However, the school district shall not condition enrollment in the district on immigration status or on the fact that the NJMVC does not have the name or address of the parent on file.

### Registration Forms and Procedures for Initial Assessment

Registration and initial determinations of eligibility will be in accordance with N.J.A.C. 6A:22-4.1. The district shall use Commissioner-provided registration forms or locally developed forms that are consistent with the forms provided by the Commissioner. The School Business Administrator/Board Secretary will be available, and clearly identified to applicants, to assist persons who are experiencing difficulties with the registration/enrollment process.

Initial eligibility determinations will be made upon presentation of an enrollment application and enrollment shall take place immediately except in cases of clear, uncontested denials. Enrollment shall take place immediately when an applicant has provided incomplete, unclear or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.

### Eligibility of Resident/Nonresident Students

When a student appears ineligible based on the information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment must take place immediately if the applicant clearly indicates disagreement with the district's determination and an intent to appeal to the Commissioner of Education. An application whose student is enrolled pursuant to this provision will be



ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTSPUPILS (M)

notified that the student will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised that they shall comply with compulsory education laws. When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating that the student will be attending school in another district, or a nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement, the district level administrator designated by the Superintendent shall notify the school district of actual domicile or residence, or the Department of Children and Families to report a potential instance of “neglect” for the purposes of ensuring compliance with compulsory education law, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student’s name, the name(s) of the parent/guardian/resident, and the student’s address to the extent known. Staff shall also indicate that admission to the school district has been denied based on residency or domicile, and that there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.

Enrollment or attendance in the school district will not be conditioned on advance payment of tuition when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2, Education of Homeless Children. Enrollment or attendance in the school district shall not be denied based upon absence of the certified copy of birth certificate or other proof of a student’s identity as required within thirty days of initial enrollment pursuant to N.J.S.A. 18A:36-25.1.

Enrollment in the school district will not be denied based upon absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.1.

When enrollment in the school district, attendance at school, or the receipt of educational services in the regular education program appears inappropriate, the student will not be denied based upon the absence of a student’s prior educational record. However, the applicant will be advised that the initial educational placement of the student may be subject to revision upon receipt of records or further assessment of the student by the district.



ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS/PUPILS (M)

## Notice of Ineligibility

If the district finds the applicant ineligible to attend the schools of the district pursuant to N.J.A.C. 6A:22-1.1 , or the application initially submitted is found to be deficient upon subsequent review or investigation, notice will immediately be provided to the applicant consistent with sample form(s) to be provided by the Commissioner. Notices will be in writing, in English and in the native language of the applicant, issued by the Superintendent and directed to the address at which the applicant claims to reside. The Notice of Ineligibility will be provided and will include information as required in accordance with N.J.A.C. 6A:22-4.2 .

## Removal of Currently Enrolled Students

Nothing in N.J.A.C. 6A:22-4.3 et seq. and this policy will preclude the Board from seeking to identify, through further investigation or periodic requests for current validation of previously determined eligibility status, students enrolled in the district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances or newly discovered information.

When a student, enrolled and attending school in the district based upon an initial determination of eligibility, is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board for removal of the student in accordance with N.J.A.C. 6A:21-4.3(b). No student shall be removed from school unless the parent, legal guardian, adult student, or resident keeping an "affidavit student" (as defined in N.J.A.C. 6A:22-1.2) as the case may be, has been informed of his or her entitlement to a hearing before the Board of Education. Once the hearing is held, or if the parent, legal guardian, adult student, or resident keeping an "affidavit student", as the case may be, does not respond to the Superintendent's notice within the designated time frame or appear for the hearing, the Board shall make a prompt determination of the student's eligibility or ineligibility and will immediately provide notice thereof in accordance with the requirements of N.J.A.C. 6A:22-4.2. The hearings required pursuant to N.J.A.C. 6A:22-4.3 et seq. may be conducted by the full Board or a Board Committee, at the discretion of the full Board. The Committee must make a recommendation to the full Board for action. No student may be removed except by vote of the full Board taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.



## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTSPUPILS (M)

### Appeal to the Commissioner

The district's determination that a student is ineligible to attend the schools of the district may be appealed to the Commissioner by the parent, guardian, adult student or resident keeping an "affidavit student", as the case may be. Such appeals shall proceed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 et seq. and shall proceed as a contested case pursuant to N.J.A.C. 6A:3. Pursuant to N.J.S.A. 18A:38-1(b)1, appeals of "affidavit student" eligibility determinations must be filed by the resident keeping the student.

### Assessment and Calculation of Tuition

If no appeal to the Commissioner is filed following notice of a determination of ineligibility, the Board may assess tuition for any period of a student's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 et seq. The district may petition the Commissioner for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10, through recording, upon request of the Board pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.

### Nonresident Students

The admission of a nonresident child to school must be approved by the Board. No child otherwise eligible shall be denied admission on the basis of the child's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The continued enrollment of any nonresident student shall be contingent upon the student's maintenance of good standards of citizenship and discipline.

### Future Residents

Parents or guardians of children who are future residents shall be required to demonstrate proof of the anticipated residency. The Board reserves the right to verify such claims, and to remove from school a nonresident student whose claim cannot be verified.

Parents or guardians will be required to deposit with the secretary of the Board of Education one month's tuition as a security deposit. If the parents or guardians present paperwork establishing residency within the first thirty (30) school days the child is in attendance, the Board will return the security deposit. After this period of thirty (30) days period, tuition shall be charged based on the specified annual rate set by the Board.



ELIGIBILITY OF RESIDENT/NONRESIDENT ~~STUDENTS~~ PUPILS (M)

Pursuant to the provisions of N.J.S.A. 18A:3B-3 non- resident students may be accepted into the Livingston Public Schools providing there is space available and the school program is considered appropriate for the child. Procedures for the acceptance of such children shall include but not be restricted to the following:

1. The parents or guardians shall submit the appropriate application form as early as possible but no later than July 1 for September admission and thirty days prior to other dates of enrollment.
2. For the purposes of reviewing the application, the parents or guardians shall make available to ~~the~~ Livingston Public Schools ~~District~~ confirmation of the student's satisfactory attendance progress including the latest report card as well as all standardized test information and complete health records. Parents will be required to sign release forms allowing the district to obtain academic and behavioral records.
3. The parents or guardians and student will make themselves available for an interview with the Principal or designee of the building to which he/she may be assigned.
4. The Superintendent or designee shall be responsible for making the final decision acceptance and assignment of the student appropriate school and grade in consultation with the Building Principal.
5. The Board may reject a student's application for enrollment if the student's IEP could not be implemented in the district, if the enrollment of the student would require the district to alter the nature of its educational program, if the student's enrollment would impose an additional financial burden on the district, or if the student's enrollment may create a disruptive or unsafe learning environment for the student himself/herself or for other students.

Tuition rates will be determined annually by the Superintendent in consultation with the Board of Education. Payments shall be made monthly throughout the school year on or before the first day of each month.

Students entering the Livingston schools at times other than the beginning of a semester shall pay proportionate tuition.



## ELIGIBILITY OF RESIDENT/NONRESIDENT ~~STUDENTS~~PUPILS (M)

The parents or guardians will be responsible for transportation to and from the school of attendance.

The Livingston ~~Public Schools~~ District is not obligated to enroll students in ensuing years and therefore application must be made on an annual basis. Building assignment may be revised depending on enrollments.

The Livingston Board of Education retains the unilateral right to terminate enrollment of any non-resident tuition student for cause at any time. Tuition will be refunded proportionately.

### F-1 Visa Students & J-1 Visa Students

F-1 & J-1 Visa students will not be admitted to this school district.

### Former Residents

The Board shall consider any student (except high school seniors) whose parents or guardians move from the municipality prior to and including January 31 of an academic year to be of non-resident status and, therefore, expected to transfer from the Livingston Public Schools. These students may remain until the end of the school year on payment of prorated tuition in advance and on recommendation of the Principal with approval of the Superintendent. Students whose parents or guardians move out of the municipality after January 31 may remain in ~~the~~ Livingston Public Schools on a tuition-free basis for the remainder of the academic year on recommendation of the Principal with approval of the Superintendent. If unusual conditions prevail, the family may apply to the Superintendent for special consideration of residency.

The Board shall allow a student registered and enrolled for the senior year whose parents or guardians have resided in Livingston continuously for a minimum of one year and who are residents of Livingston on the opening day of school to graduate without tuition payment, should his/her parents or guardians move from the municipality prior to the student's graduation, provided his record of residency and achievement is satisfactory to the Principal and the Superintendent.

### Children of Nonresident Staff Members

Children of nonresident employees of the Board may be enrolled in the schools of this district in accordance with the terms and conditions of their respective collective bargaining agreements.



ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS/PUPILS (M)

Because it is a term or condition of employment, allowing nonresident staff members to send their children to district schools for anything less than full tuition must be negotiated.

N.J.S.A. 18A:38-1 et seq. 18A:38-1.3; 18A:38-3; 18A:38-3.1

N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.; 6A:22-1.1 et seq.

8 CFR 214.3

Adopted: 21 June 2004

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Revised: May 13, 2019

Revised: August 12, 2020



## FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – ALLOWABILITY OF COSTS (M)

### 6115.01 FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – ALLOWABILITY OF COSTS (M)

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (UGG), 2 CFR §200.302(b)(7) requires written procedures for determining the allowability of costs in accordance with 2 CFR §200 – Cost Principles. Determining the allowability of costs shall be in accordance with the requirements outlined in 2 CFR §200.403 – Factors Affecting Allowability of Costs. The School Business Administrator/Board Secretary or designee shall be responsible for determining the allowability of costs are in accordance with the provisions of 2 CFR §200.403.

The following procedures shall be used to determine the allowability of costs in accordance with 2 CFR §200.403:

Except where otherwise authorized by statute, the School Business Administrator/Board Secretary or designee will ensure costs meet the following general criteria in order to be allowable under Federal awards:

1. Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.
2. Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items.
3. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the non-Federal entity.
4. Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
5. Be determined in accordance with Generally Accepted Accounting Principles (GAAP), except for State and local governments, which includes school districts, as otherwise provided for in 2 CFR §200.403.
6. Not be included as a cost or used to meet cost sharing or matching requirements of any other Federally-financed program in either the current or a prior period. (See also 2 CFR §200.306 – Cost Sharing or matching 2. above).



FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – ALLOWABILITY OF COSTS (M)

7. Be adequately documented. (See also 2 CFR §200.300 – Statutory and National Policy Requirements through 2 CFR §200.309 – Period of Performance).

In the event the School Business Administrator/Board Secretary or designee is not sure if a cost is allowable under 2 CFR Subpart E - §200.403, the School Business Administrator/Board Secretary or designee will contact the New Jersey Department of Education or the United States Department of Education for assistance.

2 CFR §200.302(b)(7)  
2 CFR §200.403

Adopted:



## FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – MANDATORY DISCLOSURES (M)

### 6115.02 FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – MANDATORY DISCLOSURES (M)

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (UGG), 2 CFR §200.113 – Mandatory disclosures requires a non-Federal entity or applicant (a New Jersey Board of Education) for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or to the New Jersey Department of Education all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award.

If the Board of Education receives a Federal award including the terms and conditions outlined below as per 2 CFR §200 – Appendix XII – Award Term and Condition for Recipient Integrity and Performance Matters shall report certain civil, criminal, or administrative proceedings to the System for Award Management (SAM). Failure to make required disclosures can result in any of the remedies described in 2 CFR §200.338 - Remedies for noncompliance, including suspension or debarment. (See also 2 CFR §180, 31 USC 3321, and 41 USC 2313)

#### A. General Reporting Requirement

1. If the total value of all Board of Education currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the Superintendent or designee, on behalf of the Board of Education as the recipient during that period of time, must maintain the currency of information reported to the SAM that is made available in the designated integrity and performance system about civil, criminal, or administrative proceedings described in B. below.
2. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 USC 2313).
3. As required by section 3010 of Public Law 111-212, all information posted in designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

#### B. Proceedings About Which the Board of Education Must Report



## FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – MANDATORY DISCLOSURES (M)

1. The Superintendent or designee must disclose to the Federal awarding agency or to the New Jersey Department of Education information required about each proceeding that:
  - a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
  - b. Reached its final disposition during the most recent five-year period; and
  - c. Is one of the following:
    - (1) A criminal proceeding that resulted in a conviction, as defined in E. below;
    - (2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
    - (3) An administrative proceeding, as defined in E. below, that resulted in a finding of fault and liability and the payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or
    - (4) Any other criminal, civil, or administrative proceeding if:
      - (a) It could have led to an outcome described in B.1.c.(1), (2), or (3) above of this award term and condition;
      - (b) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on the school district's part; and
      - (c) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

### C. Reporting Procedures



## FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – MANDATORY DISCLOSURES (M)

1. The Superintendent or designee shall enter in the SAM Entity Management area the information that the SAM requires about each proceeding described in B. above.
2. The Superintendent or designee does not need to submit the information a second time under assistance awards the Board of Education received if the Superintendent or designee already provided the information through the SAM because the Board of Education was required to do so under Federal procurement contracts the Board of Education was awarded.

### D. Reporting Frequency

1. During any period of time when the Board of Education is subject to the requirement in A. above, the Superintendent or designee must report proceedings information through the SAM for the most recent five year period, either to report new information about any proceeding(s) the Board of Education has not reported previously or affirm that there is no new information to report.
2. If the Board of Education has Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000, the Board of Education must disclose semiannually any information about the criminal, civil, and administrative proceedings.

### E. Definitions

1. For purposes of this Policy:
  - a. “Administrative proceeding” for the purposes of 2 CFR §200 - Appendix XII and this Policy means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability. This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.
  - b. “Conviction” for the purposes of 2 CFR §200 - Appendix XII and this Policy, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a



## FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – MANDATORY DISCLOSURES (M)

verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

- c. Total value of currently active grants, cooperative agreements, and procurement contracts includes:
  - (1) Only the Federal share of the funding under any Federal award with a Board of Education cost share or match; and
  - (2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

2 CFR §200.113

Adopted:



FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – CONFLICT OF INTEREST (M)

6115.03 FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – CONFLICT OF INTEREST (M)

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (UGG), 2 CFR §200.318 – General Procurement Standards addresses standards of conduct covering conflict of interest and governs the actions of school district employees, officers, and agents in the selection, award, and administration of contracts supported by a Federal award.

The Board of Education must use its own documented procurement procedures which reflect applicable State and local laws and regulations, provided that the procurements conform to the applicable Federal law and the standards identified in 2 CFR §200.

The Board of Education must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

The Board of Education must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts supported by a Federal award.

1. No employee, officer, or agent of the Board of Education may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.
  - a. Such a conflict of interest would arise when a Board of Education employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
2. The Board of Education officers, employees, and agents must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.
3. However, a Board of Education may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.



## FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – CONFLICT OF INTEREST (M)

4. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

The Board of Education's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal government, the Board of Education is encouraged to enter into State and local intergovernmental agreements or inter-entity agreements where appropriate for procurement of use of common or shared goods and services.

The Board of Education is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

The Board of Education is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

The Board of Education must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. (See also 2 CFR §200.213 – Suspension and Debarment).

The Board of Education must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

The Board of Education may use a time and materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to a Board of Education is the sum of:



FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – CONFLICT OF INTEREST (M)

1. The actual cost of materials; and
2. Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since the time and material formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the Board of Education awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

The Board of Education alone must be responsible, in accordance with good administrative practice and sound business judgement, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the Board of Education of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgement for that of the Board of Education unless the matter is primarily a Federal concern. Violations of law will be referred to the local, State, or Federal authority having proper jurisdiction.

The Board of Education and its employees shall be required to comply with all New Jersey statutes and administrative codes regarding school ethics and internal controls.

2 CFR §200.318

Adopted:



## FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – ALLOWABILITY OF COSTS (M)

### 6311 FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – ALLOWABILITY OF COSTS (M)

Any vendor providing goods or services to the school district to be funded by a Federal grant must be cleared for contract in accordance with the provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (UGG), 2 CFR §200.213 – Suspension and Debarment.

The School Business Administrator/Board Secretary shall be responsible to check the web-based System for Award Management (SAM) maintained by the United States government – the General Services Administration (GSA). The purpose of the SAM is to provide a single comprehensive list of individuals and firms excluded by Federal government agencies from receiving Federal contracts or Federally approved contracts or Federally approved subcontracts and from certain types of Federal financial and nonfinancial assistance and benefits.

The School Business Administrator/Board Secretary, upon opening of bids or upon receipt of proposals for goods or services to be funded by a Federal grant shall access the SAM to determine if the vendor has been disbarred, suspended, or proposed for disbarment. The School Business Administrator/Board Secretary shall also access the SAM list immediately prior to the award of a bid or contract to ensure that no award is made to a vendor on the list.

In the event a vendor under consideration to be awarded a bid or contract for goods or services to be funded by a Federal grant is on the SAM list or proposed for disbarment, the School Business Administrator/Board Secretary shall comply with the contracting restrictions as outlined in 2 CFR §200.

Continuation of current contracts and restrictions on subcontracting with vendors who are on the SAM list or proposed for disbarment shall be in accordance with the limitations as outlined in 2 CFR §200.

Any rejection of a bid or disqualification of a vendor who has been disbarred, suspended, or proposed for disbarment shall be consistent with the requirements as outlined in N.J.S.A. 18A:18A – Public School Contracts Law and all applicable State laws.

2 CFR §200

Adopted:



# REGULATION

## LIVINGSTON BOARD OF EDUCATION

OPERATIONS  
R 8420.1/Page 1 of 3  
Fire and Fire Drills (M)

### R 8420.1 FIRE AND FIRE DRILLS (M)

#### A. Fire Drills

1. The Principal of each school building will conduct at least one fire drill each month within school hours, including any summer months during which the school is open for instructional programs. ~~The Principal shall require all teachers to keep all doors and exits of their respective rooms and buildings unlocked during school hours. Where school buildings have been provided with fire escapes, they shall be used by a part or all of the students performing every fire drill. Attempts should be made to conduct drills in various weather conditions and at various times of the school day. Fire drills should always be unannounced to school staff and students. The Principal shall inform local fire fighting officials whenever a fire alarm is for drill purposes.~~

Attempts should be made to conduct drills in various weather conditions and at various times of the school day. Fire drills should be unannounced to school staff and students. The Principal shall inform local firefighting officials whenever a fire alarm is for drill purposes.

An actual fire that occurs at a school building during the month and includes activities which are the equivalent of a drill shall be considered a drill for the purposes of meeting the requirements of this Regulation and N.J.S.A. 18A:41-

2. ~~The Fire alarm shall be by a building-wide audible designated signal. Alarm signals should be tested regularly, before or after the school session.~~
3. When the fire alarm rings, each staff member supervising students ~~teacher~~ will:
  - a. Direct students to form into a single file line and proceed along the evacuation route to the nearest exit designated for evacuation;
  - b. Close the windows of the room and turn off all lights and audio-visual equipment.

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## LIVINGSTON BOARD OF EDUCATION

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Fire and Fire Drills (M)

- c. Take the class register or roll book;
  - c. Ascertain that all students have left the room and that any student who may have left the classroom prior to the fire drill is located and escorted from the building;
  - d. Close all doors to the room when the room is empty and keep all doors and exits of their respective rooms and buildings unlocked;
  - e. Ensure their assigned students ~~assigned to him/her~~ have left the school along the route prescribed in the school evacuation plan. In the event a school building has been provided with fire escapes, they shall be used by a part or all of the students performing every fire drill;
  - ef. Direct students to a location not less than a distance twice the height of the building walls and keep the students in a single file line facing the building;
  - g. Take attendance to determine all students who reported to his/her class have been evacuated from the building and report immediately to the Principal any student who is unaccounted for; and
  - h. When the recall signal is given, conduct his/her students back to the classroom.
4. Evacuation of the school in a fire drill must be conducted quickly and quietly and in an orderly fashion. Students must be silent, refrain from talking and running, and remain in closed, single file lines. Any student or staff member whose behavior disrupts the conduct of the fire drill shall be reported to the Principal and will be subject to discipline.
5. All persons in the school must leave the building during a fire drill, including all aides, visitors, volunteer workers, and all office, cafeteria, custodial, and maintenance employees, except those employees who have been assigned specific duties to be performed in the school building during a fire drill.



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6. Physical education classes in progress outside the building should stop the game activity and line up in place or in their regularly assigned drill position.
7. Students will be instructed not to gather belongings to take outside on the fire drill. In inclement or cold weather, students may pick up their coats and put them on as they exit the building, provided no time is lost in that activity.
8. The office employee responsible for keeping the central attendance register, or a designated substitute, must carry the register out of the building during the drill.
9. Each Principal shall report monthly to the Superintendent on the conduct of fire drills. ~~Their~~ ~~His/Her~~ report will include the date, weather conditions, and time to evacuate for each drill conducted, as well as any comments that could assist in improving the conduct of future drills.
810. Every fire drill will be conducted with seriousness and with the assumption that prompt evacuation is actually required for the safety and survival of persons in the school.
911. Principals are encouraged to change the circumstances of fire drills so that staff members and students are subjected to various conditions and learn to respond to them quickly, constructively, and safely. Any such variations should take into account the ages and abilities of children.
  - a. One or more exits may be designated as "blocked" so that students are required to use alternative evacuation routes.
  - b. A fire drill may be designated as a "smoke drill" so that students learn to avoid the hazards of smoke by walking in a low or crouching position (not a crawling position).

### B. Fire

1. A school staff member or any building occupant who detects a fire in a school building or on school grounds shall immediately report the fire by



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calling 911 and/or by activating a fire alarm pull station in accordance with law.

2. The school staff member or building occupant shall also report the fire to the school Principal, if possible.
3. In the event of a fire in a school building, the school Principal shall immediately sound the fire alarm, in the event the fire alarm had not been previously activated, for the evacuation of all students, staff members, visitors, and volunteers.
4. Evacuation shall be conducted in accordance with the fire drill procedures established in paragraph A. above, except that no employee may remain in the building to perform specific duties.
5. As a precaution, the Principal or designee will maintain a record of disabled students who may require special attention in the event of fire or other evacuation.

Fire fighters will be promptly informed of the location and special circumstances of each such student.

6. As soon as practicable after the incident, the Principal shall submit a report to the Superintendent on the appropriate form.

7. The school district shall immediately notify the appropriate local fire department of any fire which occurs in a school building or on school property in accordance with N.J.S.A. 18A:41-5.

### C. Fire and Smoke Doors

Every Principal and custodian/janitor in each school building in the district which has a furnace room, hallway, or stair-tower fire or smoke doors shall keep them closed during the time the school building is occupied by teachers and students pursuant to N.J.S.A. 18A:41-2.

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First Reading: November 23, 2015



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Adopted:



# POLICY

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~~UNPAID~~ MEAL CHARGES/OUTSTANDING FOOD SERVICE ~~BILL~~CHARGES (M)

8550 ~~UNPAID~~ MEAL CHARGES/OUTSTANDING FOOD SERVICE  
~~BILL~~CHARGES (M)

~~The Board of Education shall establish a meal charge program to permit students in the district to charge for breakfast or lunch. Collection of any payment for a meal charge program account that is in arrears shall be addressed in accordance with provisions of this Policy.~~

~~The Board of Education recognizes a student may forget to bring breakfast or lunch (meal), as applicable, or money to purchase a meal to school on a school day. In this circumstance, the food service program will provide the student a meal and will inform the Principal or designee. The Principal or designee will contact the student's parent to provide notice of an outstanding meal bill and will provide the parent with a period of ten school days to pay the amount due. If the student's parent has not made full payment by the end of the ten school days, the Principal or designee shall again contact the parent with a second notice informing the parent of any action to be taken by the school district in response to a student's school breakfast or school lunch bill being in arrears. Such action may include denying the student school breakfast or lunch. A school district shall report at least biannually to the New Jersey Department of Agriculture the number of students who are denied school breakfast or school lunch in accordance with N.J.S.A. 18A:33-21a, and this Policy. The Board of Education understands a student may forget to bring breakfast or lunch, as applicable, or money to purchase breakfast or lunch to school on a school day. When this happens, the food service program will provide a student a breakfast or lunch with an expectation payment will be made the next school day or shortly thereafter. However, there may be circumstances when payment is not made and a student's school breakfast/lunch bill is in arrears. The school district will manage a student's breakfast or lunch bill that is in arrears in accordance with the provisions of N.J.S.A. 18A:33-21 and this Policy.~~

~~The school district shall not:~~

- ~~1. Publicly identify or stigmatize a student who cannot pay for a meal or whose school meal bill is in arrears. (For example, by requiring the student to sit at a separate table or wear a wristband, hand stamp, or identifying mark or by serving the student an alternative meal);~~
- ~~2. Require a student who cannot pay for a school meal or whose school meal bill is in arrears to do chores or other work to pay for the school meal; or~~

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3. Require a student to discard a school meal after it has been served because of the student's inability to pay for a school meal or because money is owed for previously provided meals.

If a student owes money for the equivalent of five or more school meals at any time during the school year, the Principal or designee shall:

1. Determine if the student is eligible for a free or reduced-price school meal;
2. Make at least two attempts, not including the application or instructions provided to the parent each school year pursuant to N.J.S.A. 18A:33-21b, to contact the student's parent and have the parent fill out an application for the school lunch program and school breakfast program; and
3. Contact the student's parent to offer assistance with the application for the school lunch and school breakfast program; determine if there are other issues within the household that have caused the child to have insufficient funds to purchase a school breakfast or school lunch; and offer any other appropriate assistance.

The school district shall direct communications about a student's school meal bill being in arrears to the parent and not the student. The school district's contact with the parent may be via email or telephone call. Nothing in N.J.S.A. 18A:33-21 shall prohibit the school district from sending a student home with a letter addressed to a parent.

If the student's meal bill is in arrears, but the student has the money to purchase a meal on a subsequent school day, the student will be provided a meal with payment and the food service program will not use the student's payment to repay previously unpaid charges if the student intended to use the money to purchase that school day's meal.

A parent who has received a second notice their child's meal bill is in arrears and who has not made payment in full within one week from the date of the second notice will be requested to meet with the Principal or designee to discuss and resolve the matter.

A parent's refusal to meet with the Principal or designee or take other steps to resolve the matter may be indicative of more serious issues in the family or household. However, when a parent's routine failure to provide breakfast or lunch is reasonably suspected to be indicative of child abuse or neglect, the Principal or designee shall immediately report such suspicion to the Department of Children and Families, Division of Child Protection



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### ~~UNPAID~~ MEAL CHARGES/OUTSTANDING FOOD SERVICE BILL CHARGES (M)

~~and Permanency as required in N.J.S.A. 9:6-8.10. Such reporting shall not be delayed to accommodate a parent's meeting with the Principal or designee.~~

~~Students receiving free meals will not be denied a meal even if they accrued a negative balance from other purchases in the cafeteria.~~

~~In accordance with N.J.S.A. 18A:33-21b., at the beginning of each school year, and upon initial enrollment in the case of a student enrolling during the school year, the school district shall provide to the parent of each student:~~

- ~~1. Information on the National School Lunch Program and the Federal School Breakfast Program, if applicable;~~
- ~~2. An application to apply for the school lunch and school breakfast programs and instructions for completing the application; and~~
- ~~3. Information on the rights of students and their families under N.J.S.A. 18A:22-21 et seq.~~

~~The school district may provide the application and information electronically through the means by which the school district communicates with parents electronically. The application and information shall be in a language the parent understands.~~

~~The school district's liaison for the education of homeless children shall coordinate with school district personnel to ensure that a homeless student receives free school meals and is monitored according to the school district policies pursuant to N.J.S.A. 18A:33-21c.~~

~~The school district may post this Policy on the school district's website provided there is a method in place to ensure this Policy reaches all households without access to a computer or the Internet.~~

~~When a student's account drops to a zero balance, parents will receive a computer generated email from our food service provider to advise them of the situation.~~

~~The first of the month, for any student accounts with a negative balance of over \$10.00, the parents will receive a computer generated email from our food service provider to advise them of the situation.~~

~~When a student's account is at a negative balance of \$25.00, our food service provider will email a computer generated letter to advise parents of the situation. The letter will include a sentence to let parents know if they are incurring any type of hardship, they should speak with their building Principal or designee. If the Principal or designee~~



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### ~~UNPAID~~ MEAL CHARGES/OUTSTANDING FOOD SERVICE ~~BILL~~CHARGES (M)

~~realizes there is a hardship, they should provide the parents with the free and reduced lunch information or direct them to the Business Office.~~

~~When a student's account is at a negative balance of \$50.00, our food service provider will make a personal telephone call to parents to let them know payment must be made within seven days.~~

~~If the parent does not pay off the negative balance within seven days of the telephone call, our food service provider will send the parents a certified letter, return receipt requested, to alert them that their child will be unable to purchase lunch until the balance is paid off and money is placed in the account.~~

~~A parent's refusal to meet or take other steps to resolve the matter may be indicative of more serious issues in the family or household. In these situations, the Principal or designee shall consult with and seek necessary services from both the County Board of Social Services and the Department of Children and Families, Division of Child Protection and Permanency, as appropriate.~~

~~When a parent's routine failure to provide breakfast or lunch is reasonably suspected to be indicative of child abuse or neglect, the Principal or designee shall immediately report such suspicion to the Department of Children and Families, Division of Child Protection and Permanency as required in N.J.S.A. 9:6-8, 10. Such reporting shall not be delayed to accommodate a parent's meeting with the Principal or designee.~~

~~On June 1, our food service provider will provide all of the building Principals and the Business Office with a list of student accounts with a negative balance over \$25.00.~~

~~The Principals will, in turn, send an email to parents reminding them that all negative balances over \$25.00 need to be satisfied prior to the end of the school year or they will be denied access to the Genesis Parent Portal. This will prohibit parents from being able to view class assignments and report cards. The Administrative Assistant in the Business Office will be responsible for restricting parent access. Once payment is received, the portal will be reopened.~~

~~The food service program will prevent the overt identification of children through the method of payment used to purchase a meal and whose breakfast or lunch bill is in arrears.~~

~~In accordance with the provisions of the United States Department of Agriculture, this Policy shall be posted on the school district's website.~~



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~~UNPAID MEAL CHARGES/OUTSTANDING FOOD SERVICE~~ BILL CHARGES (M)

~~This Policy shall also be provided to all school and food service staff responsible for the enforcement of this Policy, including school administrators to ensure this Policy is supported.~~

~~The food service program will comply with all meal charge policy requirements of the United States and New Jersey Department of Agriculture and N.J.S.A. 18A:33-21.~~

~~N.J.S.A. 18A:33-21; 18A:33-21a.; 18A:33-21b.; 18A:33-21c.  
United States Department of Agriculture SP 23-2017 — March 23, 2017~~

Adopted: September 25, 2017



## 9131 CIVILITY

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.

### Disruptions

Any individual who:

1. Disrupts or threatens to disrupt school/office operations;
2. Threatens the health and safety of students or staff;
3. Willfully causes property damage;
4. Uses loud and/or offensive language which could provoke a violent reaction; or who
5. Is verbally or physically intimidating; or who;
6. Has otherwise established a continued pattern of unauthorized entry on district property;
7. Harasses staff and others through repeated telephone calls, excessive written communication and/or face-to-face confrontations;

Will be directed to leave school or district property promptly by the Superintendent, Principal or their designees.

If any member of the public uses obscenities or speaks in an abusive, excessive, insulting, and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely request the speaker to communicate civilly. If corrective action is not taken by the abusing person, the district employee will seek to include an administrative representative in the meeting in an effort to restore civility. If an administrator is not available and/or a civil tone is not restored, the district employee will verbally notify the abusing person that the meeting, conference, or telephone conversation is terminated and, if the meeting or conference is on district premises, the



abusing person will be asked to leave promptly. All electronic communications are governed by Policies and Regulations # 2360 and # 2361.

When an individual is directed to leave under the above circumstances, the Superintendent, Principal or their designees shall inform the person that he or she may be guilty of a misdemeanor in accordance with New Jersey law. If the person refuses to leave, the Superintendent or designee may notify law enforcement officials.

## Safety and Security

The Superintendent or his/her designee will ensure that a safety and/or crisis intervention program for district staff is promulgated to raise awareness and to provide techniques in dealing with disruptive situations when they occur.

If and when the violence is directed toward a district employee, or theft of district's property is threatened or attempted, employees shall promptly report the occurrence to their Principal or supervisor and submit a written report. Employees, through their supervisors, shall report to law enforcement officials any attack, assault or threat made against them, verbally or through electronic communications, on district premises or at school district-sponsored activities.

## Documentation

When it is determined by a district employee that a member of the public is in the process of violating the provisions of this policy, an effort should be made by the employee to provide the offending person a written copy of this policy at the time of the occurrence. The employee will immediately notify his/her supervisor and provide a written report of the incident.

Adopted: 07 April 2008



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. The PPRA requires written consent from parents or the emancipated student the opportunity to opt out of participation in a survey, analysis, evaluation, examination, testing, or treatment funded in whole or in part by a program of the United States Department of Education that concerns one or more of the areas outlined in this Policy.

A. Definitions

“Instructional material” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments. 20 USC §1232h(c)(6)(A).

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening. 20 USC §1232h(c)(6)(B).

“Prior consent” means prior consent of the student, if the student is an adult or emancipated minor or prior written consent of the parent, if the student is an unemancipated minor. 34 CFR §98.4(b).

“Psychiatric or psychological examination or test” means a method of obtaining information, including a group activity, that is not directly related to academic instruction and that is designed to elicit information about attitudes, habits, traits, opinions, beliefs, or feelings. 34 CFR §98.4(c)(1).

“Psychiatric or psychological treatment” means an activity involving the planned, systematic use of methods or techniques that are not directly related to academic instruction and that is designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group. 34 CFR §98.4(c)(2).

“Research or experimentation program or project” means any program or project in any program that is funded in whole or in part by the Federal Government and is



Program

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

designed to explore or develop new or improved teaching methods or techniques. 34 CFR §98.3(b).

B. Parents' or Emancipated Students' Right to Inspection of Materials - 34 CFR §98.3 and 20 USC §1232(c)

1. All instructional material, including teachers' manuals, films, tapes, or other supplementary instructional material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program or any research or experimentation program or project shall be available for inspection by the parents of the children engaged in such program or project in accordance with 20 USC §1232h(a) and 34 CFR §98.3(a).

a. The district shall provide reasonable access to instructional material within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(C)(ii).

2. The parent shall have the right, upon request, to inspect a survey created by a third party before the survey is administered or distributed to their student pursuant to 20 USC §1232h(c)(1)(A)(i).

a. The district shall provide reasonable access to such survey within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(A)(ii).

3. The parent shall have the right, upon request, to inspect any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), before the instrument is administered or distributed to their student pursuant to 20 USC §1232h(c)(1)(F)(i).

a. The district shall provide reasonable access to such instrument within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(F)(ii).

C. Protection of Students' Privacy in Examination, Testing, or Treatment with Prior Consent - 34 CFR §98.4

1. In accordance with 34 CFR §98.4(a) no student shall be required, as part of any program funded in whole or in part by a program of the USDOE, to submit without prior consent to psychiatric examination, testing, or treatment, or



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

psychological examination, testing, or treatment, in which the primary purpose is to reveal information concerning one or more of the following:

1. Political affiliations;
2. Mental and psychological problems potentially embarrassing to the student or the student'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.
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

D. Protections of Students' Rights for Surveys, Analysis, or Evaluations - 20 USC §1232h

1. In accordance with 20 USC §1232h(b) no student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation, without prior consent, that reveals information concerning:
  - a. Political affiliations or beliefs of the student or the student's parent;
  - b. Mental and psychological problems of the student or the student's family;
  - c. Sex behavior or attitudes;
  - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
  - e. Critical appraisals of other individuals with whom the student has close family relationships;
  - f. Legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;



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

g. Religious practices, affiliations, or beliefs of the student or student's parent;  
or

h. Income, (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program).

2. Parents' or Emancipated Students' Right to Opt Out - 20 USC §1232h(c)(2)

a. The district shall provide notice and offer an opportunity for parents to opt their student out or for emancipated students to opt out of participation in the following activities:

(1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

(2) The administration of any survey containing one or more of the items listed in D.1. above.

(3) Any nonemergency, invasive physical examination or screening that is:

(a) Required as a condition of attendance;

(b) Administered by the school and scheduled by the school in advance; and

(c) Not necessary to protect the immediate health and safety of the student, or of other students.

b. The district shall directly notify parents at least annually at the beginning of the school year of the specific or approximate dates during the school year when activities described in D.2.a. above are scheduled or expected to be scheduled in accordance with 20 USC §1232h(c)(2)(B).

3. Exceptions – 20 USC §1232h(c)(4)



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

a. THE PROVISIONS OF 20 USC §12321 DO NOT APPLY TO THE COLLECTION, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- (1) College or other postsecondary education recruitment, or military recruitment in accordance with Policy 9713;
- (2) Book clubs, magazines, and programs providing access to low-cost literary products;
- (3) Curriculum and instructional materials used by schools in the district;
- (4) Tests and assessments used by schools in the district to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- (5) The sale by students of products or services to raise funds for school-related or education-related activities; and
- (6) Student recognition programs.

b. The provisions of this Policy:

- (1) Shall not be construed to preempt applicable provisions of New Jersey law that require parental notification; and
- (2) Do not apply to any physical examination or screening that is permitted or required by an applicable New Jersey law, including physical examinations or screenings permitted without parental notification.

4. Policy Adoption or Revision – 20 USC §1232h(c)(2)(A)(i)

The district shall provide this Policy to parents and students at least annually at the beginning of the school year, and provide notice within a reasonable period of time after any substantive change is made to this Policy.



E. Student Privacy – 20 USC §1232h and 34 CFR §98

The district shall ensure a student's privacy is protected regarding any information collected in accordance with this Policy.

F. Violations of the PPRA – 20 USC §1232h and 34 CFR §98

Parents or students who believe their rights under PPRA may have been violated may file a complaint with the USDOE.

In addition to the provisions of 20 USC §1232h, 34 CFR §98, and this Policy, the Superintendent or designee shall ensure compliance with the provisions of N.J.S.A. 18A:36-34 and Policy 9560 – Administration of School Surveys before students are required to participate in any academic or nonacademic survey, assessment, analysis, or evaluation.

The Protection of Pupil Rights Amendment (PPRA)

20 USC §1232h

34 CFR Part 98

Elementary and Secondary Education Act of 1965 (20 USC 2701 et seq.) as amended by the Every Student Succeeds Act

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

Adopted: 16 August 2010

Revised:



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 blow or a motion to the head or body that disrupts the normal functioning of the brain and can cause significant and sustained neuropsychological impairments including, but not limited to, problem solving, planning, memory, and behavior problems. In order to ensure safety, it is imperative that students participating in athletic competitions, coaches, and parents are educated about the nature and treatment of sports-related concussions and other head injuries. Allowing a student to return to athletic competition before recovering from a concussion increases the chance of a more serious brain injury.

For the purpose of this Policy and Regulation 2431.4, programs of athletic competition shall include high school interscholastic athletic programs, middle school interscholastic athletic programs where school teams or squads play teams or squads from other school districts, intramural athletic programs within a school or among schools in the district, and any cheerleading program or activity in the school district.

The school district shall adopt an athletic head injury safety training program. The program shall be completed by the school physician, any individual who coaches in an athletic competition, an athletic trainer involved in any athletic competition, and the school nurse. The training program shall be in accordance with guidance provided by the New Jersey Department of Education (NJDOE) and the requirements of N.J.S.A. 18A:40-41.2.

The school district shall annually distribute the NJDOE-developed educational fact sheet regarding sports-related concussions and other head injuries to all parents of students participating in any athletic competition or practice and shall obtain a signed acknowledgement of the receipt of the fact sheet by the student and their parent in accordance with N.J.S.A. 18A:40-41.2(c).

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)

The return of a student to athletic competition or practice shall also be in accordance with the graduated, six-step “Return to Play Progression” recommendations and any subsequent changes or other updates to these recommendations as developed by the Centers for Disease Control and Prevention (CDC). The Board shall revise this Policy and Regulation 2431.4 whenever the CDC changes or otherwise updates the “Return to Play Progression” recommendations.

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 of an 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 this Policy and Regulation 2431.4.

Pursuant to N.J.S.A. 18A:40-41.5 and for the purpose 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 2431.4 shall be reviewed and approved by the school physician annually and updated as necessary to ensure it reflects the most current information available on the prevention, risk, and treatment of sports-related concussions and other head injuries in accordance with N.J.S.A. 18A:40-41.3.

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

Adopted: 15 August 2011

Revised: 20 October 2014



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 blow or motion to the head or body that disrupts the normal functioning of the brain and can cause significant neuropsychological impairments including, but not limited to, problem solving, planning, memory and behavioral problems. Allowing a student to return to athletic competition or practice 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 students before the student begins participation in athletic competition or practice. The baseline testing program shall be reviewed and approved by the school 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 in athletic competition or practice on the prevention of concussions.
3. All school staff members, students participating in athletic competition or practice, and parents of students participating in athletic competition or practice shall be annually informed through the distribution of the New



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

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;



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

h. Sleep disturbance; or

i. Irritability.

D. Medical Attention for a Student Suspected of a Concussion or Other Head Injury

1. Any student who participates in athletic competition or practice and who sustains or is suspected of having sustained a concussion or other head injury while engaged in an athletic competition or practice shall immediately be removed from athletic competition or practice.

a. A staff member supervising the student during the athletic competition or practice shall immediately contact the school physician, athletic trainer, or school nurse to examine the student.

(1) The school physician, athletic trainer, or school nurse shall determine if the student has sustained or may have sustained a concussion or other head injury. The school physician, athletic trainer, or school nurse shall determine if emergency medical responders shall be called to athletic competition or practice.

(2) In the event the school physician, athletic trainer, or school nurse determine the student did not sustain a concussion or other head injury, the student shall not be permitted to participate in any further athletic competition or practice until written medical clearance is provided in accordance with E. below.

2. The staff member supervising a student who has been removed from athletic competition or practice in accordance with D.1. above or another staff member shall contact the student's parent and the Principal or designee as soon as possible after the student has been removed from the athletic competition or practice.

a. A parent shall monitor their student for symptoms of a concussion or other head injury upon receiving such notification.

E. Medical Examination and Written Medical Clearance



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

1. A student who was removed from athletic competition or practice in accordance with D.1. shall not participate in further athletic competition or practice until:
  - a. The student is examined by a physician or other licensed healthcare provider trained in the evaluation and management of concussions;
  - b. The student receives written medical clearance from a physician trained in the evaluation and management of concussions to return to competition or practice; and
  - c. The student returns to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities.
2. The student's written medical clearance from a physician must indicate a medical examination has determined:
  - a. The student's injury was not a concussion or other head injury, the student is asymptomatic at rest, and the student may return to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities; or
  - b. The student's injury was a concussion or other head injury and the student's physician will monitor the student to determine when the student is asymptomatic at rest and when the student may return to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities.
3. The student's written medical clearance must be reviewed and approved by the school physician.
4. The student may not begin the graduated return to athletic competition and practice protocol in F. below until the student receives a medical examination and provides the required written medical clearance.
5. A written medical clearance not in compliance with the provisions of E. will not be accepted.

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



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

1. The return of a student to athletic competition and practice shall be in accordance with the graduated, six-step “Return to Play Progression” recommendations and any subsequent changes or updates to those recommendations as developed by the Centers for Disease Control and Prevention.

a. Back to Regular Activities (Such as School)

The student is back to their regular activities (such as school) and has the green-light from the student’s physician approved by the school physician to begin the return to play process. A student’s return to regular activities involves a stepwise process. It starts with a few days of rest (two-three days) and is followed by light activity (such as short walks) and moderate activity (such as riding a stationary bike) that do not worsen symptoms.

b. Light Aerobic Activity

Begin with light aerobic exercise only to increase the student’s heart rate. This means about five to ten minutes on an exercise bike, walking, or light jogging without weight lifting at this point.

c. Moderate Activity

Continue with activities to increase the student’s heart rate with body or head movement. This includes moderate jogging, brief running, moderate-intensity stationary biking, and/or moderate-intensity weightlifting (less time and/or less weight from their typical routine).

d. Heavy, Non-Contact Activity

Add heavy non-contact physical activity, such as sprinting/running, high-intensity stationary biking, regular weightlifting routine, and/or non-contact sport-specific drills (in three planes of movement).

e. Practice and Full Contact

The student may return to practice and full contact (if appropriate for the athletic competition) in controlled practice.

f. Athletic Competition



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

The student may return to athletic competition or practice.

2. It is important for a student's parent(s) and coach(es) to watch for concussion symptoms after each day's "Return to Play Progression" activity. A student should only move to the next step if they do not have any new symptoms at the current step.
3. If a student's symptoms return or if they develop new symptoms, this is a sign that a student is pushing too hard. The student should stop these activities and the student's health care provider should be contacted. After more rest and no concussion symptoms, a student can start at the previous step if approved by the student's healthcare provider and written medical clearance to the school physician is provided by the student's healthcare provider.

### G. Temporary Accommodations for Students Participating in Athletic Competition with Sports-Related Head Injuries

1. 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. To recover, cognitive rest is just as important as physical rest. Reading, studying, computer usage, testing, texting, and watching movies if a student is sensitive to light/sound can slow a student's recovery. The Principal or designee may look to address the student's cognitive needs as described below. 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;



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

- 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



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:



## 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.



ADDITIONAL/COMPENSATORY SPECIAL EDUCATION AND RELATED SERVICES (M)

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:



## 2622 STUDENT ASSESSMENT (M)

State assessments 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; and include item analysis which will clarify a student's level of knowledge and understanding of a particular subject or area of a subject. The data derived from State assessments are utilized by teachers and administrators to pinpoint areas of difficulty and customize instruction accordingly. Such data can be accessed and utilized as a student progresses to successive school levels.

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 the Commissioner deems appropriate. The system and related schedule of Statewide assessments shall be approved by the New Jersey State Board of Education. The school district shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments pursuant to N.J.A.C. 6A:8-4.1(c) and (d).

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 pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled. The school district will provide accommodations or modifications to the Statewide assessment system in accordance with the provisions of N.J.A.C. 6A:8-4.1(d).

Students with disabilities as defined in N.J.A.C. 6A:14-1.3 shall participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10. The school district shall administer the alternative State assessment for students with disabilities in accordance with the provisions of N.J.A.C. 6A:8-4.1(d)3.

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.

The school district shall maintain an accurate record of each student's performance on Statewide assessments and maintain for every student a ninth grade through graduation transcript in accordance with the provisions of N.J.A.C. 6A:8-4.2(d). The Superintendent shall report assessment results to the public and provide educators, parents, and students with assessment results in accordance with the provisions of N.J.A.C. 6A:8-4.3.



# POLICY

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N.J.S.A. 18A:7C-1 et seq.; 18A:7E-2; 18A:7E-3  
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



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.



- 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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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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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

## R 7432 EYE PROTECTION (M)

### A. Eye Protection - N.J.A.C. 6A:26-12.5(a)

The Board of Education requires each student, staff member, and school visitor, including individuals present for evening adult-school programs, to wear appropriate eye protective devices while participating in educational activities and programs as defined in N.J.A.C. 6A:7-1.3 in accordance with N.J.S.A. 18A:40-12.1 and N.J.A.C. 6A:26-12.5.

### B. Eye Protection Devices - N.J.A.C. 6A:26-12.5(e)

The following types of eye protective devices shall be used to fit the designated activities or processes:

Potential Eye Hazard	Protective Devices
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 coverspec type with tinted lenses or tinted 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
Vehicle repair or servicing	Clear goggles, flexible or rigid body; clear spectacles with side shields
Other potentially hazardous processes or activities	Appropriate for specific hazard

C. Eye Protective Policy and Program – N.J.A.C. 6A:26-12.5(f)



# REGULATION

1. The Board of Education establishes and implements Policy and Regulation 7432 to assure:
  - a. No staff member, student, or visitor shall be subjected to any hazardous environmental condition without appropriate eye protection;
  - b. The detection of eye hazardous conditions shall be continuous;
  - c. Eye protection devices shall be inspected regularly and adequately maintained;
  - d. Shared eye protective devices shall be disinfected between uses by a method prescribed by the local school medical inspector;
  - e. All eye protective devices shall meet or exceed the appropriate specifications for the various types of devices and suppliers of eye protective devices shall certify, in writing, that the devices meet or exceed said specifications;
  - f. Specific policy and procedures shall be established to deal with individuals who refuse to abide by established eye-safety practices and procedures;
  - g. The use of contact lenses shall be restricted in learning environments that entail exposure to chemical fumes, vapors, or splashes, intense heat, molten metals, or highly particulate atmospheres. When permitted, contact lenses shall be worn only in conjunction with appropriate eye protective devices, and the lens wearer shall be identified for appropriate emergency care in eye hazardous learning environments;
  - h. All spectacle-type eye protective devices shall have side shields of the eye-cup, semi- or flat-fold type; and
  - i. Students, staff members, or visitors wearing personal corrective eyewear shall be required to wear cover goggles or similar devices unless a competent authority can certify the personal eyewear meets or exceeds standards identified in N.J.A.C. 6A:26-12.5(b).



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## D. Eye Wash Fountains – N.J.A.C. 6A:26-12.5(d)

1. Emergency eye wash fountains, or similar devices capable of a minimum fifteen minutes continuous flow of eye-wash solution, shall be provided in classrooms, shops, laboratories, or other areas where students or instructors are exposed to caustic materials that can cause damage to the eyes in accordance with N.J.A.C. 6A:26-12.5(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.

## E. Inspection

The Principal or designee 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 A.1. above, the likelihood of flying objects and spilled liquids and the presence of protruding and sharp objects.

## F. Training and Supplies – N.J.A.C. 6A:26-12.5(g)

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 Policy and Regulation 7432 and in accordance with N.J.A.C. 6A:26-12.5(g).

Approved:



## 7540 JOINT USE OF FACILITIES

The Board of Education supports the joint expenditure of school district funds and municipal or county funds to provide facilities from which the community may derive benefits.

The Board may, as the opportunity or need arises, join with the local municipal governing body in acquiring, improving, equipping, operating, or maintaining jointly used facilities in accordance with applicable law.

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

Adopted: 09 January 2006

Revised:



## 8465 BIAS 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. Bias crimes and bias-related acts involving students can lead to further violence and retaliation. Bias 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 bias crimes and bias-related acts.

### Definitions

A "bias crime" mean 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.

A "bias-related act" means 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 conduct that constitutes a criminal offense. All bias crimes are also bias-related acts, but not all bias-related acts will constitute a bias crime.

### Required Actions

School employees shall immediately notify the Principal and the Superintendent or designee when in the course of their employment they develop reason to believe that a bias crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A 16-6.3(e)1.

The Superintendent or designee shall promptly notify the local police department and the bias investigation officer for the county prosecutor's office when a bias crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e)1.

The Superintendent or designee shall immediately notify the local police department and the bias investigation officer for the county prosecutor's office where there is reason to believe that a bias crime or bias-related act 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 in accordance with N.J.A.C. 6A:16-6.3(e)2.

It is understood a referral to the local police department or county prosecutor's office pursuant to the Memorandum of Agreement between Education and Law Enforcement Officials 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 local police department or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected bias crime or bias-related act occurring on school grounds and may take such actions as necessary and appropriate to redress and remediate any such acts.

School officials will secure and preserve any such graffiti or other evidence of a suspected bias crime or bias-related act pending the arrival of the local police department or the county prosecutor's office. The school officials, where feasible, will cover or conceal such evidence until the arrival of the local police department or county prosecutor's office.

N.J.S.A. 2C:16-1

N.J.A.C. 6A:16-6.1; 6A:16-6.2; 6A:16-6.3

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

Adopted: 22 March 2010

Revised:



# REGULATION

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

### A. Definitions

1. A bias crime means 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 means 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; or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense.
3. All bias crimes are also bias-related acts, but not all bias-related acts will constitute a bias crime.

### B. Procedure For Reporting Bias Crimes

1. A school employee shall promptly notify the Principal and the Superintendent or designee when, in the course of their employment, develop reason to believe that:
  - a. A bias crime or a bias-related act has been committed or is about to be committed on school grounds; or
  - b. A bias crime or a bias-related act has been or is about to be committed by a student, whether on or off school grounds and whether such offense was or is about to be committed during operating school hours; or
  - c. A student enrolled in the school has been or is about to become the victim of a bias crime or bias-related act, on or off school grounds or during operating school hours.
2. The Superintendent or designee shall promptly notify the Livingston Police Department (LPD) and the bias investigation officer for the county prosecutor's office when a bias crime or bias-related act has been committed or is about to be committed on school grounds, or has been or is about to be committed by a student on or off school grounds, and whether such offense was or is to be committed during operating school



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hours, or a student enrolled in the school has been or is about to become the victim of a bias crime or bias-related act on or off school grounds, or during operating school hours.

3. The Superintendent or designee shall promptly notify the local police department and the bias investigation officer for the county prosecutor's office where there is reason to believe a bias crime or bias-related act 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 a life has been or will be threatened.

## C. Nature of Referral

1. The mandatory referral for suspected or committed bias crimes and bias-related acts as described in N.J.A.C. 6A:16-6.3€ and this 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.

## D. Concurrent Jurisdiction

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

2. School officials will promptly discontinue any on-going 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.

- a. Upon notice provided in D.2. above, school officials will take no further action without providing notice to and receiving the assent of the local police department or the county prosecutor's office.



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E. Preservation of Evidence

1. School officials will secure and preserve any such graffiti or other evidence of a suspected bias 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.

Adopted: October 16, 2017

Revised:



## 8600 STUDENT 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 may provide transportation to and from school for public school students less than remote for a fee and provided there is already an existing bus route in the area.

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. All requests must be approved by the district physician.

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.



The Board may require the compilation of a list of the names of students being transported by a school bus to a school-sponsored activity, including but not limited to, field trips or interscholastic sports programs. The staff member(s) supervising the school-sponsored activity shall create a list of students on each school bus and submit it to the Principal or designee, and the Principal or designee shall maintain the list for use in the case of an emergency in accordance with N.J.A.C. 6A:27-11.5.

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

Revised:



# POLICY

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LIVINGSTON  
**BOARD OF EDUCATION**

Operations  
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TRANSPORTATION (M)



## 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



# POLICY

LIVINGSTON  
BOARD OF EDUCATION

Community  
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ADMINISTRATION OF SCHOOL SURVEYS (M)

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:

