



LIVINGSTON BOARD OF EDUCATION VOTING MEETING AGENDA

Monday, November 18, 2019

Public Session – Heritage Middle School Auditorium – 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 – Charles “Buddy” August, 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 7, 2019 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. Pledge of Allegiance / Roll Call

D. Superintendent's Report

1. Elementary Presentations
2. Livingston Education Foundation
3. Summer Curriculum Writing Update

E. Conference with Livingston Education Association

F. Board Reports

G. Approval of Minutes

The Superintendent recommends the following:

1. Workshop/Voting Meeting Minutes of October 7, 2019
2. Voting Meeting Minutes of October 14, 2019
3. Workshop/Voting Meeting Minutes of November 11, 2019

ROLL CALL VOTE

H. Public Input on Agenda Items ~ up to 15 minutes

An excerpt from Policy #0167 adopted on January 10, 2011 and reviewed on March 4, 2013 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

Resolved, that the Livingston Board of Education approves the following textbooks 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**.

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 2019-2020 for four (4) 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 C**.

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 2019-2020 school year:

CHILD STUDY TEAM EVALUATIONS

Markey-Skeffington, Kristen \$475.00/day

CLINICAL SUPERVISION

Dr. Melissa Woronoff \$200.00/hour

OCCUPATIONAL THERAPY

Intensive Therapeutics, Inc. \$160.00/hour

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.

<u>Fund</u>	<u>Name</u>	<u>Amount</u>
10&11	Regular	\$3,212,021.99
12	Regular	1,073,767.43
20	Regular	147,575.62
60	Cafeteria	240,427.91
TOTAL		\$4,673,792.95

Regular Checks	83386-84184	\$4,433,365.04
Cafeteria	1155-1160	240,427.91
TOTAL		\$4,673,792.95

3.2 Board Secretary Report – September 2019

Whereas, the Livingston Board of Education has received the Report of the Board Secretary for September 30, 2019, 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 September 30, 2019, 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	7,304,008	15,433	
(11) Current Expense		20,867,850	4,946,899
(12) Capital Outlay		163,245	1,978,235
(20) Special Revenue Fund	279,348		
(30) Capital Projects Fund	3,171,432		
(40) Debt Service Fund	919,857		
Total:	\$11,674,645	\$21,046,528	\$6,925,134

Whereas, pursuant to N.J.A.C. 6:20-212(d), the Board Secretary has certified that as of September 30, 2019, 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 2019-2020 budget for September pursuant to Board of Education Policy 6422, now therefore be it

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

<u>Object</u>	<u>Description</u>	<u>To</u>	<u>From</u>
0260	Workmen's Compensation		\$5,725
0420	Clean/Repair Maintenance	\$350	
0520	Insurance	\$5,725	
0610	General Supplies		\$350
	TOTALS	\$6,075	\$6,075

3.4 Conferences and Overnight Trips

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

Resolved, that the Livingston Board of Education approves *Doug Jay*, Envirothon advisor, to chaperone approximately ten students attending Topanemus from May 1 to 2, 2020, in Millstone Township, NJ, at no cost to the district.

3.5 Field Trips

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

3.6 Ski Club

Resolved, that the Livingston Board of Education approves *Marisa Vosa*, Ski Club Advisor and *Michael Munley*, *Michael Ladocetta*, *Jessica Rettagliata*, *Brian Megaro*, *Rita Riccardi*, *Kristin DeLaRosa*, *Brittany Gajewsi* and *Cathy McCormack*, to chaperone approximately 30-40 students going on ski trips to Camelback Mountain on December 14, 2019; January 11, 2020; January 25, 2020; February 8, 2020; February 29, 2020 and March 14, 2020, at no cost to the district.

3.7 Update to Financial Depositories and Signatures

Resolved, that the Livingston Board of Education establish the following bank accounts at Regal Bank, Livingston, New Jersey and that Regal Bank is hereby requested, authorized and directed to honor all checks, draft and other orders for the payment of money drawn in the name of the Board of Education in the following accounts when bearing the true or approved facsimile signature(s) indicated:

Regal Bank		
<u>Account Title and Number</u>	<u>Signature(s)</u>	
Burnet Hill Elementary School School Account 0108010547	Sara Bright Jessica Byrne Steven K. Robinson	<i>Any 2</i>

3.8 Contract for Supervisory Services for L.I.N.K.S.

Be It Resolved, Drs. Eric Herschman and Susan Herschman have the experience and expertise to provide professional development for mental health services. Drs. Eric Herschman and Susan Herschman have provided a proposed Agreement, dated November 1, 2019 regarding the nature of their services to the satisfaction of the Board.

Be It Further Resolved, that Drs. Eric Herschman and Susan Herschman be approved by the Board of Education for the period November 1, 2019 through June 30, 2020 at the professional fees provided in the proposed Agreement.

Be It Further Resolved, that this appointment is made without advertising for bids because the services rendered are professional services as defined by the statute and not subject to competitive bidding.

3.9 Change to Board Meeting Calendar

Resolved, that the Livingston Board of Education approves changing the Reorganization Meeting from Monday, January 6, 2020 to Tuesday, January 7, 2020.

3.10 Policies & Regulations

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

Teaching Staff

Policy #3159 - Teaching Staff Member/School District Reporting Responsibilities (M)

Policy #3218 - Use, Possession, or Distribution of Substances (M) (with revisions)

Regulation #3218 - Use, Possession, or Distribution of Substances (M) (with revisions)

Support Staff

Policy #4218 - Use, Possession, or Distribution of Substances (M) (with revisions)

Regulation #4218 - Use, Possession, or Distribution of Substances (M) (with revisions)

Policy #4219 - Commercial Driver's License Controlled Substance and Alcohol Use Testing (M) (with revisions)

Finance

Policy #6112 - Reimbursement of Federal and Other Grant Expenditures (M) (with revisions)

Regulation #6112 - Reimbursement of Federal and Other Grant Expenditures (M) (with revisions)

Property

Policy #7440 - School District Security (M) (with revisions)

Regulation #7440 - School District Security (M) (with revisions)

ROLL CALL VOTE

4. PERSONNEL

The Superintendent recommends the following:

4.1 Termination

Resolved, that the Livingston Board of Education authorizes the termination of Employee #6439 effective immediately. The employee will be paid for 60 days in lieu of notice in accordance with the contract.

4.2 Leaves of Absences

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

Name	Position	Location	LOA w/pay and benefits	LOA w/o pay, but with benefits (if applicable)	Extended LOA w/o pay or benefits	Return Date
Diana Yellen*	Elementary School Teacher	BHE	5/6/19-6/20/19	8/29/19-11/21/19**	11/22/19-6/30/20	9/1/20
Aleksandr Sadiwnyk	Teacher of Tec Ed	MPMS	NA	2/3/20-3/13/20**	NA	3/16/20

<i>Meghan Reid</i>	Teacher of English	LHS	3/16/20-4/17/20	4/20/20-6/30/20*	NA	9/1/20
<i>Jalissa Sbarro*</i>	Office Support	CO	9/16/19-10/30/19	10/31/19-1/22/20**	NA	1/23/20
<i>Karen Haley*</i>	Instructional Aide	HMS	11/18/19-12/19/19 (.5)	NA	12/19/19 (.5) - 2/7/20	2/10/20
<i>Samantha Minnitti</i>	Elementary School Teacher	Collins	3/23/20-4/14/20	NA	4/15/20-6/30/20	9/1/20

*as amended from a previous agenda

**Designates time counted toward NJFLA/FMLA

4.3 Transfers

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

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
<i>Genevieve Day</i>	RHE	Elementary School Teacher	Leave Replacement	Aubrey Amorim	BA	1	\$52,673 (pro-rated)	12/2/19
<i>Georgette Bach</i>	RHE	Playground Aide	NA	NA	NA	NA	\$15.50/hr	10/24/19
<i>Inthira Goh</i>	Harrison	Playground Aide	NA	NA	NA	NA	\$15.50/hr	11/1/19
<i>Deborah Ottaiano</i>	RHE	Playground Aide	NA	NA	NA	NA	\$15.50/hr	11/13/19

*begins 60-day probationary period

**as amended from previous agenda

Resolved, that the Livingston Board of Education approves the appointment of the ABA Discrete Trial TA's and Instructional Aides, who have been previously employed by Livingston Public Schools, as listed on **Attachment G**.

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

4.5 Substitutes

Resolved, that the Livingston Board of Education approves the appointment of the individuals listed below to serve as substitutes for the 2019-2020 school year:

Name	Location	Title	Leave Replacement or Long Term Sub	Replacing	Salary	Effective Date
<i>Steven Zimmerman</i>	LHS	Teacher of Music	Long Term Sub	Joshua Salzman	\$158/day	10/21/19 - TBD
<i>Griffith Hughes</i>	MPMS	Teacher of Tech Ed	Long Term Sub	Aleksandr Sadiwnyk	\$263/day	1/30/20-3/13/20

Teachers

*Raymond Holloway
Jonathan Morgenthau
Nerissa Parmeshwar
Mitchell Ruderman
Nancy Spry*

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 Mentor Fees

Resolved, that the Livingston Board of Education amends the individuals on **Attachment J** listed as assigned mentors to receive payment in accordance with the schedule listed.

4.8 Stipends

Resolved, that the Livingston Board of Education approves *Laura Gordon*, Intervention/Enrichment Specialist at Mt. Pleasant Middle School, as a Team Leader for the cycle teachers at a stipend of \$1,800 for the 2019-2020 school year.

Resolved, that the Livingston Board of Education rescinds the appointment of *Kevin Philemon*, as Boys Basketball Assistant Coach at Livingston High School for the 2019-2020 school year.

Resolved, that the Livingston Board of Education approves the individuals on **Attachment K** for athletic stipends at Livingston High School for the 2019-2020 school year in accordance with the contract between the LBOE and the LEA.

Resolved, that the Livingston Board of Education approves the individuals on **Attachment L** for stipends at the elementary schools for the 2019-2020 school year in accordance with the contract between the LBOE and the LEA.

Resolved, that the Livingston Board of Education approves the individuals on **Attachment M** for co-curricular stipends at Livingston High School for the 2019-2020 school year in accordance with the contract between the LBOE and the LEA.

4.9 Extra Period Assignments

Resolved, that the Livingston Board of Education approved the individuals on **Attachment N** for extra period assignments during the 2019-2020 school year.

4.10 Contract Adjustment

Resolved, that the Livingston Board of Education approves the contract adjustment as listed on **Attachment O**.

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 October.

ROLL CALL VOTE

I. Public Comment ~ up to 15 minutes

An excerpt from Policy #0167 adopted on January 10, 2011 and reviewed on March 4, 2013 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

1. Legal Matters
2. Negotiations
3. Personnel

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 November 18, 2019 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)

December 9, 2019 (*voting*)

- National Merit Semi-Finalists Recognition Ceremony
- Comprehensive Annual Financial Report
- Counseling Report – LHS Report on Graduates for Class of 2019 (Policy 2610)
- New Course Offerings
- Approval of Comprehensive Annual Financial Report (Corrective Action Plan)

January 7, 2020 (*reorganization*)

PROGRAM/CURRICULUM

<u>Title</u>	<u>Author/Publisher</u>	<u>Year</u>	<u>Grade</u>	<u>Subject/Course</u>	<u>Rationale</u>
La Linea	Ann Jarmilla Macmillan	2006	8	ELA	“La Linea” is a fast paced, coming of age narrative about a teenage boy and his sister embarking on a truly perilous journey. This would allow students to have a main character about their age to identify with in terms of theme and an exciting story to help students easily breakdown the structure and components of narrative writing.
Selma	Paul Webb/Harpo	2014	8	ELA	Although the Civil Rights ACT of 1964 legally desegregated the South, discrimination was still rampant in certain areas, making it difficult for blacks to register to vote. Alabama city became a battleground in the fight for suffrage. Dr. Martin Luther King, Jr. pressed forward on an epic march from Selma to Montgomery.

PROGRAM/CURRICULUM

<u>Title</u>	<u>Author/Publisher</u>	<u>Year</u>	<u>Grade</u>	<u>Subject/Course</u>	<u>Rationale</u>
Killers of the Flower Moon	David Grann	2017	10	English	In the Early 1900s, after oil was discovered Their land, the richest people per capita in the world were the members of Osage Indian nation. One by one the Osage began being killed off in suspicious circumstances. The novel explores murder investigation, deep corruption as well as the birth of the modern FBI.

Name	School	Type of Placement	In-District Location	Assigned Staff	Date
Vicki Amarasiri	College of Saint Elizabeth	Classroom Observation	Riker Hill Elementary	Gail Kelly	November 20, 2019
Nicole Stephens	Seton Hall University	Clinical Experience	Hillside Elementary	Justin Grossman	January 20 - May 1, 2020
Natasha Filonovich	Seton Hall University	Clinical Experience	Hillside Elementary	Janene DePalo	January 20 - May 1, 2020
Samantha Dolcimascolo	Seton Hall University	Clinical Experience	Burnet Hill Elementary	Courtney Ferraro	January 20 - May 1, 2020

School	Program Type	Type	School Year 2019-2020			Extraordinary Services			Extended School Year			Total School
			# of Stud .	Tuition 2019-2020	Total Tuition	# of Stud		Aide(s)	# of Stud	ESY Tuition	Total ESY Tuition	
Boston Higashi School	Autism	R	1	\$ 195,532.69	\$ 195,532.69							\$ 195,532.69
Essex County Vocational Technical School	Vo-Tech	R	1	\$ 5,911.00	\$ 5,911.00							\$ 5,911.00
The Phoenix Center	Multiple Disabilities	N D	1	\$ 55,199.97	\$ 55,199.97							\$ 55,199.97
Shepard School - Kinnelow	Behaviorial Disabilities	N	1	\$ 44,292.33	\$ 44,292.33							\$ 44,292.33
Total			4		\$ 300,935.99							\$ 300,935.99

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.

Conference	Attendee(s)	Date(s)	Location	Cost
2020 FLENJ Annual Conference	Ivette Morano	March 27-28, 2020	Iselin, NJ	Not to exceed \$225
AENJ Conference	Emma Stein	October 5-7, 2019	Long Branch, NJ	Not to exceed \$205
Annual Convention	Gadi Ulysse	February 18-21, 2020	Baltimore, Maryland	Not to exceed \$950
ARTify 2019	Barbara Levy	October 5, 2019	Long Branch, NJ	Not to exceed \$200
Best Practices & Best Ways to Practice (grades 1-2)	Dana Wallock	December 2, 2019	Millburn, NJ	Not to exceed \$175
Council for Exceptional Children	Blair Rosenthal	February 5-7, 2020	Portland, Oregon	Not to exceed \$2,000
Curiosity Across the Curriculum: Pursuing Engagement, Literacy and Action through Inquiry	Marybeth Kopacz	January 17-20, 2020	Charleston, SC	Not to exceed \$2,100
De-Escalate Meltdowns & Diffuse Explosive Behavior	Laura Fabrizio	December 13, 2019	Parsippany, NJ	Not to exceed \$225
De-Escalate Meltdowns & Diffuse Explosive Behavior	Caitlin Wittjohann	December 13, 2019	Parsippany, NJ	Not to exceed \$225
FLENJ 2020 Annual Conference	Wendy Gelman	March 27-28, 2020	Iselin, NJ	Not to exceed \$200
FLENJ 2020 Annual Conference	Marisa Vosa	March 27-28, 2020	Iselin, NJ	Not to exceed \$200
Intermediate IMSE Orton-Gillingham Training	Christine Islinger	Oct. 28 -Nov. 1, 2019	Secaucus, NJ	Not to exceed \$1,500
Jump\$tart National Conference	Diane Mondoro	November 1-3, 2019	Washington, DC	Not to exceed \$250
Leadership Institute: Supporting Whole District Reform in Literacy 2019	Lorena Dolan	October 16-18, 2019	New York, NY	Not to exceed \$1,500
NECTFL Annual Conference 2020	Alyssa Thievon	February 14, 2020	New York, NY	Not to exceed \$185
NJAHPERD Annual Convention	Michael Munley	February 24-26, 2020	Long Branch, NJ	Not to exceed \$570
NJAHPERD Annual Convention	Kelly Nann	February 24-26, 2020	Long Branch, NJ	Not to exceed \$400
NJAHPERD Annual Convention	Cara Dlugo	February 24-26, 2020	Long Branch, NJ	Not to exceed \$425
NJAHPERD Annual Convention	David Jones	February 23-26, 2020	Long Branch, NJ	Not to exceed \$585
NJASL 2019 Fall Conference	Christy Caruso	December 9-10, 2019	East Brunswick, NJ	Not to exceed \$265
NJASL Fall conference	Colleen Donnelly	December 9-10, 2019	East Brunswick, NJ	Not to exceed \$225
NJASL Fall Conference	Sharon Edelberg	December 9-10, 2019	East Brunswick, NJ	Not to exceed \$225
NJASP Winter Conference 2019	Gadi Ulysse	December 13, 2019	East Windsor, NJ	Not to exceed \$200
PEDIATRIC HEALTH ASSESSMENT COURSE	Kathleen Giordano	January 8, 2020	Newark, NJ	Not to exceed \$200
The Leadership Challenge in Implementing RW	Sara Bright	November 15, 2019	Somerset, NJ	Not to exceed \$185
Greg Tang	Natalie Topylko	December 2, 2019	Millburn, NJ	Not to exceed \$160
Greg Tang	Angelina Rodriguez	December 2, 2019	Millburn, NJ	Not to exceed \$160

FIELD TRIPS

SCHOOL	GRADE/COURSE	MONTH	DESTINATION
Secondary	Holocaust & Genocide	November	Kean University
Secondary	AP Human Geography	April	Museum of the City of New York

November 18, 2019

2019-2020 TRANSFERS

Name	Current Position	Transferring From	Transferring To	New Position	Replacing	Effective Date
Meghan McAuley	Instructional Aide	MPE	Harrison	Instructional Aide	Christopher Ceci (resigned)	10/16/19

School	First Name	Last Name	Position	Hours/Week	Step	Salary	Start Date
Collins Elementary	Nicole	Griffin	Instructional Aide	15.83	1	\$13,424 (pro-rated)	11/6/19
Heritage Middle	Rachel	Rosenberg*	ABA Discrete Trial TA	35	1	\$35,723 (pro-rated)	10/28/19
Heritage Middle	Margaret	Wescott*	ABA Discrete Trial TA	35	1	\$35,723 (pro-rated)	10/28/19
Livingston High	Daniela	Brando*	Job Coach	35	1	\$35,723 (pro-rated)	11/21/19

**amended from previous agenda*

School	First Name	Last Name	Position	Hours/Week	Step	Salary	Start Date
Hillside Elementary	Melissa	Wolffe	Instructional Aide	28.75	1	\$24,379 (pro-rated)	11/4/19
Livingston High	Anna	Kane*	Instructional Aide	29.83	1	\$25,296 (pro-rated)	10/21/19
Livingston High	Ericka	Simon	Instructional Aide	29.83	1	\$25,296 (pro-rated)	11/21/19
Burnet Hill Elementary	Rumana	Patra	ABA Discrete Trial TA	35	1	\$35,723 (pro-rated)	12/2/19
Livingston High	Yasmin	Seabrook	Instructional Aide	29.83	1	\$25,296 (pro-rated)	12/2/19

**amended from previous agenda*

NAME	DATE	POSITION	# HOURS WORKED	RATE	TOTAL AMOUNT
Ackermann, Martha	10/19/2019	Ticket Taker/Football	3	\$22.50	\$67.50
Asimou, Eugene	10/19/2019	Game Worker/Football	4	\$22.50	\$90.00
Bisconti, Brett	9/17 - 9/24/19	Scoreboard/Soccer	6	\$22.50	\$135.00
Blount, Joanne	10/5/2019	Ticket Taker/Football	3	\$22.50	\$67.50
Brill, Daniel	10/11/2019	Game Worker/Football	3.75	\$22.50	\$84.38
Corrado, Vicent	9/6 & 9/20/19	Scoreboard/Football	8	\$22.50	\$180.00
Dlugo, Cara	9/19/19 - 10/10/19	Scoreboard/soccer, Field, Football	9.5	\$22.50	\$213.75
Gelb, Abe	10/11/19	Game Worker/Football	2.5	\$22.50	\$56.25
Gillock, Joanne	10/5/19	Ticket Taker/Football	3	\$22.50	\$67.50
	10/11/19	Ticket Seller/Football	3	\$22.50	\$67.50
Goldberg, Joann	10/5/19	Ticket Taker/Football	3	\$22.50	\$67.50
Islinger, Christine	10/7/19	Scoreboard/Field Hockey	1.5	\$22.50	\$33.75
Kulik, Vincent	9/19/19	Security/Collins Picnic	2	\$25.00	\$50.00
	9/20/2019	Security/BH Picnic	2	\$25.00	\$50.00
	9/25/2019	Security/RH BTS	3.25	\$25.00	\$81.25
	10/2/2019	Security/Collins BTS	2.5	\$25.00	\$62.50
Lieberman, Terri	10/5/2019	Ticket Taker/Football	3	\$22.50	\$67.50
Lukowiak, Stuart	10/3/2019	Scoreboard/Soccer	2	\$22.50	\$45.00
	10/10/2019	Security/Soccer	2.5	\$25.00	\$62.50
	10/11/2019	Security/Pep Rally	4.5	\$25.00	\$112.50
Mattia, Patricia	10/4/2019	Ticket Seller/Football	3	\$22.50	\$67.50
	10/5/2019	Ticket Seller/Football	3	\$22.50	\$67.50
Micciche, Brian	9/24/2019	Scoreboard/Field Hockey	2	\$22.50	\$45.00
Murray, Deborah	9/28/2019	Security/HMS Sanskriti Dance	6	\$25.00	\$150.00
Nann, Patrick	10/5/2019	Game Worker/Football	4.5	\$22.50	\$101.25
Natale, Natalie	10/11/2019	Game Worker/Football	3	\$22.50	\$67.50

Raiz, Paul	10/5/2019	Game Worker/Football	4	\$22.50	\$90.00
	10/11/2019	Game Worker/Football	3.75	\$22.50	\$84.38
Rigas, Pat	10/5/2019	Game Worker/Football	2.5	\$22.50	\$56.25
	10/11/2019	Game Worker/Football	3	\$22.50	\$67.50
Schwindel, Kate	10/11/2019	Game Worker/Football	3	\$22.50	\$67.50
Sullivan, Josphe	9/19/2019	Security/Harrison Picnic	2	\$25.00	\$50.00
	9/20/2019	Security/MPE Picnic	2	\$25.00	\$50.00
	9/26/2019	Security/MPE BTS	2.25	\$25.00	\$56.25
	10/3/2019	Security/Harrison BTS	3	\$25.00	\$75.00
	10/5/2019	Security/Football	5.25	\$25.00	\$131.25
	10/10/2019	Truency Officer Observation	1.75	\$25.00	\$43.75
Sullivan, Margaret	10/5/2019	Ticket Taker/Football	3	\$22.50	\$67.50
	10/11/19	Ticket Taker/Football	3	\$22.50	\$67.50
Szalay, Ann	10/11/19	Ticket Seller/Football	3	\$22.50	\$67.50
Weber, Douglas	9/6/19	Security/Football	3.5	\$25.00	\$87.50
	9/20/19	Security/Football	3.5	\$25.00	\$87.50
	9/12/19	Security/Hillside BTS	2.25	\$25.00	\$56.25
	9/24/2019	Security/BH BTS	2	\$25.00	\$50.00
	10/5/2019	Security/Football	5.5	\$25.00	\$137.50
				TOTAL	\$3,553.75

2019-2020

New Employees Requiring Mentoring**Teachers**

<u>Last Name</u>	<u>First Name</u>	<u>Position</u>	<u>School</u>	<u>Assigned Mentor</u>	<u>Fee</u>	<u>Comments</u>
Hazelcorn*	Eric	Elementary School Teacher	Hillside/Collins	Kristen Trebbe	\$550	
Robb	Shawna	ELA Teacher	MPMS	Nora Yukniewicz	\$550	

amended from previous agenda*Long Term Sub**

Certificate/Payment Key:

CE = \$1,000 (pro-rated for employees being mentored less than 30 weeks)

CEAS = \$550 (pro-rated for employees being mentored less than 30 weeks)

Position	# of Positions	2019/2020 Amount	Coaches
Game Worker			Nancy Held Melissa Gromek

**2019-2020
Elementary School Stipends**

TITLE	NAME	AMOUNT	PAY 11/15	PAY 5/15
ASSISTANT TO THE PRINCIPAL		\$5,008		
Harrison Elementary*	Jean Murray-Connell (1/6)	\$834.66	X	X
	Celine Falchetta (1/6)	\$834.66		
	Nicole Sajecki (1/6)	\$834.66		
	Eileen Saladino (1/6)	\$834.66		
	Janine DeMarsico (1/6)	\$834.66		
	Anne Matienzo (1/6)	\$834.66		
Riker Hill Elementary*	Heather Bannon (1/7)	\$715.42	X	X
	MaryAnn Chorba (2/7)	\$1,430.84		
	Rhonda Isakower (2/7)	\$1,430.84		
	Tara Lockwood (1/7)	\$715.42		
	Karen Montalto (1/7)	\$715.42		

**amended from previous agenda*

Note: Stipend payments will only be made upon completion of the stipend assignment and the principal has verified that all obligations have been successfully met.

November 18, 2019

2019-2020 STIPEND POSITIONS POSTING

Livingston High School

CO-CURRICULAR

Position	# of Positions	2019/2020 Amount	Staff Member(s)
Fall Drama Director*	1	\$5,634	Meghan Reid (1/2)
			Alyssa LaMedica (1/2)

**amended from previous agenda*

Name	Position	Location		Dates
Amanda Fischer	TOSD	LHS	(.2)	1/2/20-2/7/20
Danielle Buonomo	TOSD	LHS	(.2)	1/2/20-2/7/20
William Peklo	TOSD	LHS	(.2)	1/2/20-2/7/20
Gail Simpson	TOSD	LHS	(.2)	1/2/20-2/7/20
Sarah Pasculli	TOSD	LHS	(.2)	1/2/20-2/7/20
Michael Jedwabnik	Teacher of Music	LHS	(.2)	10/15/19-TBD
David Hyman	Teacher of Math	LHS	(.2)	10/21/19-TBD
Cheryl Coursen	Teacher of Math	LHS	(.2)	10/21/19-TBD
Daniel Brill	Teacher of Math	LHS	(.2)	10/21/19-TBD
Michael Ladolcetta	Teacher of Math	LHS	(.2)	10/21/19-TBD

**amended from previous agenda*

Last Name	First Name	Position	Guide	Step	Base Salary	Effective Date
Lukowiak	Stuart	Security (.625)	Security	9	\$37,201	11/14/19

Teaching Staff Members
3159/Page PAGE 2 of NUMPAGES 2
TEACHING STAFF MEMBER/SCHOOL DISTRICT REPORTING RESPONSIBILITIES

3159 TEACHING STAFF MEMBER/SCHOOL DISTRICT REPORTING
RESPONSIBILITIES

The Board of Education and all certificate holders shall adhere to the reporting requirements outlined in N.J.A.C. 6A:9B-4.3 and N.J.S.A. 18A:16-1.3. For the purpose of this Policy, “certificate holders” shall include all individuals who hold certificates, credentials, certificates of eligibility (CEs), and certificates of eligibility with advance standing (CEASs) issued by the New Jersey State Board of Examiners. For purposes of this policy, the term “certificate” shall include all standard, emergency and provisional certificates, all credentials, and all CEs and CEASs issued by the New Jersey State Board of Examiners.

All certificate holders shall report an arrest or indictment for any crime or offense to the Superintendent within fourteen calendar days of their arrest or indictment in accordance with the provisions of N.J.A.C. 6A:9B-4.3. The report submitted to the Superintendent shall include the date of arrest or indictment and charge(s) lodged against the certificate holder. Such certificate holders shall also report to the Superintendent the disposition of any charges within seven calendar days of the disposition. Failure to comply with these reporting requirements may be deemed “just cause” for revocation or suspension of certification pursuant to N.J.A.C. 6A:9-17.5. The school district shall make these reporting requirements known to all new employees upon initial employment and to all employees on an annual basis.

The Superintendent shall notify the New Jersey State Board of Examiners when:

1. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
2. Nontenured teaching staff members, including substitute teachers, who are accused of criminal offenses or unbecoming conduct resign, retire, or are removed from their positions;
3. A certificate holder fails to maintain any license, certificate, or authorization pursuant to N.J.A.C. 6A:9-4.1(b) that is mandated in order for the holder to serve in a position;
4. The Superintendent becomes aware that a certificate holder has been convicted of a crime or criminal offense while in the district’s employ; or



TEACHING STAFF MEMBER/SCHOOL DISTRICT REPORTING RESPONSIBILITIES

5. The Superintendent has received a report from Division of Child Protection and Permanency substantiating allegations of abuse or neglect or establishing “concerns” regarding a certificated teaching staff member.

The school district shall cooperate with the New Jersey State Board of Examiners in any proceeding arising from an order to show cause issued by the New Jersey State Board of Examiners and based on information about the certificate holder that the school district provided.

The Superintendent shall also notify the New Jersey State Board of Examiners, in accordance with the provisions of N.J.S.A. 18A:16-1.3, whenever a nontenured, certificated employee is dismissed prior to the end of the school year for just cause as a result of misconduct in office. This notification requirement shall not apply in instances where the employee’s contract is not renewed. The Superintendent will comply with the additional notice requirements to the New Jersey State Board of Examiners in the event it is subsequently determined by a disciplinary grievance arbitration, a court, or an administrative tribunal of competent jurisdiction that the basis for the dismissal did not constitute misconduct in office. In addition, whenever the Superintendent notifies the New Jersey State Board of Examiners of an employee’s dismissal for reasons of misconduct in accordance with the provisions of N.J.S.A. 18A:16-1.3, the employee shall receive a simultaneous copy of the notifying correspondence.

In the event the Board of Education determines, pursuant to a tenure charge finding under N.J.S.A. 18A:6-10 or a disorderly person conviction under N.J.S.A. 9:6-8.14, that a teaching staff member has failed to report an allegation of child abuse in accordance with State law or regulations, the Board shall submit a report to the New Jersey State Board of Examiners that outlines its findings. The New Jersey State Board of Examiners shall review the certification of the teaching staff member to determine if the teaching staff member’s failure to report warrants the revocation or suspension of his/her certificate. In accordance with N.J.S.A. 9:6-8.14, any person failing to report an act of child abuse, having reasonable cause to believe that an act of child abuse has been committed, may be deemed a disorderly person.

N.J.S.A. 9:6-8.14; 18A:6-10; 18A:6-38.5; 18A:16-1.3

N.J.A.C. 6A:9-17.1; 6A:9-17.4

Adopted: 14 December 2009

Revised: 14 February 2011

Revised: 17 October 2016



3218 USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES (M)

The Board of Education recognizes a teaching staff member who reports to work under the influence of a substance poses a significant threat to their health, safety, and welfare and the health, safety, and welfare of others, including students and other staff members. The Board strongly advises any teaching staff member that has a dependency on a substance as defined in this Policy to seek appropriate treatment. The Board has an obligation and the right to maintain a safe and healthy work environment and adopts this Policy as an important component toward maintaining a safe environment in the school district.

For the purposes of this Policy, “substance” or “substances” as defined in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a) means alcoholic beverages; any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2; or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4; and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

A teaching staff member shall be required to submit to an immediate medical examination to include a substance test if the Principal or designee has reasonable suspicion to believe a teaching staff member is under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities. Refusal by a teaching staff member to consent to the medical examination including a substance test will be deemed a positive test result for substances. In the event the results of the medical examination and substance test are not provided to the Superintendent, within twenty-four hours or as soon as the test results are available, it will be deemed a positive test result for substances and the teaching staff member shall be subject to appropriate discipline. Any required medical examination and testing shall be paid for by the Board.

In the event the Board physician determines the teaching staff member was under the influence of a substance, the determination shall be reported to the Superintendent and the teaching staff member will be subject to appropriate discipline. Appropriate discipline may include, but not be limited to, withholding an increment, terminating a non-tenured teaching staff member, and/or filing tenure charges for a tenured teaching staff member in accordance with law. The teaching staff member will be afforded the opportunity to have positive test results confirmed using acceptable confirmation test practices. This confirmation test shall be paid for by the teaching staff member.



In the event a teaching staff member's medical examination and substance test results are negative for a substance or if the Board physician determines the teaching staff member was not under the influence of a substance, the results or determination shall be reported to the Superintendent and the teaching staff member shall be returned to their position unless the Superintendent has a reason the teaching staff member should not be returned to their position.

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any staff member who, in the course of their employment, has reason to believe a staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal, or in the absence of the Principal, the Principal's designee responsible at the time of the alleged violation. Either the Principal or designee shall notify the Superintendent who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)3, the Superintendent or designee shall not disclose the identity of a staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a staff member in response to questioning initiated by the Principal or designee or following the discovery by the Principal or designee of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.

A staff member who unlawfully possessed or in any way has been involved in the distribution of a controlled dangerous substance, including anabolic steroids or drug paraphernalia, pursuant to N.J.A.C. 6A:16-6.3, shall be subject to appropriate discipline which may include, but not be limited to, termination of a non-tenured teaching staff member or the filing of tenure charges for a tenured teaching staff member in accordance with law.

42 CFR Part 2

N.J.S.A. 18A:16-3; 18A:40A-9

N.J.A.C. 6A:16-4.1; 6A:16-6.3; 6A:16-6.5



POLICY

LIVINGSTON
BOARD OF EDUCATION

Teaching Staff Members
3218/Page PAGE 2 of NUMPAGES 2
USE, POSSESSION OR DISTRIBUTION OF SUBSTANCES (M)

Adopted: 09 October 2006

Revised: 06 May 2013

Revised: June 3, 2019



TEACHING STAFF MEMBERS

R 3218/Page 6 of 6

USE, POSSESSION OR DISTRIBUTION OF SUBSTANCES (M)

R 3218 USE, POSSESSION OR DISTRIBUTION OF SUBSTANCES (M)

A. Definition

1. "Board physician" means a physician currently licensed by the New Jersey Board of Medical Examiners in medicine or osteopathy and appointed by the Board of Education.
2. "Principal or designee" means the teaching staff member's Principal or a staff member designated by the Principal to be responsible at the time of the alleged violation or the teaching staff member's supervisor or a staff member designated by the teaching staff member's supervisor to be responsible at the time of the alleged violation.
3. "Substance" or "substances" as defined in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a) means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.
3. "Substance test" means a test conducted by a Board approved laboratory using accepted substance use practices, accepted chain of custody procedures, and testing methodology recommended by the laboratory instrument's manufacturer.
4. "Under the influence" means the presence of a substance as defined in Policy 3218 and this Regulation as confirmed in a medical examination and substance test.

B. Procedures to be Followed When a Staff Member has Unlawfully Possessed or has been in the Distribution of a Controlled Dangerous Substance

1. Subject to N.J.A.C. 6A:16-6.5, any staff member who, in the course of their employment, has reason to believe a staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous



TEACHING STAFF MEMBERS

R 3218/Page 6 of 6

USE, POSSESSION OR DISTRIBUTION OF SUBSTANCES (M)

substance, including anabolic steroids, or drug paraphernalia, shall report the matter as soon as possible to the Principal or designee in accordance with the provisions of Policy 3218 and N.J.A.C. 6A:16-6.3(a).

- a. In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)1, upon receiving a report, the Principal or designee shall notify the Superintendent who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
- b. In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)2, the Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter including the identity of the staff member involved.
- c. A staff member who unlawfully possessed or in any way has been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall be subject to appropriate discipline, which may include, but not be limited to, termination of a non-tenured teaching staff member or the filing of tenure charges for a tenured teaching staff member in accordance with law.

C. Procedures to be Followed When a Teaching Staff Member is Suspected to be Under the Influence of a Substance

1. The following procedures shall be used when a teaching staff member is suspected of being under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities.
 - a. The Principal or designee, upon receiving a report or information a teaching staff member may be under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities will:
 - (1) Immediately notify the Superintendent of Schools;
 - (2) Immediately meet with the teaching staff member;



TEACHING STAFF MEMBERS

R 3218/Page 6 of 6

USE, POSSESSION OR DISTRIBUTION OF SUBSTANCES (M)

- (a) The Principal or designee may include another staff member in this meeting; and
 - (b) The teaching staff member suspected of being under the influence may include another staff member or a representative of their choice in this meeting.
- b. The Principal or designee shall present to the teaching staff member the report or information supporting the suspicion the teaching staff member may be under the influence of a substance.
- c. The teaching staff member shall be provided an opportunity to respond to the report or information presented by the Principal or designee.
- d. In the event the Principal or designee believes the teaching staff member may be under the influence of a substance after meeting with the teaching staff member, the Principal or designee will arrange for an immediate medical examination by the Board physician. The medical examination shall include a substance test administered by the Board physician or a Board-approved laboratory.
- e. The teaching staff member shall be transported to the examination and testing location by means of transportation approved by the Superintendent or designee and shall be accompanied by the Principal or designee.
- f. The teaching staff member, prior to the medical examination and substance test, will be informed by the Board physician or designee on the type of testing to be completed and the substances that will be tested.
- g. The teaching staff member may, prior to being examined or tested, disclose to the Board physician or designee any prescription medicine, over-the-counter medicine or supplements, or any other reason why the teaching staff member's test results may be positive.
- h. Refusal by a teaching staff member to consent to the medical examination which includes a substance test will be deemed a positive test result for substances.



TEACHING STAFF MEMBERS

R 3218/Page 6 of 6

USE, POSSESSION OR DISTRIBUTION OF SUBSTANCES (M)

2. The results of the medical examination and substance test shall be used by the Board physician to determine if the teaching staff member is under the influence of any substance as defined in Policy 3218 and this Regulation. The substance test procedures will provide for a confirmation test using acceptable confirmation test procedures.
 - a. Any specimen determined by the Board physician or Board-approved laboratory to have been adulterated by the teaching staff member will be deemed a positive test result for substances.
3. The results of the substance test shall be provided to the Superintendent and the Board physician within twenty-four hours of the test being administered or as soon as the test results are available. The Superintendent shall provide the teaching staff member with these results.
 - a. In the event the results of the medical examination and substance test are not provided to the Superintendent, it will be deemed a positive test result for substances.
4. If the Board physician determines, based upon the medical examination and the results of the substance test, that the teaching staff member was not under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the teaching staff member shall return to their position in the school district unless the Superintendent has a reason the teaching staff member should not be returned to their position.
5. If the Board physician determines, based upon the medical examination and the results of the substance test, that the teaching staff member was under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the Board physician will:
 - a. Discuss the results of the examination and substance test with the teaching staff member and provide the teaching staff member an opportunity to present any medical or other reasons for the Board physician's determination.



TEACHING STAFF MEMBERS

R 3218/Page 6 of 6

USE, POSSESSION OR DISTRIBUTION OF SUBSTANCES (M)

- b. Provide the teaching staff member an opportunity to have the substance test results confirmed by a laboratory selected by the teaching staff member and approved by the Board physician and Superintendent.
 - (1) The Board physician will schedule and coordinate the confirmation test procedures, including the acceptable time period for the confirmation test to be conducted based on the existing test results, and the time in which a confirmation test result would be valid. The confirmation test shall be paid for by the teaching staff member.
 - (2) The confirmation test results must be provided to the Board physician and the Superintendent within the time period required by the Board physician.
 - (3) Any confirmation test results provided to the Board physician and Superintendent not within the time period required by the Board physician shall not be accepted and the teaching staff member shall be determined to have waived their right to have the results of a confirmation test considered.
- c. After completing the requirements in 5. a. and b. above the Board physician shall make a final determination whether the teaching staff member was under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities.
 - (1) If the Board physician makes a final determination the teaching staff member was not under the influence during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the Board physician will report a final determination to the Superintendent and the teaching staff member shall return to their position in the school district unless the Superintendent has a reason the teaching staff member should not be returned to their position. Any records or documentation regarding a negative medical examination or substance test shall not be included in the teaching staff member's personnel file.



TEACHING STAFF MEMBERS

R 3218/Page 6 of 6

USE, POSSESSION OR DISTRIBUTION OF SUBSTANCES (M)

- (2) If the Board physician makes a final determination the teaching staff member was under the influence during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the Board physician will report a final determination to the Superintendent

D. Procedures to be Followed When a Teaching Staff Member is Determined to be Under the Influence of a Substance

1. Any teaching staff member determined by the Board physician to be under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities shall be required to meet with the Superintendent.
 - a. The teaching staff member may include a staff member or a representative of their choice in this meeting.
2. The Superintendent will provide the teaching staff member an opportunity to respond to the Board physician's determination.
3. A teaching staff member determined to have been under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities will be subject to appropriate discipline which may include, but not be limited to:
 - a. Withholding an increment;
 - b. Terminating a non-tenured teaching staff member; and/or
 - c. Filing tenure charges for a tenured teaching staff member.

Adopted: Nov. 23, 2015



4218 USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES (M)

The Board of Education recognizes a support staff member who reports to work under the influence of a substance poses a significant threat to their health, safety, and welfare and the health, safety, and welfare of others, including students and other staff members. The Board strongly advises any support staff member that has a dependency on a substance as defined in this Policy to seek appropriate treatment. The Board has an obligation and the right to maintain a safe and healthy work environment and adopts this Policy as an important component toward maintaining a safe environment in the school district.

For the purposes of this Policy, “substance” or “substances” as defined in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a) means alcoholic beverages; any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2; or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4; and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

A support staff member shall be required to submit to an immediate medical examination to include a substance test if the support staff member’s supervisor has reasonable suspicion to believe a support staff member is under the influence of a substance during work hours or at a school-sponsored function where the support staff member has been assigned job responsibilities. Refusal by a support staff member to consent to the medical examination including a substance test will be deemed a positive result for substances. In the event the results of the medical examination and substance test are not provided to the Superintendent, within twenty-four hours or as soon as the test results are available, it will be deemed a positive result for substances and the support staff member shall be subject to appropriate discipline. Any required medical examination and testing shall be paid for by the Board.

ember.



In the event the Board physician determines the support staff member was under the influence of a substance, the determination shall be reported to the Superintendent and the support staff member will be subject to appropriate discipline. Appropriate discipline may include, but not be limited to, withholding an increment, terminating a non-tenured support staff member, and/or filing tenure charges for a tenured support staff member in accordance with law. The support staff member will be afforded the opportunity to have positive test results confirmed using acceptable confirmation test practices. This confirmation test shall be paid for by the support staff member.

In the event a support staff member's medical examination and substance test results are negative for a substance or if the Board physician determines the support staff member was not under the influence of a substance, the results or determination shall be reported to the Superintendent and the support staff member shall be returned to their position unless the Superintendent has a reason the support staff member should not be returned to their position.

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any staff member who, in the course of their employment, has reason to believe a school staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal, or in the absence of the Principal, to the staff member's Supervisor responsible at the time of the alleged violation. Either the Principal or the staff member's Supervisor responsible at the time of the alleged violation shall notify the Superintendent who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)3, the Superintendent or designee shall not disclose the identity of a staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a staff member in response to questioning initiated by the Principal or Superintendent's designee or following the discovery by the Principal or Superintendent's designee of a controlled dangerous substance, including



anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.

A staff member who unlawfully possessed or in any way has been involved in the distribution of a controlled dangerous substance, including anabolic steroids or drug paraphernalia, pursuant to N.J.A.C. 6A:16-6.3, shall be subject to appropriate discipline which may include, but not be limited to, termination of a non-tenured support staff member or the filing of tenure charges for a tenured support staff member in accordance with law.

42 CFR Part 2

N.J.S.A. 18A:16-3; 18A:40A-9

N.J.A.C. 6A:16-4.1; 6A:16-6.3; 6A:16-6.5

Adopted: 09 October 2006

Revised: 06 May 2013

Revised: June 3, 2019



USE, POSSESSION, OR DISTRIBUTIUN OF SUBSTANCES (M)

R 4218 USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES (M)

A. Definition

1. "Board physician" means a physician currently licensed by the New Jersey Board of Medical Examiners in medicine or osteopathy and appointed by the Board of Education.
2. "Substance" or "substances" as defined in N.J.S.A. 18A:40A:9 and N.J.A.C. 6A:16-4.1(a) means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2; any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4; and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.
3. "Substance test" means a test conducted by a Board-approved laboratory using accepted substance use practices, accepted chain of custody procedures, and testing methodology recommended by the laboratory instrument's manufacturer.
4. "Support staff member's supervisor" or "supervisor" means the building or district administrative staff member who is responsible for supervising the support staff member. For the purposes of this Policy and Regulation, the support staff member's supervisor shall be the support staff member's Principal or any other administrative staff member responsible at the time of the alleged violation or as designated by the Superintendent.
5. "Under the influence" means the presence of a substance as defined in Policy 4218 and this Regulation as confirmed in a medical examination and substance test.

B. Procedures to be Followed When a Staff Member has Unlawfully Possessed or has been Involved in the Distribution of a Controlled Dangerous Substance

1. Subject to N.J.A.C. 6A:16-6.5, any staff member who, in the course of their employment, has reason to believe a staff member has unlawfully possessed



USE, POSSESSION, OR DISTRIBUTIUN OF SUBSTANCES (M)

or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall report the matter as soon as possible to the staff member's supervisor in accordance with the provisions of Policy 4218 and N.J.A.C. 6A:16-6.3(a).

- a. In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)1, upon receiving a report, the supervisor shall notify the Superintendent who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
- b. In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)2, the Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter including the identity of the staff member involved.
- c. A staff member who unlawfully possessed or in any way has been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall be subject to appropriate discipline, which may include, but not be limited to, termination of a non-tenured support staff member or the filing of tenure charges for a tenured support staff member in accordance with law.

C. Procedures to be Followed When a Support Staff Member is Suspected to be Under the Influence of a Substance

1. The following procedures shall be used when a support staff member is suspected of being under the influence of a substance during work hours or at a school-sponsored function where the support staff member has been assigned job responsibilities.
 - a. The support staff member's supervisor, upon receiving a report or information a support staff member may be under the influence of a substance during work hours or at a school-sponsored function where the support staff member has been assigned job responsibilities will:
 - (1) Immediately notify the Superintendent;
 - (2) Immediately meet with the support staff member;



USE, POSSESSION, OR DISTRIBUTUON OF SUBSTANCES (M)

- (a) The support staff member's supervisor may include another staff member in this meeting; and
 - (b) The support staff member suspected of being under the influence may include another staff member or a representative of their choice in this meeting.
- b. The support staff member's supervisor shall present to the support staff member the report or information supporting the suspicion the support staff member may be under the influence of a substance.
- c. The support staff member shall be provided an opportunity to respond to the report or information presented by the supervisor.
- d. In the event the supervisor or designee believes the support staff member may be under the influence of a substance after meeting with the support staff member, the supervisor will arrange for an immediate medical examination by the Board physician. The medical examination shall include a substance test administered by the Board physician or a Board-approved laboratory.
- e. The support staff member shall be transported to the examination and testing location by means of transportation approved by the Superintendent or designee and shall be accompanied by the support staff member's supervisor or designee.
- f. The support staff member, prior to the medical examination and substance test, will be informed by the Board physician or designee on the type of testing to be completed and the substances that will be tested.
- g. The support staff member may, prior to being examined or tested, disclose to the Board physician or designee any prescription medicine, over-the-counter medicine or supplements, or any other reason why the support staff member's test results may be positive.
- h. Refusal by a staff member to consent to the medical examination which includes a substance test will be deemed a positive result for substances.



USE, POSSESSION, OR DISTRIBUTIUN OF SUBSTANCES (M)

2. The results of the medical examination and substance test shall be used by the Board physician to determine if the support staff member is under the influence of any substance as defined in Policy 4218 and this Regulation. The substance test procedures will provide for a confirmation test using acceptable confirmation test procedures.
 - a. Any specimen determined by the Board physician or Board-approved laboratory to have been adulterated by the support staff member will be deemed a positive result for substances.
3. The results of the substance test shall be provided to the Superintendent and Board physician within twenty-four hours of the test being administered or as soon as the test results are available. The Superintendent shall provide the support staff member with these results.
 - a. In the event the results of the medical examination and substance test are not provided to the Superintendent, it will be deemed a positive result for substances.
4. If the Board physician determines, based upon the medical examination and the results of the substance test, that the support staff member was not under the influence of a substance during work hours or at a school-sponsored function where the support staff member was assigned job responsibilities, the support staff member shall return to their position in the school district unless the Superintendent has a reason the support staff member should not be returned to their position.
5. If the Board physician determines, based upon the medical examination and the results of the substance test, that the support staff member was under the influence of a substance during work hours or at a school-sponsored function where the support staff member was assigned job responsibilities, the Board physician will:
 - a. Discuss the results of the examination and substance test with the support staff member and provide the support staff member an opportunity to present any medical or other reasons for the Board physician's determination.
 - b. Provide the support staff member an opportunity to have the substance test results confirmed by a laboratory selected by the



USE, POSSESSION, OR DISTRIBUTUON OF SUBSTANCES (M)

support staff member and approved by the Board physician and Superintendent.

- (1) The Board physician will schedule and coordinate the confirmation test procedures, including the acceptable time period for the confirmation test to be conducted based on the existing test results, and the time in which a confirmation test result would be valid. This confirmation test shall be paid for by the support staff member.
 - (2) The confirmation test results must be provided to the Board physician and Superintendent within the time period required by the Board physician.
 - (3) Any confirmation test results provided to the Board physician and Superintendent not within the time period required by the Board physician shall not be accepted and the support staff member shall be determined to have waived their right to have the results of a confirmation test considered.
- c. After completing the requirements in 5. a. and b. above the Board physician shall make a final determination whether the support staff member was under the influence of a substance during the work hours or at a school-sponsored function where the support staff member was assigned job responsibilities.
- (1) If the Board physician makes a final determination the support staff member was not under the influence during work hours or at a school-sponsored function where the support staff member was assigned job responsibilities, the Board physician will report a final determination to the Superintendent and the support staff member shall return to their position in the school district unless the Superintendent has a reason the support staff member should not be returned to their position. Any records or documentation regarding a negative medical examination or substance test shall not be included in the support staff member's personnel file.
 - (2) If the Board physician makes a final determination the support staff member was under the influence during work



USE, POSSESSION, OR DISTRIBUTUON OF SUBSTANCES (M)

hours or at a school-sponsored function where the support staff member was assigned job responsibilities, the Board physician will report a final determination to the Superintendent.

D. Procedures to be Followed When a Support Staff Member is Determined to be Under the Influence of a Substance

1. Any support staff member who has been determined by the Board physician to be under the influence of a substance during work hours at a school-sponsored function where the support staff member was assigned job responsibilities shall be required to meet with the Superintendent.

a. The support staff member may include a staff member or a representative of their choice in this meeting.

2. The Superintendent will provide the support staff member an opportunity to respond to the Board physician's determination.

3. A support staff member determined to be under the influence of a substance during work hours or at a school-sponsored function where the support staff member was assigned job responsibilities will be subject to appropriate discipline which may include, but not be limited to:

a. Withholding an increment;

b. Terminating a non-tenured support staff member; and/or

c. Filing tenure charges for a tenured support staff member.

Adopted: Nov. 23, 2015



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE
TESTING (M)

4219 COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND
ALCOHOL USE TESTING (M)

The Board of Education is committed to a safe, efficient and alcohol and drug-free workplace, that protects the district's pupils as well as the health and safety of its employees and the general public.

The Board requires all drivers performing any safety-sensitive function are free of drugs and alcohol and will test those employees who operate a commercial motor vehicle in accordance with 49 C.F.R. 382 et seq. and 49 C.F.R. 40 et seq. For the purpose of this policy, "employee" means a person required to have a Commercial Driver's License (CDL) in the performance of their job responsibilities. Safety-sensitive function as defined by 49 C.F.R. 382.107 means any time from the time a driver begins work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. Safety-sensitive function shall include:

1. All time at the terminal, facility, other property, or on any public property, waiting to be dispatched, unless relieved from duty;
2. All time inspecting equipment as required by Federal law or otherwise inspecting, servicing, or conditioning any commercial vehicle, at any time;
3. All time spent at the driving controls of a commercial motor vehicle in operation;
4. All time other than driving time, in or upon the commercial vehicle except in an area defined as a sleeping berth;
5. All time loading and unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle or in giving or receiving receipts for shipments loaded and unloaded; and
6. All time spent performing driver requirements related to accidents; and
7. All time repairing, obtaining assistance, or remaining in attendance with the vehicle.



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE TESTING (M)
The Omnibus Transportation Employee Testing Act of 1991 requires all operators of commercial motor vehicles subject to the Commercial Driver's License requirements to be tested for controlled substances and alcohol. Federal regulations of the U.S. Department of Transportation require that any employee using a CDL be required to submit to alcohol and controlled substance testing in accordance with 49 C.F.R. Part 40.

The Board designates the Transportation Coordinator as the Designated Employer Representative (DER) of the Board of Education. The Board may contract with a service agent to provide the testing services as required by Federal law. In the event the Board contracts with a service provider for transportation, the Board designee will ensure all transportation contractors comply with drug and alcohol testing requirements of Policy 4219 pursuant to 49 CFR 382 et seq. and 49 CFR 40 et seq.

No employee at any work site will possess, manufacture, use, sell, or distribute any quantity of any controlled substance, lawful or unlawful, which in sufficient quantity could result in impaired performance, with the exception of substances administered by or under the instructions of a physician. No employee shall perform safety-sensitive functions within four hours after using alcohol and the district will not permit an employee that used alcohol within four hours of performing safety-sensitive functions to perform such functions if the district has actual knowledge of the use in accordance with 49 CFR 392.5..

Violations

Any violation of this policy may result in discipline, up to and including termination.

Prohibited Substances

The presence of any of the following controlled substances in the body, listed in 49 CFR 40.87, in the body, as evidenced by the results of the initial screening and subsequent confirmatory analysis provided in this Policy, is prohibited for any employee assigned to a classification covered by this policy. All cutoff concentrations shall be in accordance with 49 CFR. 40.87. All test results shall be measured against the cutoff concentrations as outlined in 49 CFR 40.87.



Support Staff
4219/Page 18 of 20

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE Testing Procedures TESTING (M)

All testing for controlled dangerous substances will be conducted in accordance with 49 C.F.R. Part 40, Subparts A, B, C, D, E, F, G, H and I. The district will only test for drug classes in accordance with 49 CFR 40.85. Testing for alcohol will be conducted in accordance with 49 C.F.R. Part 40, Subparts J, K, L, M and N.

Definitions

"Alcohol" means the drinking or swallowing of any beverage, liquid mixture or preparation (including medication) containing alcohol.

"Aliquot" means a fractional part of a specimen used for testing. It is taken as a sample representing the whole specimen.

"Confirmatory Drug Test" means a second analytical procedure performed on an aliquot of the original specimen to identify and quantify the presence of a specific drug or drug metabolite.

"Confirmed Drug Test" means a confirmation drug test received by a Medical Review Officer (MRO) from a certified laboratory.

"Controlled substances" means those substances identified in 49 C.F.R. 40.85.

"CCF" means the Federal Drug Testing Custody and Control Form.

"Designated Employer Representative (DER)" is an employee of the district authorized to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The Designated Employer Representative (DER) shall receive test results and other communications for the employer, consistent with the requirements of this policy and 49 C.F.R. 40. Service agents cannot act as a DER.

"FMCSA" means Federal Motor Carrier Safety Administration.

"Initial Drug Test (also known as a "screening drug test")" means the test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

"Initial Specimen Validity Screening" means the first test used to determine if a urine specimen is adulterated, diluted or substituted, or invalid.



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE TESTING (M)
"Medical Review Officer (MRO)" is a licensed physician responsible for receiving and reviewing laboratory results generated by the district's drug testing program and evaluating medical explanations for certain drug test results.

"Possess" includes, but is not limited to, either in or on the driver's person, personal effects, motor vehicle or areas substantially entrusted to the control of the driver.

"Service agent" is any person or entity, other than an employee of the Board, who provides services specified under 49 C.F.R. 40 to the Board.

"Substance Abuse Professional (SAP)" is a person who evaluates employees who have violated a Federal or State drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing and aftercare. Individuals permitted to act as Substance Abuse Professionals must possess the credentials as outlined in 49 C.F.R. 40.281.

"Work Site" means any motor vehicle, office, building, yard or other location at which the driver is to perform work or any other school district property or at any school district event.

Categories of Testing

For the purpose of this policy, the occurrence of the following circumstances/instances shall require an employee to submit to a controlled substance and alcohol screening:

1. Pre-Employment Testing

An individual who has applied for and has been selected to operate a Board vehicle shall, before beginning employment with the Board, submit to a controlled substance screening in conjunction with any required physical examination as per Policy No. 4160. Such screening shall be conducted in accordance with the procedures set forth in this policy and 49 C.F.R. 40. No individual receiving a positive confirmed test result will be employed by the Board.

An employer is not required to administer a controlled substances test required by 49 CFR 382.301 (a) if:

- a. The employee has participated in a controlled substance testing program that met the requirements of 49 C.F.R. 382 et seq. within the previous thirty days and
- b. The employee while participating in that program either:



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE

- (1) Was tested for controlled substances within the ~~testing~~ (M) months (from the date of application to the commission), or
 - (2) Participated in the random controlled substances testing program for the previous twelve months (from the date of application to the commission), and
- c. The DER must ensure that no prior employer, to the DER's knowledge, has records of a violation of a controlled substance testing program within the previous six months.

If an individual is so exempted, the Designated Employer Representative (DER) shall contact the alcohol and/or controlled substances testing program in which the driver participated and obtain the following information in accordance with 49 C.F.R. 382.301(c):

- a. Name and address of the program;
- b. Verification of the individual's participation;
- c. Verification that the program conforms to Federal guidelines;
- d. Verification the individual qualified under the law and did not refuse to be tested for controlled substances;
- e. The date the driver was last tested for controlled substances; and
- f. The results of any tests taken within the last six months and any other violations.

An employee who has applied for and has been selected to operate a Board vehicle or any existing employee transferring into a new position now required to operate a Board vehicle, shall submit a written consent authorizing the Board to obtain the following information from other employers who have employed the employee during any period during the two years before the date of the individual's application date or transfer into the new position. The written consent from the individual will permit the Designated Employer Representative (DER) to obtain the following information from previous DOT-regulated employers:

- a. Alcohol tests with a result of 0.04 or higher alcohol concentration;



Support Staff
4219/Page 18 of 20

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE
TESTING (M)

- b. Verified positive drug tests;
- c. Refusals to be tested (including verified adulterated or substituted drug test results);
- d. Other violations of DOT agency drug and alcohol testing regulations; and
- e. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return-to-duty requirements (including follow-up tests). If this information is not available from the previous employer, the DER must seek to obtain this information from the employee.

The DER will obtain and review this information before the employee first performs any driving and/or safety-sensitive functions. If this is not feasible, the DER will not permit the individual to work after thirty days from the individual's first date of employment in the position unless the DER has obtained or made and documented a good faith effort to obtain this information.

2. Random Testing

Every employee shall be subject to submit to alcohol and controlled substance testing on an unannounced and random basis resulting from the selection by a random generation methodology in accordance with 49 C.F.R. 383.305(i). Random testing will be spread reasonably throughout any given calendar year.

The minimum annual percentage rate for random alcohol testing shall be 10% of the average number of driver positions. The minimum annual percentage rate of random controlled substances testing shall be 25% of the average number of driver positions. The minimum annual percentage rates may be adjusted as determined by the FMCSA Administrator in accordance with C.F.R. 382.305.

Employees shall only be random tested when performing safety-sensitive functions or immediately prior to or immediately following the performance of safety-sensitive functions.

3. Post-Accident Testing



Support Staff
4219/Page 18 of 20

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE TESTING (M)

The involvement by an employee in a motor vehicle collision while operating a Board vehicle when such accident results in property damage or personal injury, may trigger a post-accident drug and alcohol test.

As soon as practical following an occurrence, the DER will require post-accident alcohol screening for each of the surviving drivers:

- a. Who was performing safety-sensitive functions with respect to a vehicle, if the accident involves the loss of human life; or
- b. Who receives a citation within eight hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
 - (1) Bodily injury to any person, who, as a result of the injury immediately receives medical treatment away from the scene of the accident; or
 - (2) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.
- c. If the alcohol test is not administered within two hours following the accident, the DER will prepare and maintain on file a record stating the reasons the test was not promptly administered. If the alcohol test is not administered within eight hours following the accident, the DER shall cease attempts to administer the alcohol test and shall prepare and maintain the same record. Records shall be submitted to the FMCSA upon request.

As soon as possible following an occurrence, the district will require post-accident controlled substance screening for each of the surviving drivers:

- a. Who was performing safety-sensitive functions with respect to a vehicle, if the accident involves the loss of human life; or
- b. Who receives a citation within thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE TESTING (M)

- (1) Bodily injury to any person, who, as a result of the accident, immediately receives medical treatment away from the scene of the accident; or
 - (2) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.
- c. If the controlled substance test is not administered within thirty-two hours following the accident, the DER shall cease attempts to administer the controlled substance test and shall prepare and maintain the same record. Records shall be submitted to the FMCSA upon request.

An employee who is subject to post-accident testing shall remain readily available for such testing or be deemed to have refused to submit for testing. (An employee who is injured in an accident and requires medical care, shall submit to post-accident drug and controlled substance testing by the medical care facility providing the treatment or a designee of the Board if the facility is unable to provide the testing.) Nothing herein shall be construed to prevent the driver from leaving the scene of the accident for the period required to obtain necessary assistance or to obtain emergency medical care.

4. Reasonable Suspicion Testing

The DER may require a driver to submit to an alcohol and/or controlled substance test when the driver is observed by a supervisor or school official who is trained in accordance with 49 C.F.R. 382.603 and causes the observer to have reasonable suspicion to believe the driver has violated 49 C.F.R. 382 et seq. Reasonable suspicion must exist to require the driver to undergo a test and must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.

Reasonable suspicion alcohol testing is authorized only if the required observations are made during, just preceding, or just after the period of the work day the driver is required to be in compliance with the testing requirements of 49 C.F.R. 382 et seq.



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE TESTING (M)

Reasonable suspicion testing may be required of an employee while the employee is performing, just before the driver will perform or just after the driver has ceased performing safety-sensitive functions.

If the alcohol test is not administered within two hours following the determination a reasonable suspicion test is required, the DER will prepare and maintain on file a record stating the reasons the test was not promptly administered. If the alcohol test is not administered within eight hours following the determination, the DER shall cease attempts to administer the alcohol test and shall state in the record the reasons for not administering the test.

No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol, as shown by the behavioral, speech and performance indicators of alcohol misuse. The employee will also not be able to perform or continue to perform safety-sensitive functions until an alcohol test is administered and the driver's concentration measures less than 0.02 or twenty-four hours have elapsed following the determination that reasonable suspicion existed to require an alcohol test.

A written record of the observations leading to a reasonable suspicion test shall be made and signed by the supervisor and/or school official that made the observations. This record shall be made within twenty-four hours of the observed behavior or before the results of the test are released, whichever is earlier.

5. Return to Duty Testing

The district is not required to return an employee to a safety-sensitive position upon receipt of a confirmed drug and/or alcohol test.

The Designated Employer Representative (DER) may recommend to the Superintendent of Schools the individual's employment be terminated depending on the circumstances.

The DER shall ensure that before a employee returns to duty requiring the performance of a safety-sensitive function, the employee shall undergo a return to duty alcohol test indicating a breath alcohol concentration of less than 0.02 and a controlled-substances test with a result indicating a verified negative result for controlled-substances use as required in 49 C.F.R. 40.305.



Support Staff
4219/Page 18 of 20

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE TESTING (M)

Employees permitted to return to duty are required to take return-to-duty tests and shall be evaluated by a Substance Abuse Professional (SAP). These individuals must participate in an assistance program prescribed by the SAP and as required in 49 C.F.R. 40 Subpart O.

The SAP will determine a written follow-up testing plan for any individual who has been permitted to return to work and has successfully complied with the SAP's recommendations for education and/or treatment. Such employees are subject to a minimum of six unannounced, follow-up drug screenings and alcohol tests over the following twelve months. The testing shall not exceed forty-eight additional months. Alcohol follow-up testing shall be performed only when the driver is performing safety-sensitive functions or immediately prior to performing or immediately after performing safety-sensitive functions. All follow-up testing will be completed in accordance with 49 C.F.R. 40.307. The SAP will comply with all reporting requirements of 49 C.F.R. 40.311.

The Board shall make the ultimate determination to return or not return an employee to a safety-sensitive position subject to any collective bargaining agreements, if any, or other legal requirements.

Medical Review Officer (MRO) Notifications

The Board shall employ or contract with a medical review officer who is a licensed physician (M.D. or D.O.) and shall designate the Medical Review Officer as the individual responsible for receiving laboratory results generated by the testing program. The medical review official shall have knowledge of substance abuse disorders and have appropriate medical training to interpret and evaluate the individuals confirmed positive test together with his/her medical history and other biomedical data. The Medical Review Officer will perform all functions and responsibilities as required in 49 C.F.R. 40.121.

Employer Notification

The Medical Review Officer may report controlled substances test results to the DER by any means of communication; however, a signed, written notification must be forwarded within three business days of the completion of the Medical Review Officer's evaluation. The Medical Review Officer must report all drug test results to the employer. The MRO may use a signed or stamped and dated legible photocopy of Copy 2 of the CCF to report test results or a written report that must include, at a minimum, the information required in 49 C.F.R. 40.163.



Support Staff
4219/Page 18 of 20
COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE
Split Specimen Tests TESTING (M)

Split specimen testing will be conducted in accordance with 49 C.F.R. 40 Subpart H. The MRO will notify the Superintendent if split specimen testing is requested by the employee.

Designated Collection Facility

The Board shall designate the facility to be used for the collection of the specimen; provided, however, that the designated facility shall possess all required licenses and permits. The collection site will take place in a facility meeting the requirements of 49 C.F.R. 40 Subpart D. The DER will ensure the collection site meets the security requirements of 49 C.F.R. 40.43.

Designated Screening Laboratory

The Board shall designate the laboratory to which collected fluid samples will be forwarded for drug/alcohol screening. Drug testing laboratories must be certified by the Department of Health and Human Services (HHS) under the National Laboratory Certification Program (NLCP) for all testing required under 49 C.F.R. 40. The laboratory will perform all responsibilities as required in accordance with 49 C.F.R. 40 Subpart F.

Specimens

The normal screening methodology for controlled substances shall be urinalysis, collected with appropriate documentation at a site designated and approved by the Board. The presence of alcohol will be determined by an Alcohol Screening Device (ASD) or an Evidential Breath Testing Device administered by an individual certified in accordance with 49 C.F.R. 40.211 and 49 C.F.R. 40.213.

Refusal to Submit

An employee will be deemed as refusing to take a drug test as described in 49 C.F.R. 40.191. As per 49 C.F.R. 40.191, an individual refuses to take a drug test if he/she:

1. Fails to appear for any test (except a pre-employment test) within a reasonable time, as determined by the DER, consistent with applicable DOT agency regulations, after being directed to do so by the DER;
2. Fails to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE TESTING (M)

3. Fails to provide a urine specimen for any drug test required by this policy.
An employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
4. Fails to permit the observation or monitoring of providing a specimen in the case of a directly observed or monitored collection in a drug test;
5. Fails to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
6. Fails or declines to take a second test the DER or collector has directed the individual to take;
7. Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER under Sec. 40.193(d). In the case of a pre-employment drug test, the individual is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;
8. Fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process);
9. Fails to follow the collection observer(s) instructions of which could be used to interfere with the collection process;
10. Possesses or wears a prosthetic or other device that could be used to interfere with the collection process; or
11. Admits to the collector or MRO he/she has adulterated or substitutes the specimen.

If the MRO reports the employee has a verified adulterated or substituted test result, the result will be deemed refusal to take a drug test.

If an individual refuses to participate in a part of the testing process, the collector or MRO, must terminate the portion of the testing process, document the refusal on the CCF (including in the case of the collector, printing the employee's name on Copy 2 of the CCF), immediately notify the DER by any means (e.g., telephone or secure fax machine) that



Support Staff
4219/Page 18 of 20

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE TESTING (M)
ensures that the refusal notification is immediately received. A referral physician (M) physician evaluating a "shy bladder" condition or a claim of a legitimate medical explanation in a validity testing situation) must notify the MRO, who in turn will notify the DER. In addition, the collector must note the refusal in the "Remarks" line (Step 2), and sign and date the CCF. The MRO must note the refusal by checking the "refused to test because" box (Step 6) on Copy 2 of the CCF, and add the reason on the "Remarks" line. The MRO must then sign and date the CCF. When the driver refuses to take a non-DOT test or to sign a non-DOT form, the driver has not refused to take a DOT test. There are no consequences under DOT agency regulations for refusing to take a non-DOT test.

Record of Negative Screening

An employee required to submit to an alcohol and/or controlled substance screening as provided in this policy and whose screening results are negative may, at their option, have their personnel file documented to reflect the negative result.

Prescription Drugs

All bus drivers shall notify the DER of the use of any prescription drugs. The Board may require certification from the prescribing physician that the use of the prescription drug will not have an adverse affect on the driver's ability to properly perform safety-sensitive functions.

Consequences to Drivers Engaging in Prohibited Conduct

An employee whose screening produces a positive result for a prohibited substance who is permitted to return to work:

1. Shall not be permitted to perform safety-sensitive functions;
2. Shall be advised by the DER of resources available to them in evaluating and resolving problems associated with the misuse of alcohol or the use of controlled substances;
3. Shall be evaluated by a substance abuse professional who shall determine what assistance, if any, is needed to resolve problems with alcohol or controlled substance use;
4. Undergo, before returning to duty, a return to duty alcohol test indicating a breath level of less than 0.02 if the conduct involved alcohol or a controlled substance test with a verified negative result;



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE

5. If assistance was required, the employee must be evaluated by a ~~support~~ ^{PESTING (M)} abuse professional to determine that the driver has followed the rehabilitation program prescribed;
6. Be subject to unannounced follow up alcohol and/or controlled substance abuse testing;
7. Be subject to the disciplinary policy and regulations of the Board.

Return-to-Work Agreement

An employee who has returned to work and who fails to comply with any of the terms of the Return to Work Agreement, if provided at the employer's discretion, shall be subject to disciplinary action which may include termination.

Maintenance and Retention of Records

The DER shall maintain and retain all records as required by federal regulation. Records shall include at least the following:

1. Records Related to the Collection Process
 - a. Collection logbooks (if used);
 - b. Documents related to the random selection process;
 - c. Calibration documentation for Evidential Breath Testing Devices (EBT's);
 - d. Documentation of Breath Alcohol Technician (BAT) training;
 - e. Documentation of reasoning for reasonable suspicion testing;
 - f. Documentation of reasoning for post-accident testing;
 - g. Documents verifying a medical explanation for the inability to provide adequate breath or urine for testing; and
 - h. Consolidated annual calendar year summaries.
2. Records Related to the Employee's Test Results



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE

- a. Employer's copy of the alcohol test form, including results; TESTING (M)
 - b. Employer's copy of the drug test chain of custody and control form;
 - c. Documents sent to the employer by the Medical Review Officer;
 - d. Documentation of any employee's refusal to submit to a required alcohol or controlled substance test; and
 - e. Documents provided by a driver to dispute results of test.
3. Documentation of any Other Violations of Controlled Substance Use or Alcohol Misuse Policies
 4. Records Related to Evaluations and Training
 - a. Records pertaining to Substance Abuse Professional's (SAP's) determination of driver's need for assistance;
 - b. Records concerning a driver's compliance with SAP's recommendations, and records related to education and training;
 - c. Materials on drug and alcohol awareness, including a copy of the employer's policy on drug use and alcohol misuse;
 - d. Documentation of compliance with requirement to provide drivers with educational material, including driver's signed receipt of materials;
 - e. Documentation of supervisor training; and
 - f. Certification that training conducted under this Policy complies with all requirements of the Policy.
 5. Records Related to Drug Testing
 - a. Agreements with collection site facilities, laboratories, Medical Review Officers (MRO's) and consortia;
 - b. Names and positions of officials and their role in the employer's alcohol and controlled substance testing program;



Support Staff
4219/Page 18 of 20
TESTING (M)

- COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE
- c. Monthly statistical summaries of urinalysis; and
 - d. The employer's drug testing policy and procedures.



Support Staff
4219/Page 18 of 20
TESTING (M)

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE
6. Required Period of Retention

Document to be maintained	Period required to be maintained
Alcohol test results indicating a breath alcohol concentration of 0.02 or greater	5 Years
Verified positive controlled substance test results	5 Years
Documentation of refusals to submit to required alcohol or controlled substance tests	5 Years
Calibration documentation	5 Years
Records related to the administration of the alcohol and controlled substances testing program, including records of all driver violations	5 Years
Driver evaluations and referrals	5 Years
A copy of each annual calendar year summary	5 Years
Records obtained from previous employers concerning alcohol and drug testing	3 Years
Records related to the alcohol and controlled substances collection process (except calibration of evidential breath testing devices)	2 Years
Records related to negative and canceled controlled substance test results	1 Year
Alcohol test results indicating a breath alcohol concentration less than 0.02	1 Year



Support Staff
4219/Page 18 of 20
TESTING (M)

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE

Records related to the education and training of breath alcohol technicians, screening test technicians, supervisors, and drivers shall be maintained by the employer while the individual performs the functions which require the training and for two years after ceasing to perform those functions	Indefinite time period
---	------------------------

Other specific types of records shall be maintained in accordance with 49 CFR 382.401.

7. Location of Records

All required records shall be maintained in accordance with Policy 8320. Records shall be made available for inspection at the Board Offices within two business days after a request has been made by an authorized representative of the FMCSA.

8. Annual Calendar Year Summary

The DER shall prepare and maintain an annual calendar year summary of the results of its alcohol and substance abuse testing programs. The summary shall be completed no later than March 15 of each year covering the previous calendar year. The DER upon request of the FMCSA will provide the annual summary to that agency in the required format.

9. Employee Information Program

The Board will provide an employee information program. The DER will be responsible for implementing the program and shall ensure that each employee receives information in the manner specified below:

- a. By receiving a copy of this Policy and any subsequent revisions.
- b. The DER will provide written notice to employees of the following information:



Support Staff
4219/Page 18 of 20

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE

- (1) The identity of the person designated by the employer to answer employee questions about the materials;
- (2) Which employees are subject to the alcohol misuse and controlled substance requirements;
- (3) Explanation of what constitutes a safety-sensitive function, so as to make clear what period of the workday the employee is required to be in compliance;
- (4) Specific information concerning employee conduct that is prohibited;
- (5) The circumstances under which an employee will be tested for alcohol and/or controlled substances;
- (6) The procedures that will be used to test for the presence of alcohol and controlled substances;
- (7) The requirement that an employee submit to alcohol and controlled substance tests;
- (8) An explanation of what constitutes a refusal to submit to an alcohol or controlled substance test;
- (9) The consequences for employees found to have violated the prohibitions of this Policy, including the immediate removal of the employee from safety-sensitive functions;
- (10) The consequences for employees found to have an alcohol concentration level of 0.02 or greater but less than 0.04; and
- (11) Information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life. Signs and symptoms of an alcohol or controlled substances problem, and available methods of intervening when an alcohol or a control substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management.]

Omnibus Transportation Employee Testing Act of 1991



Support Staff
4219/Page 18 of 20
JG (M)

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE
49 CFR 40 et seq.
49 CFR 382 et seq.
49 CFR 395.2

Approved: October 9, 2006



REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES (M)

6112 REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES

(M)

The Cash Management Improvement Act (CMIA) and related Federal regulations require a State to minimize the time elapsing between the transfer of funds from the United States Treasury and the expenditure of funds for program purposes. This requirement applies to grantees such as the State of New Jersey and their subgrantees, such as a school district. The State of New Jersey and school districts must assure funds have been, or will be, spent within a minimal amount of time after having been drawn from the Federal government.

In accordance with this requirement, the New Jersey Department of Education (NJDOE), has implemented a reimbursement request system of payment. The procedures as outlined in the New Jersey Department of Education Policies and Procedures for Reimbursement of Federal and Other Grant Expenditures shall be followed by school districts in submitting reimbursement requests. Reimbursement requests for entitlement grant awards under the Every Student Succeeds Act (ESSA), the Individuals with Disabilities Education Act (IDEA), and the Carl D. Perkins Career and Technical Education Improvement Act of 2006, and any other program designated by the NJDOE shall be made using the NJDOE's Electronic Web-Enabled Grant (EWEG) System.

Reimbursement requests by the School Business Administrator/Board Secretary or designee shall be made for individual titles and awards using the payment functionality of the EWEG system. Only one reimbursement request per month may be submitted for an individual title, award or subgrant. Reimbursement requests may only be for expenditures that have already occurred or will occur within three business days of receipt of funds.

The submission of a reimbursement request constitutes a certification by the School Business Administrator/Board Secretary that the school district has previously made the appropriate expenditures and/or will make the expenditures within three business days of receipt of funds and that the expenditures are allowable and appropriate to the cost objective(s) of the subgrant.

The Superintendent or designee is responsible for submitting an amendment application to the NJDOE for approval if a new budget category for which no funds were previously budgeted or approved has been created. The Superintendent or designee is responsible for submitting an amendment application to the NJDOE for approval if cumulative



REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES (M)

transfers among expenditure categories exceed ten percent of the total award. The Superintendent or designee is responsible for monitoring the cumulative ten percent level of fiscal change.

Reimbursement requests must be in accordance with approved grant applications. A reimbursement request may be submitted at any time after the subgrant has received final NJDOE approval. Reimbursement requests submitted at least ten business days before the end of the month but no later than the fifteenth day of the month will be reviewed and, if approved, processed for payment the first business day of the following month. School districts will normally receive payment by the fifth business day of the month and will be able to track the grant's payment history in EWEG through the payments link of the grant application.

Reimbursement requests must contain a brief description of the expenditures for which reimbursement is being requested. Individual line items need not be detailed. Expenditures must be supported by documentation at the school district level but should not be submitted to the NJDOE with a reimbursement request. The Superintendent of Schools or designee is responsible to maintain supporting documentation for seven years and for making it available to the NJDOE, the United States Department of Education, and/or their authorized representatives upon request. Documentation for salary expenditures is subject to the requirements of Federal Uniform Grant Guidance. Documentation for all other expenditures must include evidence that the expenditures are allowable costs and of the relationship of the expenditure to the subgrant's cost objectives.

The NJDOE staff will review reimbursement requests to determine that they meet the subgrant's criteria. When a reimbursement request is approved or denied, the school district will receive an email notification through the EWEG system. Approval of a reimbursement request by NJDOE does not imply approval of the expenditures as allowable or appropriate to the subgrant's cost objectives as the approval of expenditures will continue to be processed through the final report. The School Business Administrator/Board Secretary or designee assumes responsibility for assuring that all funds requested through the EWEG system either have already been expended within three business days of receipt of funds.

New Jersey Department of Education Policies and Procedures for Reimbursement of Federal and Other Grant Expenditures – March 2014



REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES (M)

Adopted: 13 December 2010



REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES
(M)

R 6112 REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES
(M)

The State of New Jersey and school districts must assure certain Federal and other grant funds have been, or will be, spent within a minimal amount of time after having been drawn from the Federal government. In accordance with this requirement, the New Jersey Department of Education (NJDOE) has implemented a reimbursement request system of payment for grant awards. The procedures outlined in this Regulation are to be followed by school districts in submitting reimbursement requests. Reimbursement requests for entitlement grant awards under the Every Student Succeeds Act (ESSA), the Individuals with Disabilities Education Act (IDEA), and the Carl D. Perkins Career and Technical Education Improvement Act of 2006, and any other program designated by the NJDOE shall be made using the NJDOE's Electronic Web-Enabled Grant (EWEG) System.

A. Definitions

1. "Cost objective" means a function, organizational subdivision, contract, grant, or other activity for which cost data are needed and for which costs are incurred.
2. "Grant" means an award of financial assistance by the Federal government to the State of New Jersey, Department of Education or funds NJDOE receives from the State legislature to be awarded to eligible subgrantees.
3. "Grantee" means the State of New Jersey, Department of Education, to which a grant is awarded by the Federal government.
4. "Subgrant" means an award of financial assistance to an eligible subgrantee, in this case, awards by the State of New Jersey, Department of Education to local education agencies or other eligible entities.
5. "Subgrantee" means the local education agency, or other legal entity to which a subgrant is awarded and which is accountable to the State of New Jersey, Department of Education for the use of funds provided.

B. Procedures

1. Functionality



REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES (M)

- a. The School Business Administrator/Board Secretary or designee will submit reimbursement requests using the payment functionality of the EWEG system.
- b. The payment functionality is enabled upon final NJDOE approval of the subgrant application through the EWEG system.

2. Submission of Reimbursement Requests

- a. The School Business Administrator/Board Secretary or designee will make reimbursement requests for individual titles and awards. Therefore, reimbursement requests for ESSA will be made for each individual title. Reimbursement requests for IDEA must be made separately for Basic and Preschool as well as for the Perkins Secondary and Perkins Post-Secondary grant funds. Only one reimbursement request per month may be submitted for an individual title, award or subgrant.
- b. Reimbursement requests may only be for expenditures that have already occurred or will occur within three business days of receipt of funds. The following examples are based upon the schedule in Section C. below.
 - (1) The school district has ordered and received supplies and has paid the vendor. The school district may request reimbursement.
 - (2) The school district has ordered and received equipment but has not yet paid the vendor. The school district expects payment to be made on the seventh of the following month, following the monthly Board meeting. The school district may request reimbursement since the school district will make payment within three business days of receipt of funds.
 - (3) The school district makes salary payments on the first and fifteenth of each month. In a given month, the school district may request reimbursement for payroll expenditures actually made during the month and for the payroll scheduled for the first day of the following month because the school district will make payroll expenditure within three business days of receiving the funds. The school district may not



REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES
(M)

request reimbursement in anticipation of subsequent pay dates, that is, those occurring more than three business days after receiving the funds.

- (4) The school district is responsible for payment of health benefits to its provider on a quarterly basis. The subgrantee may request reimbursement prospectively if payment to the provider will be made within three business days of receipt of the funds. If payment to the provider is made at the end of the month; however, the school district must request reimbursement during the month following payment.
 - (5) The school district is responsible for reimbursing the State of New Jersey for pension and social security payments made on behalf of employees paid with Federal funds. For members of the Teachers' Pension and Annuity Fund (TPAF), school districts shall reimburse the State no later than November. The request for reimbursement for pension and social security contributions for members of TPAF should be made at the time the school district will make payment to the State. For members of the Public Employees Retirement System or other State pension systems, the school district should request reimbursement at the time payments are due to the State for pension contributions and to the Internal Revenue Service for Social Security contributions. The school district should not include fringe benefit calculations in their regular salary reimbursement requests.
- c. The submission of a reimbursement request constitutes a certification by the School Business Administrator/Board Secretary that the school district has previously made the appropriate expenditures and/or will make the expenditures within three business days of receipt of funds. The submission of a reimbursement request also constitutes a certification that the expenditures are allowable and appropriate to the cost objective(s) of the subgrant.
 - d. Reimbursement requests must be in accordance with approved grant applications.
 - (1) The Superintendent or designee is responsible for submitting an amendment application to the NJDOE for approval if a



REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES (M)

new budget category for which no funds were previously budgeted or approved has been created.

- (2) The Superintendent or designee is responsible for submitting an amendment application to the NJDOE for approval if cumulative transfers among expenditure categories exceed ten percent of the total award. The Superintendent or designee is responsible for monitoring the cumulative ten percent level of fiscal change.

C. Processing Timelines

1. Reimbursement requests may be submitted at any time after the subgrant has received final NJDOE approval. No more than one reimbursement request may be submitted per month for any one subgrant.
2. Reimbursement requests submitted at least ten business days before the end of the month but no later than the fifteenth day of the month will be reviewed and, if approved, processed for payment the first business day of the following month. School districts will normally receive payment by the fifth business day of the month and will be able to track the grant's payment history in EWEG through the payments link of the grant application.

D. Content of Reimbursement Requests

1. Reimbursement requests must contain a brief description of the expenditures for which reimbursement is being requested. Individual line items need not be detailed.
 - a. Example - \$8,750 is being requested in the 100 function code. The description is "salaries and instructional supplies."
2. Expenditures must be supported by documentation at the school district level. This documentation should not be submitted to the NJDOE with a reimbursement request. The Superintendent of Schools or designee is responsible to maintain supporting documentation for seven years and for making it available to the NJDOE, the United States Department of Education, and/or their authorized representatives upon request.
3. Documentation for salary expenditures is subject to the requirements of the Federal Uniform Grant Guidance. Documentation for all other expenditures



must include evidence that the expenditures are allowable costs and of the relationship of the expenditure to the subgrant's cost objectives.

E. Review and Approval of Reimbursement Requests

1. NJDOE staff will review reimbursement requests to determine that they meet the subgrant's criteria, including but not limited to the following:
 - a. Adequate description of the expenditures is provided;
 - b. No new budget category has been created; and
 - c. The reimbursement request does not exceed the allowable threshold for an amendment as a result of cumulative transfers among expenditure categories.
2. When a reimbursement request is approved or denied, the school district will receive an email notification through the EWEG system.
3. Approval of a reimbursement request by NJDOE does not imply approval of the expenditures as allowable or appropriate to the subgrant's cost objectives. Approval of expenditures will continue to be processed through the final report. The School Business Administrator/Board Secretary or designee assumes responsibility for assuring that all funds requested through the EWEG system either have already been expended, or will be expended within three business days of receipt of funds.

Adopted: April 25, 2016



7440 SCHOOL DISTRICT SECURITY (M)

The Board of Education believes the buildings and facilities of the school district represent a substantial community investment. The Board directs the development and implementation of a plan for school district security to protect the school community's investment in the school buildings and facilities. The Board will comply with the security measures required in N.J.S.A. 18A:7G-5.2 for new school construction and for existing school buildings.

The school district security program will include: maintenance of facilities that are secure against unwelcome intrusion; protection against fire hazards and faulty equipment; and compliance with safe practices in the use of electrical, plumbing, heating, and other school building equipment. The Board directs close cooperation of district officials with law enforcement, fire officials, and other emergency agencies.

The Board shall provide to local law enforcement authorities a copy of the current blueprints and maps for all schools and school grounds within the school district. The Board shall provide revised copies to the applicable law enforcement authorities any time that there is a change to the blueprints or maps.

The Board directs close cooperation of district officials with law enforcement, fire officials, and other emergency agencies.

Each public elementary and secondary school building shall be equipped with at least one panic alarm for use in a school security emergency pursuant to N.J.S.A. 18A:41-10 through 13.

The Superintendent of Schools shall designate a school administrator as a School Safety Specialist for the district in accordance with the provisions of N.J.S.A. 18A:17-43.3. The School Safety Specialist shall be required to acquire a New Jersey Department of Education School Safety Specialist certification in accordance with the provisions of N.J.S.A. 18A:17-43.2. The School Safety Specialist shall also serve as the school district's liaison with local law enforcement and national, State, and community agencies and organizations in matters of school safety and security.

Access to school buildings and grounds outside the hours school is in session shall be limited to personnel whose employment requires their presence in the facility. An adequate key control system will be established to limit building access to authorized personnel and guard against the potential of intrusion by unauthorized persons who have obtained access improperly.



In accordance with N.J.S.A. 18A:7G-5.2.b.(15), propping open doors to buildings on school grounds is strictly prohibited and students and staff shall not open a door for any individual. All persons seeking entry into the main building shall be directed to the main entrance.

Building records and funds shall be kept in a safe place and secured as appropriate and necessary.

Protective devices designed to be used as safeguards against illegal entry and vandalism may be installed when appropriate. The Board may approve the employment of school resource officers, school security officers, and/or law enforcement officers in situations in which special risks are involved.

N.J.S.A. 18A:7G-5.2; 18A:17-43.1;
18A:17-43.2; 18A:17-43.3;
18A:41-7.1; 18A:41-10; 18A:41-11;
18A:41-12; 18A:41-13
N.J.A.C. 6A:16-1.3; 6A:26-1.2

Adopted: 09 January 2006

Revised: June 18, 2018



R 7440 SCHOOL DISTRICT SECURITY (M)

A. Definitions

“Access” means authorized access to a school building or school grounds through the use of a Board-approved key control system.

“Key control system” means the use of a key, card, code, or any other means to disengage a locking mechanism to provide entry to a school building or school grounds.

“Panic alarm” means a silent security system signal generated by the manual activation of a device intended to signal a life-threatening or emergency situation requiring a response from law enforcement.

“School buildings” and “school grounds” means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and other central service facilities including, but not limited to, kitchens and maintenance shops. “School buildings” and “school grounds” also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; night field lights; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. “School buildings” and “school grounds” also includes other facilities such as playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land in accordance with N.J.A.C. 6A:16-1.3 and 6A:26-1.2.

B. Access to School Buildings and School Grounds

1. Access to school buildings and grounds during the school day will be permitted to all students enrolled in the school, all authorized school staff members, and visitors pursuant to Policy and Regulation 9150.



2. Access to school buildings and grounds before and after the school day will be permitted to:
 - a. Members of the Board of Education;
 - b. Administrative and supervisory staff members, teaching staff members, and support staff members assigned to a school building or grounds in the performance of their duties;
 - c. Other school staff members in the performance of their professional responsibilities;
 - d. Students involved in interscholastic athletics, co-curricular or extra-curricular activities, and authorized spectators;
 - e. Members of organizations granted the use of school premises pursuant to Policy and Regulation 7510;
 - f. Police officers, fire fighters, health inspectors, and other agents of Federal, State, and local government in the performance of their official duties;
 - g. Members of the public present to attend a public Board of Education or public school-related function; and
 - h. Others authorized by the Superintendent or designee and/or by Board Policy.
3. All visitors to a school building during a school day will be required to register their presence in the school and comply with the provisions of Policy and Regulation 9150. The school's registration and sign-in procedures may include the use of a school visitor management system requiring the visitor to present acceptable identification to access the school building.
4. Signs will be conspicuously posted to inform visitors of the requirement to register their presence into the building.



C. Key Control System for Access to School Buildings and Facilities

1. School staff members will be provided access to a school building using the school's key control system as follows:
 - a. Teaching staff members and support staff members will be provided access using the school's key control system to the school building and to other facilities on school grounds to which they require access for the performance of their professional duties.
 - (1) The Building Principal will determine the school staff members who shall be provided access to facilities within the school building and on school grounds.
 - (2) The Superintendent or designee will determine the district administrators, supervisors, and other staff members who shall be provided access to facilities within the school building and on school grounds.
2. School staff members provided access to a school building or other facilities on school grounds shall be responsible for ensuring their key control system authorization is not shared with another individual without prior approval of the Principal or designee for school staff members, or the Superintendent or designee for district staff members. Staff members are prohibited from permitting their key control system authorization to be used by another person unless prior approval is obtained from the Principal or designee at the building level and Superintendent or designee at the district level or in the event of an emergency.
3. A staff member's loss of a key, card, or any other device authorizing the staff member access to a school building or a facility on school grounds must be immediately reported to the Principal or Superintendent or designee. The staff member who loses a key, card, or any such access device may be responsible for the replacement cost.



D. School Building Panic Alarm or Emergency Mechanisms (N.J.S.A. 18A:41-10 through 13)

1. Each public elementary and secondary school building shall be equipped with at least one panic alarm for use in a school security emergency including, but not limited to, a non-fire evacuation, lockdown, or active shooter situation.
2. The alarm shall be directly linked to local law enforcement authorities or, in the case of a school building located in a municipality in which there is no municipal police department, a location designated by the Superintendent of the New Jersey State Police.
3. The alarm shall be capable of immediately transmitting a signal or message to such authorities outlined in D.2. above upon activation.
4. The alarm shall not be audible within the school building.
5. Each panic alarm required under N.J.S.A. 18A:41-11 and Policy and Regulation 7440 shall:
 - a. Adhere to nationally recognized industry standards, including the standards of the National Fire Protection Association and Underwriters Laboratories; and
 - b. Be installed solely by a person licensed to engage in the alarm business in accordance with the provisions of N.J.S.A. 45:5A-27.
6. The school district may equip its elementary and secondary school buildings with an emergency mechanism that is an alternative to a panic alarm if the mechanism is approved by the New Jersey Department of Education.

E. Staff Member Responsibilities

1. Staff members should not bring to school valuable personal items that cannot be in the staff member's personal possession at all times. The Board of Education is not responsible for a staff member's personal possession in the event the item is lost, stolen, misplaced, damaged, or destroyed.



2. In the event a staff member observes a student has a valuable item in school, the staff member will report it to the Principal or designee. A valuable item may include, but is not limited to, an unusually large amount of money, expensive jewelry or electronic equipment, or any item that is determined by the Principal or designee to be valuable to a student based on the student's age.
 - a. The Principal or designee may contact the student's parent and request the parent come to school to retrieve the valuable item;
 - b. The Principal or designee may secure the valuable item and return it to the student at the end of the school day and inform the student and the parent not to bring the valuable item to school in the future; or
 - c. The Principal or designee will permit the student to maintain the valuable item and inform the student and the parent not to bring the valuable item to school in the future.
 - d. The Board of Education is not responsible for a student's personal possession in the event the item is lost, stolen, misplaced, damaged, or destroyed when in the possession of the student.
3. Teaching staff members shall close classroom windows and shut and lock classroom doors when leaving at the end of the school day; shut and lock classroom doors during the school day when the room is not going to be in use after their assignment, and report immediately to the Principal or designee any evidence of tampering or theft.
4. Custodians shall, at the end of the work day, conduct a security check of the building to make certain that all windows are closed and all office, classroom, and building doors are shut and locked, except as such doors may be required to be open for persons with access.



5. Office personnel shall take all reasonable precautions to ensure the security of all school and district records and documents against unauthorized access, deterioration, and destruction.
- F. School Safety Specialist
1. The Superintendent of Schools shall designate a school administrator as a School Safety Specialist for the district in accordance with the provisions of N.J.S.A. 18A:17-43.3.
 2. The School Safety Specialist shall:
 - a. Be responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the school district;
 - b. Ensure that these policies and procedures are in compliance with State law and regulations; and
 - c. Provide the necessary training and resources to school district staff in matters relating to school safety and security.
 3. The School Safety Specialist shall also serve as the school district's liaison with law enforcement and national, State, and community agencies and organizations in matters of school safety and security.
 4. The School Safety Specialist shall be required to acquire a New Jersey Department of Education School Safety Specialist Certification in accordance with the provisions of N.J.S.A. 18A:17-43.2.
- G. Summoning Law Enforcement Authorities
1. Law enforcement authorities will be summoned promptly whenever evidence is discovered that indicates: a crime has been committed on school premises or in the course of staff or student transportation to or from school; a break and entry may have occurred on school grounds; a deadly weapon is on school premises; a breach of the peace has occurred on school premises; for any reason required in the Memorandum of Understanding between the



Board of Education and Law Enforcement and in accordance with Policy and Regulation 9320; or for any other reason there is concern about the health, safety, and welfare of persons on school grounds or school property.

2. Anytime law enforcement agents are summoned in accordance with G.1. above, the Superintendent will be notified as soon as possible.

Adopted: June 18, 2018

