



LIVINGSTON BOARD OF EDUCATION VOTING MEETING AGENDA

Monday, October 14, 2019

Executive Session - Administration Building Large Conference Room - 6:45 p.m.

Public Session – Administration Building Large Conference Room – 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. Executive Session

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

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

- Review Executive Session Minutes

Action may be taken upon return to public session. The full length of the meeting is anticipated to be approximately 15 minutes and be it

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

D. Pledge of Allegiance / Roll Call

E. Superintendent's Report

1. Public Hearing for District and School HIB Self-Assessment Report

F. Board Reports

G. Approval of Minutes

The Superintendent recommends the following:

1. Voting Meeting Minutes of September 23, 2019
2. Executive Session Meeting Minutes of April 29, 2019; May 2, 2019; May 6, 2019; May 7, 2019; May 13, 2019; June 3, 2019; June 17, 2019; July 10, 2019; July 17, 2019; August 14, 2019; September 23, 2019 and October 7, 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 following 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 two (2) Livingston students with disabilities and for Extended School Year 2019 (Summer Programs) for one (1) Livingston student 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**.

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	\$395,711.52
12	Regular	117,643.71
20	Regular	13,434.86
	TOTAL	<u>\$526,790.09</u>

Regular Checks	83150-83385	\$526,790.09
	TOTAL	<u>\$526,790.09</u>

3.2 Board Secretary Report – August 2019

Whereas, the Livingston Board of Education has received the Report of the Board Secretary for August 31, 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 August 31, 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	9,474,243	15,433	
(11) Current Expense		22,859,174	4,946,899
(12) Capital Outlay		180,594	1,978,235
(20) Special Revenue Fund	106,307		
(30) Capital Projects Fund	70,616		
(40) Debt Service Fund	919,857		
Total:	\$10,571,023	\$23,055,201	\$6,925,134

Whereas, pursuant to N.J.A.C. 6:20-212(d), the Board Secretary has certified that as of August 31, 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 Conferences and Overnight Trips

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

3.4 Field Trips

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

3.5 Approval of Board Goals

Resolved, that the Livingston Board of Education approves the board goals for the 2019-2020 school year as shown on **Attachment F**.

3.6 Supporting a Ban on the Sale of Vaping Products and Electronic Cigarettes

WHEREAS, New Jersey's boards of education are dedicated to advancing the health and wellness of the state's 1.4 million public school students; and

WHEREAS, electronic cigarettes and vaping products contain nicotine, an addictive substance; and

WHEREAS, the federal Centers for Disease Control and Prevention has reported 530 confirmed and probable cases of lung illness associated with the use of e-cigarettes and vaping products in 38 states and the U.S. Virgin Islands; and

WHEREAS, the New Jersey Smoke-Free Air Act (*N.J.S.A. 26:3D-55 et seq.*) prohibits smoking and the use of any tobacco product or electronic smoking device in any area of any building of, or on the grounds of, any public or nonpublic elementary or secondary school; and

WHEREAS, the New Jersey Department of Health reports that 20 percent of high school students use vaping products in spite of the clear risks and the prohibition of their use on school property; and

WHEREAS, vaping and electronic cigarette manufacturers continue to market nicotine-containing products, including those with flavors that would be attractive to minors; and

WHEREAS, Executive Order No. 84, signed by Gov. Philip Murphy on September 12, 2019, created the Electronic Smoking Device Task Force, which will formulate a comprehensive strategy to protect New Jersey residents from the hazards of electronic cigarettes; and

WHEREAS, in response to public health concerns, the Commonwealth of Massachusetts recently instituted a four-month ban on the sale of all vaping and electronic cigarette products; and

WHEREAS, the availability of electronic cigarettes and vaping products makes teenagers and children vulnerable to a serious and growing health risk.

NOW, THEREFORE, BE IT RESOLVED that the Livingston Board of Education calls on the New Jersey Legislature and Gov. Philip Murphy to impose an immediate temporary statewide ban on the sale of all vaping and e-cigarette products; and be it further

RESOLVED, that the Livingston Board of Education calls on the New Jersey Legislature and Gov. Murphy to reject any compromise measures that will be insufficient in protecting the health and safety of schoolchildren from the risks posed by vaping products; and be it further

RESOLVED, that a copy of this resolution be forwarded to Gov. Philip Murphy, Senate President Stephen M. Sweeney, Assembly Speaker Craig J. Coughlin, Senator Richard J. Codey, Assembly Members Mila M. Jasey and John F. McKeon, and the New Jersey School Boards Association.

3.7 Policies & Regulations

Resolved, that the Livingston Board of Education approves the following policies for first reading:

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)

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

Administration

Policy #1230 - Superintendent's Duties (M) (with revisions)

Regulation #1240 - Evaluation of Superintendent (M) (with revisions)

Students

Regulation #5200 - Attendance (M) (with revisions)

ROLL CALL VOTE

4. PERSONNEL

The Superintendent recommends the following:

4.1 Resignations

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

Name	Position	Reason	Location	Last Day of Employment
Linda Majzner	Teacher of Art	Retirement	LHS	December 31, 2019
Ali Cohen	Instructional Aide	Resignation	Hillside	October 4, 2019
Luites Vincent	Custodian (PT)	Resignation	LHS	October 11, 2019

**as amended from a previous agenda*

4.2 Leaves of Absences

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

Name	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
Lila Alfaro	TOSD	LHS	NA	1/2/20-2/12/20**	NA	2/13/20
Gerardina Forster*	Occupational Therapist	Collins	11/28/19-1/28/20	NA	1/29/20-5/1/20	5/4/20
Sheily Chang	Elementary School Teacher	MPE	1/20/20-3/27/20	3/30/20-5/15/20**	NA	5/18/20
Maureen Tavis	Elementary School Teacher	Collins	1/27/20-4/10/20	4/13/20-6/30/20**	NA	9/1/20

**as amended from a previous agenda*

***Designates time counted toward NJFLA/FMLA*

4.3 Appointments

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

Name	Location	Title	Tenure Track/LOA or LT Replacement	Replacing	Guide	Step	Salary	Effective Date
<i>Danielle Imbimbo</i>	Harrison	School Counselor	Leave Replacement	Christine Siti	MA+32	2	\$66,082 (pro-rated)	11/25/19-6/30/20
<i>Jessica Byrne</i>	BHE	First Secretary (12-months)	Tenured	Iona Francis-Santa Cruz	FS-12 >7/12	5	\$57,053, plus \$1,200 degree, (pro-rated)	As soon as current position is filled
<i>Robert Rolling**</i>	District	K-12 Supervisor of Business, Technology & Engineering	First Year Tenure Track	James Novotny	LSA	3	\$117,602 (pro-rated)	10/14/19
<i>Shawna Robb</i>	MPMS	Grade 6 English	Leave Replacement	Dina Ferraro	MA	1	\$59,803 (pro-rated)	10/28/19-6/30/20
<i>Eric Hazelcorn</i>	Hillside/Collins	Elementary School Teacher	Leave Replacement	multiple leave assignments	MA	1	\$59,803	8/29/19
<i>George Clark**</i>	LHS	Teacher of Italian	First Year Tenure Track	Matt Garcia	8	BA	\$60,919 (pro-rated)	10/21/19
<i>Robert Ferraro, Sr.**</i>	LHS	Head Custodian	NA	Amdi Ramani	C	11	\$58,662, plus \$2,825 for head custodian and \$625 for black seal (pro-rated)	10/14/19
<i>Felice Romano</i>	Harrison	Night Custodian	NA	Ramoncito Diaz	C	1	\$40,635 plus \$975 night stipend (pro-rated)	10/2/19
<i>Martin Stewart</i>	LHS	Custodian (Nights & Weekend)	NA	Julio Lopez	C	1	\$40,635, plus \$975 night stipend (pro-rated)	10/2/19
<i>Romario Setalsingh</i>	LHS	PT Custodian	NA	Luites Vincent	C	1	\$20,318 (.5) of Step 1 plus \$625 for Black Seal	10/14/19
<i>Evelyn Gruber</i>	RHE	Playground Aide	NA	NA	NA	NA	\$15.50/hr	9/26/19
<i>Nancy Hesse</i>	BHE	Playground Aide	NA	NA	NA	NA	\$15.50/hr	10/11/19

*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**.

4.4 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>Michael Collins*</i>	LHS	Teacher of Social Studies	Long-Term Substitute	Kimberly Costanzo	\$263/day	8/29/19-10/8/19
<i>Clark Murphy</i>	RHE	Kindergarten Aide	Long-Term Substitute	Ann Marie Mansfield	\$120/day	9/25/19-11/6/19
<i>Heidi Slurzburg</i>	Collins	Media	Long-Term Substitute	Sheila Stafford	\$263/day	8/29/19-10/10/19
<i>Marilyn Elman</i>	LHS	Teacher of Spanish	Long-Term Substitute	Carolyn Sanchez	\$263/day	10/10/19-TBD

**as amended from a previous agenda*

Teachers

Marilyn Elman (retired)
NinoThaddeus Acosta
Evan Anderson
Stacy Santola

Secretary

Carmela Ullman (\$15.50/hr)

Early Arrival Aides

Samantha Abrams (\$15.50/hr)
Catherine Bitar (\$16.50/hr)
Erhya Kang (\$16.50/hr)

Custodial

Victor Calderon (\$15.50/hr)
Stanley L. Graham (\$15.50/hr)

Resolved, that the Livingston Board of Education approves the individuals listed on **Attachment I** as Certified Substitutes. These individuals are currently employed by the District and hold valid NJ instructional certificates. In the event these individuals are called upon to serve as a substitute in a self-contained classroom, they will be compensated an additional \$50/day for that assignment.

Resolved, that the Livingston Board of Education approves the individuals listed on **Attachment J** as Substitute Teachers. These individuals are currently employed by the District and are properly certified to serve as substitute teachers within the classroom, if needed.

4.5 Extra Work Pay

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

Resolved, that the Livingston Board of Education authorizes *Lloyd Hamilton* to be paid in accordance with Article X, Section II.A. of the contract from July 1, 2019 through October 6, 2019 for assuming the role of Head Custodian at Livingston High School.

Resolved, that the Livingston Board of Education authorizes *Benjie Beriso* to be paid in accordance with Article X, Section II.A. of the contract from July 1, 2019 through August 27, 2019 for assuming the role of Head Custodian at Hillside Elementary School.

4.6 Lateral Moves

Resolved, that the Livingston Board of Education approves contract changes to be made for the certificated staff members listed on **Attachment L** who completed course work with passing grades and are eligible for a lateral move on our contract guide. The salary adjustments are effective and retroactive to September 1, 2019.

4.7 Stipends

Resolved, that the Livingston Board of Education approves the individuals on **Attachment M** 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 N** 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.

Resolved, that the Livingston Board of Education approves the individuals on **Attachment O** for district stipends 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 P** for co-curricular stipends at Heritage Middle 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 rescinds the appointment of *Tim Nelson* for the Spring Production Musical Director co-curricular stipend at Mt. Pleasant Middle School for the 2019-2020 school year.

4.8 Contract Adjustments

Resolved, that the Livingston Board of Education approves the contract adjustments as listed on **Attachment Q** effective and retroactive to September 1, 2019.

4.9 Home Instructional Personnel Approval and Rates

Resolved, that the Livingston Board of Education adopts the rate as specified in Article XX on page 97 of the LEA contract for all individuals providing home instruction for the 2019-2020 school year, whether currently or formerly employed by the district, regardless of the capacity in which the individual is/was employed, provided proper certification is held. Furthermore, with this resolution, the Board authorizes all appropriately certified current employees, retirees and approved substitutes of the district to serve as home instructors for the 2019-2020 school year, provided they have not had a break in service and have appropriate criminal history review authorization on file with the district.

4.10 Extra Period Assignments

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

4.11 Mentor Fees

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

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 September.

5.3 HIB Self-Assessment Report

Resolved, that the Livingston Board of Education approves the HIB Self-Assessment Report which was presented at their Workshop Meeting on October 7, 2019 and authorizes its submission to the New Jersey Department of Education.

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 October 14, 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.
- (A) 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)

November 11, 2019 (*workshop*)

- Conference with LEA
- Board Budget Goals
- Assessment Update
- Summer Curriculum Writing Update

November 18, 2019 (*voting*)

- Elementary Presentations
- NJQSAC Statement of Assurance

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 6, 2020 (*reorganization*)

Livingston Public Schools - School Self-Assessment for Determining Grades under the <i>Anti-Bullying Bill of Rights Act</i> (ABR)	2018-2019
Burnet Hill Elementary School	75
Collins Elementary School	75
Harrison Elementary School	77
Hillside Elementary School	78
Mount Pleasant Elementary School	76
Riker Hill Elementary School	76
Mount Pleasant Middle School	75
Heritage Middle School	77
Livingston High School	78
District Average	76.33
District Grade (Officially given)	TBD

PROGRAM/CURRICULUM

<u>Title</u>	<u>Author/Publisher</u>	<u>Year</u>	<u>Grade</u>	<u>Subject/Course</u>	<u>Rationale</u>
A Sandy County Almanac	Aldo Leopold	1949	11-12	Science/Conservation	These astonishing portraits of the natural world explore the breathtaking diversity of the unspoiled American landscape.
101 Ways to Go Zero Waste	Kathryn Kellogg	2019	9-12	Science/Sustainability	Minimalism meets DIY in an accessible guide to household waste reduction.
Biggest Little Farm (DVD)	John Chester	2019	10-12	Environmental Science	Shown during the Food Unit or Global Change & Sustainability Unit. A couple who are followed through their successes and failures as they work to develop a sustainable farm on 200 acres.
Before the Flood (DVD)	Martin Scorsese	2016	10-12	Environmental Science	Beyond the steps we can take as individuals, the Documentary shows how interconnected the fate of all humanity is – but also the power we all possess as individuals to build a better future for our planet.

PROGRAM/CURRICULUM

<u>Title</u>	<u>Author/Publisher</u>	<u>Year</u>	<u>Grade</u>	<u>Subject/Course</u>	<u>Rationale</u>
Folks, This Ain't Normal	Joel Salatin	2011	9-12	Science/Agriculture	The author discusses how far removed we are from the simple, sustainable joy that comes from living close to the land and the people we love.
The Ecology of Commerce	Paul Hawken	1993	9-12	Science	A stirring treatise about the perceived antagonism between ecology and business. Hawken's argument that business both causes the most egregious abuses of the environment.
Cradle to Cradle	William McDonough Michael Braungart	2002	9-12	Science/Sustainability	Reduce, reuse, recycle urge environmentalists in order to minimize damage. The book argues this approach perpetuates a one way manufacturing model.
Ishmael	Daniel Quinn	1992	9-12	Science/Sustainability	Ishmael, which received the Turner Tomorrow Fellowship for the best work of fiction offering positive solutions to global problems.

Name	School	Type of Placement	In-District Location	Assigned Staff	Date
Maria DeMauro	William Paterson University	National Educational Leadership Preparation Experience	Hillside Elementary	Carlos Gramata	October 15-December 20, 2019
Megan Maute	County College of Morris	Classroom Observation	Burnet Hill Elementary	Elsa Slater	October 15-December 20, 2019
Megan Maute	County College of Morris	Classroom Observation	Collins Elementary	Greer Gelman	October 15-December 20, 2019
Michael Horn	Saint Thoman Aquinas College	Classroom Observation	Hillside Elementary	Jade George/ Amy Hinds	October 15-December 20, 2019
Erica Lawler	Seton Hall University	Speech-Language Pathology	Burnet Hill Elementary	Brittany Arrington	January 15 - June 12, 2020
Vicki Amarasiri	College of Saint Elizabeth	Classroom Observation	Riker Hill Elementary	Gail Kelly	October 29 - November 1, 2019

			School Year 2019-2020			Extraordinary Services			Extended School Year			
School	Program Type	Type	# of Stud	Tuition 2019-2020	Total Tuition	# of Stud		Aide(s)	# of Stud	ESY Tuition	Total ESY Tuition	Total School
Bernards Township Board of Education	Autism	R	1	\$ 52,685.00	\$ 52,685.00				1	\$5,789.56	\$ 5,789.56	\$ 58,474.56
Essex County Vocational Technical School	Vo-Tech	R	1	\$ 4,552.00	\$ 4,552.00							\$ 4,552.00
Total			2		\$ 57,237.00				1		\$ 5,789.56	\$ 63,026.56

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.

	Attendee(s)	Date(s)	Location	Cost
AP French Language and Culture	Gerard Amsellem	November 5, 2019	New York, NY	Not to exceed \$275
The Continuum of Literacy Learning	Gianna Goeller	October 8, 2019	Livingston, NJ	Not to exceed \$250
The F&P Literacy Continuum	Leala Baxter	October 8, 2019	Livingston, NJ	Not to exceed \$300
Intermediate IMSE Orton-Gillingham Training	Gianna Goeller	Oct. 28 -Nov. 1, 2019	Secaucus, NJ	Not to exceed \$1500
Intermediate IMSE Orton-Gillingham Training	Kelly Feeney	Oct. 28 -Nov. 1, 2019	Secaucus, NJ	Not to exceed \$1500
Intermediate IMSE Orton-Gillingham Training	Rachel Ehudin	Oct. 28 -Nov. 1, 2019	Secaucus, NJ	Not to exceed \$1500
Intermediate IMSE Orton-Gillingham Training	Stacy Nigro	Oct. 28 -Nov. 1, 2019	Secaucus, NJ	Not to exceed \$1500
NJ Science Convention	Brain Carey	Oct. 22- 23, 2019	Princeton, NJ	Not to exceed \$375
Fostering Grit in Students	Christine Siti	Oct. 4, 2019	Edison, NJ	Not to exceed \$175
Autism NJ Annual Conference	Emily O'Neill	Oct. 17-18, 2019	Atlantic City, NJ	Not to exceed \$450
2019 National Council Social Studies Convention	Christine Maccarella	Nov. 21-24, 2019	Austin, TX	Not to exceed \$1650
Midwest Band and Orchestra Conference	Brendan Hughes	Dec. 18-21, 2019	Chicago, IL	Not to exceed \$1000
Suicide & Self-Harm: Stopping the Pain	Emily Petrillo	Nov. 18, 2019	Parsippany, NJ	Not to exceed \$250
Suicide & Self-Harm: Stopping the Pain	Christie Giacobbe	Nov. 18, 2019	Parsippany, NJ	Not to exceed \$250
Special Education Law In NJ	Carla Flynn	Oct. 16, 2019	Hasbrouck Heights, NJ	Not to exceed \$250
Northeast Conference Teacher Foreign Language	Roxana Bello	Feb. 13-14, 2020	New York, NY	Not to exceed \$350
NJ Science Convention	Lindsay Bogachuk	Oct. 22, 2019	Princeton, NJ	Not to exceed \$200
NJASL 2019 Fall Conference	Sue Tannler	Dec. 9-10, 2019	East Brunswick, NJ	Not to exceed \$250
National Jump\$tart Conference	Diane Mondoro	Nov. 1-3, 2019	Washington DC	Not to exceed \$250
NJASL 2019 Fall Conference	Lenore Piccoli	Dec. 10, 2019	East Brunswick, NJ	Not to exceed \$300
52nd Annual Conference on Reading and Writing	Leon Alirangues	Oct. 25, 2019	New Brunswick, NJ	Not to exceed \$200
American String Teachers Association	Nancy Ciminnisi	March 4-7, 2020	Orlando, FL	Not to exceed \$2000
Culturally Competent Approach	Meredith Del Bello	Nov. 1, 2019	Morristown, NJ	Not to exceed \$150
NJASL 2019 Fall Conference	Jessica Sental	Dec. 9-10, 2019	New Brunswick, NJ	Not to exceed \$475
NJ Science Convention	Dorian Gemellaro	Oct. 23, 2019	Princeton, NJ	Not to exceed \$200
Best Practices & Best Ways to Practice - Greg Tang	Angelina Rodriguez	Dec. 2, 2019	Millburn, NJ	Not to exceed \$350
The Leadership Challenge in Implementing Reading	Rachel Ehudin	Nov. 15, 2019	Somerset, NJ	Not to exceed \$200
NCTE Annual Conference	Rachel Atkins	Nov. 20-23, 2019	Baltimore, MD	Not to exceed \$950
K5 Lesson Design and Delivery	Sara Bright	November 4, 2019	Exton, PA	Not to exceed \$315

FIELD TRIPS

SCHOOL	GRADE/COURSE	MONTH	DESTINATION
Elementary	Kindergarten	October	Hillview Farms
Elementary	Kindergarten	October	Wightman's Farm
Elementary	1st Grade	October	Riamede Farms
Elementary	3rd Grade	October	Sterling Hill Mines
Elementary	3rd Grade	November	Sterling Hill Mines
Elementary	4th Grade	November	Jockey Hollow
Elementary	Kindergarten	December	Frelinghuysen Arboretum
Elementary	4th Grade	December	Jockey Hollow
Elementary	1st Grade	January	Essex County Environmental Center
Elementary	5th Grade	January	Liberty Science Center
Elementary	4th Grade	February	Jockey Hollow
Elementary	1st Grade	March	Mayo Performing Arts Center
Elementary	2nd Grade	March	Museum of Early Trade
Elementary	4th Grade	March	The Frelinghuysen Arboretum
Elementary	4th Grade	March	Horizon School
Elementary	4th Grade	March	Liberty Science Center
Elementary	4th Grade	March	St. Barnabas Medical Center
Elementary	4th and 5th Grade GT Art	March	Newark Museum
Elementary	5th Grade	March	The Gagasphere
Elementary	5th Grade	March	Junior Achievement Biz-Town
Elementary	Kindergarten	April	Turtle Back Zoo
Elementary	2nd Grade	April	Raptor Trust
Elementary	2nd Grade	April	SOPAC
Elementary	Kindergarten	May	Reeves Reed Arboretum
Elementary	1st Grade	May	Essex Co Environmental Center
Elementary	1st Grade	May	Roseland Environmental Center
Elementary	2nd Grade	May	Turtle Back Zoo
Elementary	3rd Grade	May	Ellis Island
Elementary	Kindergarten	May	Farmstead Estates
Elementary	K/5 Buddy Trip	May	Farmstead Estates
Elementary	5th Grade	May	Intrepid
Elementary	2nd Grade	June	Turtle Back Zoo
Elementary	3rd Grade	June	Ellis Island
Elementary	5th Grade	June	Harbor Hills
Elementary	5th Grade	June	Medieval Times
Elementary	5th Grade	June	Hudson River, Hoboken
Elementary	5th Grade	June	Spring Lake Camp Trip
Elementary	Student Council	June	Ronald McDonald House
Secondary	Creative Photo II	October	Battleship NJ
Secondary	US History II/AP Art History	October	Metropolitan Museum of Art
Secondary	Humanities Grade 11	October	Tenement Museum
Secondary	Tech & Design 3	October	Picatinny Arsenal
Secondary	Humanities Grade 10	October	Morristown National Historical Park
Secondary	AP Spanish	October	Repertorio Espanol
Secondary	Entrepreneurship/FBLA	October	Montclair State University
Secondary	Humanities Grade 9	October	Metropolitan Museum of Art
Secondary	AP Studio Art	October or November	Chelsea Art Gallery Tour & Chelsea Market
Secondary	Holocaust & Genocide	October or November	Jewish Heritage Museum

SCHOOL	GRADE/COURSE	MONTH	DESTINATION
Secondary	Speech & Drama/English for Success	October or November	NJ Shakespeare Theater
Secondary	Biotechnology/Sustainability Science	November	Farm One
Secondary	Biotechnology/Sustainability Science	November	HS Farms
Secondary	Biotechnology/Sustainability Science	November	OKO Farms
Secondary	Ceramics	November	Luna Parc
Secondary	Creative Photo II	November	Museum of Natural History
Secondary	Digital Imaging 2	November	Museum of the Moving Image
Secondary	Marketing/Investing	November	Seton Hall University
Secondary	US History II	November	Guggenheim Museum
Secondary	Humanities Grade 10	November	St. John the Divine
Secondary	Humanities Grade 11	November	Montclair Art Museum
Secondary	Sustainability Science	November	Duke Farms
Secondary	Italian	November	Metropolitan Opera House and Carmines
Secondary	AP 3-D Art	November or December	Peter's Valley Art Community
Secondary	Holocaust & Genocide	November or December	US Holocaust Memorial Museum
Secondary	AP Studio Art	December	Metropolitan Museum of Art
Secondary	Boys Basketball	December	Top Golf
Secondary	Boys Basketball	December	Rutgers
Secondary	Engineering & Product Design	December	NJIT NCE Career Day
Secondary	Fashion	December	B&J Fabric Store, Berkeley College and Fifth Avenue Tour
Secondary	Humanities Grade 10	December	National Constitution Center
Secondary	Humanities Grade 9	December	Museum of the City of New York
Secondary	US History II	December	Cloisters Museum
Secondary	AP US Government	December or January	Federal Courthouse
Secondary	AP Art History	January	Montclair Art Museum
Secondary	Global Business	January	Fairleigh Dickinson University
Secondary	Humanities Grade 11	January	Newark Museum
Secondary	Intro to Business	January	Macy's, NYC
Secondary	Life Skills World Language	January	A&J Bistro
Secondary	Mock Trial	January	Veteran's Courthouse
Secondary	Italian CP and Honors	January	Metropolitan Museum of Art and Carmines
Secondary	Sports & Entertainment Marketing	January/February	Red Bull Stadium
Secondary	Grade 6 Math	February	NJIT
Secondary	AP Biology/Human Body	February	Liberty Science Center
Secondary	Global Business	February	Jacob Javit's Center
Secondary	Humanities Grade 10	February	New York Historical Society
Secondary	Humanities Grade 10	February	MAYO Performing Arts
Secondary	English 1H	February or March	Museum of Modern Art
Secondary	Chinese	March	China Institute
Secondary	Drawing	March	Whitney Museum

SCHOOL	GRADE/COURSE	MONTH	DESTINATION
Secondary	European History	March	Metropolitan Museum of Art
Secondary	Humanities Grade 10	March	The Morgan Library
Secondary	Humanities Grade 11	March	Whitney Museum
Secondary	Humanities Grade 9	March	United Nations
Secondary	Intro to Business	March	Seton Hall University
Secondary	Life Skills World Language	March	Don Jose Mexican Restaurant
Secondary	Science Research	March	Busch Campus Student Center
Secondary	Science Research	March	Rutgers University
Secondary	French 4H and CP	March	UN Headquarters and Restaurant
Secondary	Science Research	March	Nokia Bell Labs
Secondary	AP Comparative Government	March or April	Circassian Center
Secondary	Intro to Business Marketing Economics	March or April	Macy*s
Secondary	US History II	March or April	African American Museum
Secondary	Biotechnology/Sustainability Science	April	PTC Therapeutics
Secondary	Digital Imaging	April	The Met Cloisters
Secondary	Environmental Science CP, H & AP	April	South Mountain Reservation
Secondary	Environmental Science H & AP	April	Watchung Reservation
Secondary	Humanities Grade 10	April	NYC Public Library
Secondary	Humanities Grade 11	April	Museum of Modern Art
Secondary	Photo	April	Duke Farms
Secondary	Photo	April	Sandy Hook
Secondary	Public Speaking & Debate	April	NJ State House
Secondary	US History II	April	Statue of Liberty
Secondary	Auto	April	NYC Auto Show
Secondary	French 3	April	Met and Restaurant
Secondary	US History II	April or May	9/11 Museum and Memorial
Secondary	Stagecraft	April or May	Backstage Tour of Westside Theatre
Secondary	PE Grade 6	May	Hanover Lanes
Secondary	Select Band/Chorus/Orchestra Grade 6	May	St. Rose of Lima & Six Flags
Secondary	Technology Grade 6	May	New Providence Middle School
Secondary	Technology Grade 6	May	Unity Charter School
Secondary	AP Photo	May	Jenkinson's Boardwalk
Secondary	AP Psychology	May	Turtle Back Zoo
Secondary	AP Studio Art	May	Jenkinson's Boardwalk
Secondary	Biotechnology/Sustainability Science	May	Science Barge
Secondary	Drawing	May	The Drawing Center
Secondary	Environmental Science H & AP	May	Duke Farms
Secondary	Environmental Science	May	Atlantic City Aquarium Atlantic City Cruises (dolphin watch)

SCHOOL	GRADE/COURSE	MONTH	DESTINATION
Secondary	Environmental Science	May	Atlantic City Utilities Auth Environmental Park Atlantic City Utilities Auth Wastewater Treatment Facilities
Secondary	Humanities Grade 10	May	Statue of Liberty
Secondary	Life Skills World Language	May	Jose Tejas
Secondary	Modern World Honors	May	UN Headquarters
Secondary	US History 1	May	Ellis Island/Liberty State Park
Secondary	US History II	May	Museum of Modern Art
Secondary	US History II	May	United Nations
Secondary	MCC Science and Spanish	May	Reeves-Reed Arboretum
Secondary	Chamber Orchestra	June	Care One Nursing Home
Secondary	Lancer Jazz Band	June	Lincoln Center
Secondary	US History II	June	9/11 Museum and Memorial

Livingston Board of Education Goals 2019-2020

Board Communications

- Review policies, protocols, and best practices with Board Attorney, NJSBA, and other stakeholders for Board to Board, Board to Superintendent, Board to Community Communication.

Budget Development

- Seek input from stakeholders to help identify Board Budget Goals as part of budget preparation and share results with the community.

Board Professional Development

- Participate in training, to support the Superintendent in a successful transition to Livingston Public Schools.

Board to Board Engagement

- Coordinate with BOE colleagues in other districts sharing information and building best practices to advance student achievement.

School	First Name	Last Name	Position	Hours/Week	Step	Salary	Start Date
Collins Elementary	Jill	Weiss*	Instructional Aide	23.75	1	\$20,141 (pro-rated)	9/13/19

**amended from previous agenda*

School	First Name	Last Name	Position	Hours/Week	Step	Salary	Start Date
Collins Elementary	Cindy	DeFuria	Instructional Aide	28.75	1	\$24,379 (pro-rated)	10/3/19
Collins Elementary	Lisa	Kahl	Instructional Aide	28.75	1	\$24,379 (pro-rated)	10/2/19
Harrison Elementary	Eniko	Mandler	Instructional Aide	28.75	1	\$24,379 (pro-rated)	10/8/19
Mt. Pleasant Middle	Monica	Alati	Instructional Aide	29.83	1	\$25,296 (pro-rated)	9/26/19
Heritage Middle	Kalyani	Margale	Instructional Aide	29.83	1	\$25,296 (pro-rated)	10/8/19
Livingston High	Anna	Kane	Instructional Aide	20.83	1	\$17,663 (pro-rated)	10/15/19

First Name	Last Name	Location
Monica	Giambattista	Riker Hill Elementary
Jill	McLaughlin	Riker Hill Elementary
Andrew	Chen	Mt. Pleasant Elementary
Samantha	Goldberg	Mt. Pleasant Elementary
Liam	Kealy	Mt. Pleasant Elementary
Darlene	Mauti	Mt. Pleasant Elementary
Emily	Verniero	Mt. Pleasant Elementary
Terri	Ciecierski	Heritage Middle
Matthew	Gervasio	Heritage Middle
Elisabeth	Miles	Heritage Middle
Toni Lynn	Sisbarro	Heritage Middle
Shirley Osco	Garrido	Hillside Elementary
Shari	Kane	Hillside Elementary
Michelle	Schoenbach	Hillside Elementary
Lauri	Brown	Collins Elementary
Courtney	Cox	Collins Elementary
Kathleen	Custer	Collins Elementary
Marlena	Pasquarosa	Collins Elementary
Danielle	Porciello	Mt. Pleasant Middle
Diane	Sikora	Mt. Pleasant Middle
Susan	Siniscal	Mt. Pleasant Middle
Jennifer	Amosa	Harrison Elementary
Lauren	Cullen	Harrison Elementary
Margaret	Davis	Harrison Elementary
Michaela	Maloney	Harrison Elementary
Kelly-Ann	Russo	Harrison Elementary
Pamela	Volpe	Harrison Elementary
Jill	Barouch	Burnet Hill Elementary
Michelle	Debonis	Burnet Hill Elementary
Suzanne	Di Tacconi	Burnet Hill Elementary
Celina	Lewis	Burnet Hill Elementary
Eileen	Riddle	Burnet Hill Elementary
Gina	Rossell	Burnet Hill Elementary
Debra	Scheibe	Burnet Hill Elementary
Allison	Sommer	Burnet Hill Elementary
Danielle	Sullivan	Burnet Hill Elementary
Pin Hsuan	Sung	Burnet Hill Elementary

First Name	Last Name	Location
Emily	Hans	Riker Hill Elementary
Erhya	Kang	Riker Hill Elementary
Camille	Massoni	Riker Hill Elementary
Lisa	Stefanelli	Riker Hill Elementary
Sejal	Mehta	Mt. Pleasant Elementary
Nancy	Zolna	Mt. Pleasant Elementary
Luca	Bonvini	Heritage Middle
Elisa	Kominsky	Heritage Middle
Margaret	Wescott	Heritage Middle
James	Mattia	Hillside Elementary
Jessica	Reid	Hillside Elementary
Laurie	Fern	Collins Elementary
Marjhani	Simpson	Mt. Pleasant Middle
Jamie	Singer	Harrison Elementary
Sophia	Avellanal	Burnet Hill Elementary
Shivani	Baijal	Burnet Hill Elementary
Barbara	Bennett	Burnet Hill Elementary
Michael	DeSacia	Burnet Hill Elementary
Joseph	Fischer	Burnet Hill Elementary
Zachary	Gurmankin	Burnet Hill Elementary
Luyi	Liu-Hom	Burnet Hill Elementary
Ivelisse	Lopez	Burnet Hill Elementary
Shiva	Zehtabchi	Burnet Hill Elementary

NAME	DATE	POSITION	#HOURS WORKED	RATE	TOTAL AMOUNT
Ambio, Lester	9/12/2019	Security/Back To School Night LHS	4	\$25.00	\$100.00
Blount, Joanne	9/20/2019	Ticket Taker/Football	3	\$22.50	\$67.50
Gelb, Abe	9/20/2019	Game Worker/Football	3.5	\$22.50	\$78.75
Goldberg, Joann	9/20/2019	Ticket Taker/Football	3	\$22.50	\$67.50
Lukowiak, Stu	9/12 & 9/13/19	Score Clock/Field Hockey	4	\$22.50	\$90.00
	9/21/2019	Score Clock/Field Hockey	2	\$22.50	\$45.00
	9/20 & 9/24/19	Score Clock/Soccer	4	\$22.50	\$90.00
Micciche, Brian	8/28-9/7/19	Score Clock/Field Hockey & Soccer	8.5	\$22.50	\$191.25
Nann, Patrick	9/20/2019	Game Worker/Football	3.75	\$22.50	\$84.38
Natale, Natalie	9/20/2019	Game Worker/Football	3	\$22.50	\$67.50
Raiz, Paul	9/20/2019	Game Worker/Football	3.75	\$22.50	\$84.38
Rigas, Pat	9/20/2019	Game Worker/Football	3	\$22.50	\$67.50
Rulka, Katey	9/20/2019	Ticket Seller/Football	3	\$22.50	\$67.50
Schwindel, Kate	9/20/2019	Game Worker/Football	3	\$22.50	\$67.50
Sullivan, Margaret	9/20/2019	Ticket Taker/Football	3	\$22.50	\$67.50
				TOTAL	\$1,236.25

Last Name	First Name	Position	School	Old Scale	Old Step	Old Base Salary	Longevity	Other	Total Salary	New Scale	New Step	New Base Salary	Longevity	Other	Total Salary	Effective Date
Della	Krista	Teacher of Math	HMS	BA	4	\$54,691		\$0	\$54,691	BA+16	4	\$56,628		\$0	\$56,628	9/1/19
Dorfman	Zachary	Elementary School Teacher	Collins	BA	3	\$53,988		\$0	\$53,988	BA+16	3	\$55,886		\$0	\$55,886	9/1/19
Velardi	Joseph	Teacher of Science	HMS	BA	6	\$56,159		\$0	\$56,159	MA	6	\$63,612		\$0	\$63,612	9/1/19
Chavanne	Tanis	TOSD	LHS	BA+16	9	\$66,872		\$0	\$66,872	MA	9	\$72,138		\$0	\$72,138	9/1/19

Position	# of Positions	2019/2020 Amount	Coaches
Intramural Coach		\$37.94/session	Keith Chaudruc David Cohen Cara Dlugo Patricia Harrington Kelly Nann Paul Raiz Michael Munley
Game Worker			Ashley Addison Eugene Asimou Brett Bisconti Cara Dlugo Kelly Nann Patrick Nann

2019-2020 STIPEND POSITIONS POSTING

Livingston High School

CO-CURRICULAR

Position	# of Positions	2019/2020 Amount	Staff Member(s)
Science Olympiad Advisor	1	\$626	Meghan DeBlieck*
		\$626	Dorine Starace*
		\$626	Michelle Sipe*

**amended from previous agenda*

**2019-2020
District Stipend Positions**

TITLE	NAME	AMOUNT
LEAD TEACHERS		
Business Education	Colleen Cornell	\$8,137

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

2019-2020 STIPEND POSITIONS

Heritage Middle School

CO-CURRICULAR

Position	# of Positions	2019/2020 Amount
Literary Magazine	1	
-Christine Maccarella (½)*		\$ 939
-Lynn Schwartz (½)		\$ 939

**amended from previous agenda*

Last Name	First Name	Position	Base Salary	Longevity	Additional Pensionable Income	Total
Fersko	Helene	CST	\$112,108	\$4,540	\$4,200	\$120,848
Guardabasco	Nicholas	School Counselor	\$112,108	\$2,340	\$2,862	\$117,310
Petryna	Nancy	CST	\$115,218	\$2,340	\$4,367	\$121,925
Rampolla	Danusia	CST	\$112,108	\$3,490	\$5,780	\$121,378
Saladino	Eileen	CST	\$105,862	\$2,340	\$1,083	\$109,285

Last Name	First Name	Position	Guide	Step	Base Salary	Effective Date
Munley	Michael	Teacher of Health & PE	BA	12	\$77,151	9/1/19
Pizzone	Michael	Teacher of Social Studies	MA+32	12	\$92,405	9/1/19

Name	Position	Location		Dates
Jennifer Randazzo	Teacher of Art	HMS	(.2)	8/29/19-11/12/19 and 4/24/20-6/25/20
Jenna Graub	TOSD	LHS	(.2)	9/17/19 - 6/25/20
Meghan Reid*	Teacher of English	LHS	(.2)	8/29/19 - 9/19/19

**amended from previous agenda*

2019-2020						
New Employees Requiring Mentoring						
<u>Teachers</u>						
<u>Last Name</u>	<u>First Name</u>	<u>Position</u>	<u>School</u>	<u>Assigned Mentor</u>	<u>Fee</u>	<u>Comments</u>
Nelson*	Andrew	Teacher of Englis LHS		Charissa Sorrentino	\$550	
Skerker*	Rachel	Teacher of Englis LHS		Antoinette Alston	\$550	
<i>*amended from previous agenda</i>						
<u>Long Term Sub</u>						
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)						

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" All certificate holders shall report their arrest or indictment for any crime or offense to the Superintendent of Schools within fourteen calendar days in accordance with the provisions of N.J.A.C. 6A:9 17.1. For purposes 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 CEAs 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 ~~of Schools~~ 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 ~~of Schools~~ 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.

~~In the event the New Jersey State Board of Examiners issues an order to show cause based on the information that the school district provided about the certificate holder, it shall be the responsibility of the school district to cooperate with the Board of Examiners in any proceeding arising from the order to show cause.~~

The Superintendent ~~of Schools~~ 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 ~~of Schools~~ 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 ~~of Schools~~ 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.S.A. 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



POLICY

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

The Board of Education recognizes a teaching staff member who reports to work under the influence of a substance ~~drugs or alcohol~~ 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. ~~A teaching staff member is prohibited from possession, use, distribution, or being under the influence of any substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities.~~

~~Any teaching staff member who is found to 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 shall be subject to appropriate discipline. Any required medical examination and confirmation test 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.

3218/Page PA

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.

~~Any teaching staff member who is found to 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 shall be subject to appropriate discipline. Any required medical examination and confirmation test shall be paid for by the Board.~~
with law or the filing of tenure charges for a tenured teaching staff member in accordance with law.
42 CFR Part 2
N.J.A.C. 6A:16-6.3; 6A:32-6.3

-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

Adopted: 09 October 2006

Revised: 06 May 2013

Revised: June 3, 2019



SUBSTANCE ABUSE, POSSESSION OR DISTRIBUTION OF
SUBSTANCES (M)

R 3218 USE, POSSESSION OR DISTRIBUTION OF SUBSTANCES ABUSE (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.
12. "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.
23. "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 State-licensed-clinical 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 Teaching Staff Member has Unlawfully Possessed or has been in the Distribution of a Controlled Dangerous Substance ~~is Suspected to be Under the Influence of a 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



TEACHING STAFF MEMBERS

R 3218/Page 1 of 7

SUBSTANCE ABUSE, POSSESSION OR DISTRIBUTION 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 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 1 of 7

SUBSTANCE ABUSEUSE, 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.
~~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 to include a substance test.~~
- 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 the physician's~~ 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 and~~ 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.



TEACHING STAFF MEMBERS

R 3218/Page 1 of 7

SUBSTANCE ABUSE, POSSESSION OR DISTRIBUTION OF SUBSTANCES (M)

- 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.
~~A teaching staff member's refusal to be examined or tested in accordance with the provisions of Policy 3218 and this Regulation will be deemed as a positive test for substances.~~
- 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.
- ~~2. The medical examination and substance test shall be used by the 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 confirming test using acceptable confirmation test procedures.~~
- 3. The physician shall receive 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.
- ~~If the results of the substance test are not available within twenty-four hours, the physician shall report the results to the Superintendent and the teaching staff member as soon as the test results are available.~~
- 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 physician will notify the Superintendent of such results~~



TEACHING STAFF MEMBERS

R 3218/Page 1 of 7

SUBSTANCE ABUSE, POSSESSION OR DISTRIBUTION OF SUBSTANCES (M)

~~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 related to the incident shall not be included in the teaching staff member's personnel file.~~

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.
 - b. Provide the teaching staff member an opportunity to have the substance test results confirmed by a ~~State-licensed clinical~~ 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 ing~~ test procedures, including the acceptable time period for the ~~confirmationing~~ test to be conducted based on the existing test results, and the time in which a ~~confirmationing~~ test result would be valid. The confirmation test shall be paid for by the teaching staff member.
 - (2) The ~~confirmationing-substance~~ test results must be provided to the Board physician and the Superintendent within the time period required by the Board physician.
 - (3) Any ~~confirmationing~~ 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 ~~a-have a~~ the results of a ~~-confirmationing substance~~ test considered. ~~by the physician.~~



TEACHING STAFF MEMBERS

R 3218/Page 1 of 7

SUBSTANCE ABUSE, POSSESSION OR DISTRIBUTION OF SUBSTANCES (M)

- 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 ~~the~~ 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 these results 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. ~~and a~~ Any records or documentation regarding a negative medical examination or substance test related to the incident shall not be included in the teaching staff member's personnel file.
 - (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 these results to the Superintendent ~~of Schools and the teaching staff member will be required to meet with the Superintendent.~~

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

1. Any teaching staff member ~~who has been~~ 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.



REGULATION

LIVINGSTON BOARD OF EDUCATION

TEACHING STAFF MEMBERS

R 3218/Page 1 of 7

SUBSTANCE ABUSE, POSSESSION OR DISTRIBUTION OF SUBSTANCES (M)

3. A teaching staff member ~~who has been~~ 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 of a non-tenured teaching staff member; and/-or
 - c. Filing of tenure charges for a tenured teaching staff member.

Adopted: Nov. 23, 2015



4218 ~~USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES-ABUSE~~ (M)

The Board of Education recognizes a support staff member who reports to work under the influence of ~~a substance~~ ~~drugs or alcohol~~ 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. ~~A support staff member is prohibited from possession, use, distribution, or being under the influence of any substance during work hours.~~

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.

-

~~Any support staff member who reports to work under the influence of or in possession of any substance will be subject to appropriate discipline, which may include termination or the filing of tenure charges for a tenured support staff member in accordance with law.~~

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 of~~ a support staff member to consent to the medical examination ~~including a and substance test will be deemed determined to be~~ 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



POLICY

LIVINGSTON BOARD OF EDUCATION

Support Staff
4218/Page PAGE 2 of NUMPAGES 3
SUBSTANCE (M)

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.

~~In the event a support staff member's medical examination and substance test results are negative for a substance, any documents or records pertaining to the requirement for the examination and test results will not be maintained by the school district. Any required examination and testing shall be paid for by the Board. The support staff member will be afforded the opportunity to have any test results confirmed using acceptable test confirmation practices. This confirming test shall be paid for by the support staff member.~~

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 ~~support~~ 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 ~~of Schools~~ 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 ~~support~~ staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the ~~support~~ staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a ~~support~~ 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

▪

~~42 CFR Part 2~~

~~N.J.A.C. 6A:16-6.3; 6A:32-6.3~~



POLICY

LIVINGSTON BOARD OF EDUCATION

Support Staff
4218/Page PAGE 2 of NUMPAGES 3
SUBSTANCE (M)

Adopted: 09 October 2006

Revised: 06 May 2013

Revised: June 3, 2019



USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES-ABUSE (M)

R 4218 USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES-ABUSE (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.
42. “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.
23. “Substance test” means a test conducted by a ~~Board-approved~~State-licensed-clinical laboratory using accepted substance use practices, accepted chain of custody procedures, and testing methodology recommended by the laboratory instrument’s manufacturer.
34. “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, ~~School Business Administrator/Board Secretary, district Director or Supervisor,~~ or any other administrative staff member responsible at the time of the alleged violation or as designated by the Superintendent.
45. “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



USE, POSSESSION, OR DISTRIBUTIUN OF SUBSTANCES~~ABUSE~~ (M)

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 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.
- ~~B. Procedures to be Followed When a Support Staff Member is Suspected to be Under the Influence of a Substance~~
- 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:



USE, POSSESSION, OR DISTRIBUTUON OF SUBSTANCES~~ABUSE~~ (M)

- (1) Immediately notify the Superintendent ~~of Schools~~;
- (2) Immediately meet with the support staff member;
 - (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 to 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 ~~the physician's~~ 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 ~~orand~~ tested, disclose to the Board physician or designee ~~anyany~~ — prescription medicine, over-the-counter medicine or supplements, or any other reason why the support staff member's test results may be positive.



USE, POSSESSION, OR DISTRIBUTUON OF SUBSTANCES~~ABUSE~~ (M)

- h. ~~Refusal by a A support staff member's refusal to consent to the medical examination which includes a substance test be examined or tested in accordance with the provisions of Policy 4218 and this Regulation~~ will be deemed ~~as~~ a positive ~~result test~~ for substances.
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 confirmationing 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 ~~physician shall receive 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. ~~If the results of the substance test are not available within twenty four hours, the physician shall report the results to the Superintendent and the support staff member 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 physician will notify the Superintendent of such results 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 positon. ~~Any records or documentation related to the incident shall not be included in the support staff member's personnel file.~~
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



USE, POSSESSION, OR DISTRIBUTUON OF SUBSTANCES-ABUSE (M)

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 ~~State-licensed clinical~~ laboratory selected by the support staff member and approved by the Board physician and Superintendent.
 - (1) The Board physician will schedule and coordinate the ~~confirmationing~~ test procedures, including the acceptable time period for the ~~confirmationing~~ test to be conducted based on the existing test results, and the time in which a ~~confirmationing~~ test result would be valid. This confirmation test shall be paid for by the support staff member.
 - (2) The ~~confirmationing substance~~ test results must be provided to the Board physician and Superintendent within the time period required by the Board physician.
 - (3) Any ~~confirmationing~~ 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 ~~a~~ have the results of ~~a confirmationing substance~~ test considered ~~by the physician~~.
- 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



USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES-ABUSE-(M)

support staff member was assigned job responsibilities, the Board physician will report a final determination ~~these results~~ 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. ~~and a~~ Any records or documentation regarding a negative medical examination or substance test related to the incident 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 hours or at a school-sponsored function where the support staff member was assigned job responsibilities, the Board physician will report a final determination ~~these results~~ to the Superintendent. ~~of Schools and the support staff member will be required to meet with the Superintendent.~~

ED. 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



USE, POSSESSION, OR DISTRIBUTIUN OF SUBSTANCES~~ABUSE~~_(M)

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

- ~~3. A support staff member who has been determined to have been under the influence of a substance during work hours will be subject to appropriate discipline which may include termination of or the filing of tenure charges for a tenured support staff member.~~

Adopted: Nov. 23, 2015



Support Staff
4219/Page 21 of 21

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

4219 COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES 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.



POLICY

LIVINGSTON BOARD OF EDUCATION

Support Staff
4219/Page 21 of 21

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES 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 school bus drivers as well as drivers of private carriers of passengers contracted by the Board~~ 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. Regulations. 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 driver~~ 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 driver~~ shall perform safety-sensitive functions within four hours after using alcohol and the district will not permit ~~an employee driver~~ 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, as evidenced by the results of the initial screening and subsequent confirmatory analysis provided in the policy, is prohibited for any employee assigned to a classification covered by this policy. All cutoff concentrations shall be in accordance with are as per 49 C.F.R. 40.87. All test results shall be measured against the cutoff concentrations as outlined in 49 CFR 40.87. and are expressed in nanograms per milliliter (ng/mL).

Type of Drug or Metabolite	Initial Test	Confirmation Test
-	-	-



POLICY

LIVINGSTON BOARD OF EDUCATION

Support Staff
4219/Page 21 of 21
TESTING (M)

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

Marijuana-metabolites	50	-
Delta 9-tetrahydrocanna- Binol 9-carboxylic acid (THC)	-	15
-	-	-
Cocaine-metabolites (Benzoyllecgonine)	300	150
-	-	-
Phencyclidine (PCP)	25	25
-	-	-
Amphetamines	1000	-
-Amphetamine	-	500
-Methamphetamine	-	500*
-	-	-
(*Specimen must also contain amphetamine at a concentration greater than or equal to 200 ng/mL.)		
-	-	-
Opiate-metabolites	2000	-
-Codeine	-	2000
-Morphine	-	2000
-6-Acetylmorphine (6-AM)	-	10**
-	-	-
(**Test for 6 AM in the specimen. Conduct this test only when specimen contains morphine at a concentration greater than or equal to 2000 ng/mL.)		
-	-	-
Alcohol	.02 or higher	.02 or higher



Support Staff
4219/Page 21 of 21

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES 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. ~~the above stated five drugs or classes of drugs in accordance with 49 C.F.R. 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 ~~urine 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.



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE
"Initial Specimen Validity Screening" means the first test used to determine if ~~TESTING~~ (M)
specimen is adulterated, diluted or substituted, or invalid.

"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, means 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: exception to the pre-employment screening may be made if the prospective employee:



Support Staff
4219/Page 21 of 21

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

- a. ~~The employee H~~has participated in a controlled substances testing program that met the requirements of 49 C.F.R. 382 et seq. within the previous thirty days and ~~while participating in that program either:~~
- b. The employee while participating in that program either:
- (1) Was tested for controlled substances within the past six 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. ~~(3)~~—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 driver~~'s participation;
- c. Verification that the program conforms to ~~f~~Federal guidelines;
- d. Verification the ~~individual driver~~ 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 individual~~ 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 ~~commission 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



Support Staff
4219/Page 21 of 21

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE
into the new position. The written consent from the individual with TESTING (M)
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;
- 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 individual.

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 A-covered 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 5025% of the average number of driver positions. The minimum annual percentage rates may be adjusted as determined by the FMCSA Administrator in accordance with These rates may be adjusted as determined by the FHWA



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE
~~(Federal Highway Administration) Administrator in accordance with 49~~ TESTING (M)
C.F.R. 382.305.

~~Employee~~Drivers 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

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:



Support Staff
4219/Page 21 of 21

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

- 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:
 - (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 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-driver~~ 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 employeeA-driver~~ 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



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE TESTING (M)
observations concerning the appearance, behavior, speech or body 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.

Reasonable suspicion testing may be required of an employee-driver while the driver-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-driver 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-driver 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 commission is not required to return an employee to a safety-sensitive position upon receipt of a confirmed drug and/or alcohol test.



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

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

~~In the event the DER does not recommend termination,~~ The DER shall ensure that before a ~~employee~~ driver returns to duty requiring the performance of a safety-sensitive function, the ~~employee~~ driver 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.

~~Employees~~ Drivers -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 sixty~~ 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. ~~49 Subpart G~~ 40.121.



Support Staff
4219/Page 21 of 21

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE Employer Notification TESTING (M)

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.

Split Specimen Tests

Split specimen testing will be conducted in accordance with 49 C.F.R. 40 Subpart H. ~~Under split sample collection procedures, the driver has seventy two hours from the time of notification of a positive result to request the MRO to order a test of the split specimen. If the driver does not request a split specimen test within seventy two hours, the driver may present to the MRO information documenting that serious injury, illness, lack of actual notice of the verified test result, inability to contact the MRO, or other circumstances unavoidably prevented the individual from making a timely request.~~

~~If the split specimen is unavailable or appears insufficient, the laboratory will continue the testing process of the primary specimen as the laboratory would normally. The laboratory will report the results for the primary specimen without providing the MRO information regarding the unavailable split specimen. In the event the MRO requests the split specimen be forwarded to another laboratory, the laboratory will report to the MRO the split specimen is unavailable for testing and the laboratory will provide the MRO with as much information as possible about the cause of the unavailability. 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



COMMERCIAL DRIVER'S ~~LICENSE~~ CONTROLLED SUBSTANCES AND ALCOHOL USE (NLCP) for all testing required under 49 C.F.R. 40. The laboratory will perform ~~all~~ TESTING (M) 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. by a representative of the Board at a designated site.~~ 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-driver~~ 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;
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



Support Staff
4219/Page 21 of 21

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE TESTING (M)
deemed to have refused to test on this basis only if the pre-employment testing (M) 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); ~~or~~
9. ~~If the MRO reports the driver had a verified adulterated or substituted test result.~~ 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 of 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 ensures that the refusal notification is immediately received. A referral physician (e.g., 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



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

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;
5. If assistance was required, the employee must be evaluated by a substance 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



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE
The DER shall maintain and retain all records as required by federal regulation. ~~Testing~~ **TESTING (M)**
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 ~~Driver~~Employee's Test Results
 - a. Employer's copy of the alcohol test form, including results;
 - 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~~driver'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 Policy~~Rules~~
4. Records Related to Evaluations and Training



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

- 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 ~~rule~~ complies with all requirements of the Policy ~~rule~~.
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;
 - c. Monthly statistical summaries of urinalysis; and
 - d. The employer's drug testing policy and procedures.



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES 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 21 of 21
TESTING (M)

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES 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 21 of 21

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES 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.]



POLICY

LIVINGSTON BOARD OF EDUCATION

Support Staff
4219/Page 21 of 21
JG (M)

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES 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 ~~Titles I, II A, II D, III, III Immigrant, IV and V of the No Child Left Behind Act (NCLB)~~ 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. ~~Reimbursement requests shall be made for individual titles and awards and~~ Only one reimbursement request per month may be submitted for an individual title, ~~or 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. ~~by the last calendar day of the month in which the request is made.~~

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 ~~by the last calendar day of the month in which the request is made~~ and that the expenditures are allowable and appropriate to the cost objective(s) of the subgrant. ~~Reimbursement requests must be in accordance with approved grant applications.~~



REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES (M)

The Superintendent ~~of Schools~~ 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 ~~of Schools~~ 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. or \$50,000 for IDEA, Perkins, and NCLB (per title), whichever is less.~~

~~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, the applicable Federal Office of Management and Budget Circular: A-21, "Cost Principles for Educational Institutions;" A-87, "Cost Principles for State, Local, and Indian Tribal Governments;" A-122, "Cost Principles for Non-Profit Organizations;" and Education Department General Administrative Regulations (EDGAR).~~ 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



REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES (M)

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.** ~~; or will be expended according to the requirements of the CMIA.~~

New Jersey Department of Education Policies and Procedures for Reimbursement of Federal and Other Grant Expenditures – **March 2014**~~July 2008~~

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) Titles I, II A, II D, III, III Immigrant, IV and V of the No Child Left Behind Act (NCLB), 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, ~~school district~~, 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~~will be 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 ~~ESSANGLB~~ 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, ~~or 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 by the last calendar day of the month in which the request is made. 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 last day 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 and last day 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 last day of the following month.



REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES (M)

because the school district will make payroll expenditure within three business days of receiving the funds. ~~—The school district may not request reimbursement in anticipation of subsequent pay dates, that is, those occurring more than three business days after receiving the funds. —in the following month.~~

- (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. during the calendar month in which reimbursement is requested.

- (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. by the last calendar day of the month in which the request is made. 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.



REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES (M)

- d. Reimbursement requests must be in accordance with approved grant applications.
 - (1) The Superintendent ~~of Schools~~ 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.
 - (2) The Superintendent ~~of Schools~~ 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 ~~or \$50,000 for IDEA, Perkins, and NCLB (per title), whichever is less.~~ The Superintendent ~~of Schools~~ 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. ~~Reimbursement may be made for expenditures that have already occurred or will occur by the last calendar day of the month in which the request is submitted.~~
- 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."



REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES (M)

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 ~~applicable Federal Uniform Grant Guidance Office of Management and Budget Circular: A-21, "Cost Principles for Educational Institutions;" A-87, "Cost Principles for State, Local, and Indian Tribal Governments;" A-122, "Cost Principles for Non-Profit Organizations;" and Education Department General Administrative Regulations (EDGAR).~~ 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. ~~according to the requirements of the CMIA.~~



**REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES
(M)**

Adopted: April 25, 2016



SCHOOL DISTRICT SECURITY (M)

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



POLICY

LIVINGSTON BOARD OF EDUCATION

Property
7440/Page 2 of 2

SCHOOL DISTRICT SECURITY (M)

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

~~N.J.S.A. 18A:17-43.1; 18A:17-43.2; 18A:17-43.3~~

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.

DE. 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.

EF. 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.

GF. 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



REGULATION

LIVINGSTON BOARD OF EDUCATION

PROPERTY
R 7440/Page 7 of 7
SCHOOL DISTRICT SECURITY (M)

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. ~~A call to Anytime~~ law enforcement agents are summoned in accordance with G.1. above, will be reported to the Superintendent will be notified as soon as possible, ~~along with the reason(s) for which the call was made and the outcome of the incident.~~

Adopted: June 18, 2018



POLICY

LIVINGSTON BOARD OF EDUCATION

Administration
1230/Page 1 of 55

SUPERINTENDENT'S DUTIES (M)

1230 SUPERINTENDENT'S DUTIES (M)

Formatted: Right: 1.06"

Function

The Superintendent shall serve as Chief Executive and Administrative Officer of the district by implementing policies established by the Board of Education and by discharging the duties imposed on his/her office by law.

Authority

The Superintendent shall be the Chief School Administrator of the school district and principle advisor to the Board. He/She may delegate to an appropriate school official any duty not reserved to the Superintendent by law, but may not delegate the responsibility for duties mandated by law.

Work Relationships

The Superintendent shall report directly to the Board and shall directly or indirectly supervise all persons employed by the Board.

Duties and Responsibilities

- A. In the discharge of his/her responsibility as principle advisor to the Board, the Superintendent shall:
1. Ensure all aspects of district operation comply with Board policy, State law and district contracts;
 2. Report to the Board on the needs of the district;
 3. Advise the Board of any changes or additions that should be made to its policies;
 4. Provide the Board with such information as may be needed to ensure the making of informed decisions;
 5. Act on own discretion if action is necessary in any matter not covered by Board policy; report such action to the Board as soon as practical; and recommend policy in order to provide guidance in the future; and
 6. Perform such other duties as may be assigned by the Board.



POLICY

LIVINGSTON BOARD OF EDUCATION

Administration
1230/Page 2 of 55

SUPERINTENDENT'S DUTIES (M)

B. In the discharge of his/her responsibility for the implementation of the operational action plan of the district, the Superintendent shall:

1. Prepare, promulgate, and maintain a ~~manual~~record of administrative regulations;
2. Evaluate the future needs of the district and recommend a district action plan including goals, objectives, and priorities to the Board;
3. Maintain written objectives to implement the district action plan adopted by the Board;
4. Evaluate progress toward the attainment of the district action plan and report annually to the Board; and
5. Report to the Commissioner and the County Superintendent on matters relating to the schools in the manner and form prescribed by the Commissioner.

C. In the discharge of his/her responsibility as the administrator of the instructional program, the Superintendent shall:

1. Establish and maintain a written instructional plan for the schools of the district consistent with the educational goals adopted by the Board;
2. Coordinate the proper implementation of the instructional plan as it applies to each school in the district;
3. Evaluate annually the effectiveness of the program of studies and recommend such changes and additions as may be required to improve its effectiveness;
4. Evaluate the performance of ~~pupil~~students in relation to other public school districts, as well as in relation to State and national standards;
5. Report periodically to the Board, as directed by the Board, on the condition of the educational program and facilities in the district; and



POLICY

LIVINGSTON BOARD OF EDUCATION

Administration
1230/Page 3 of 55

SUPERINTENDENT'S DUTIES (M)

6. Keep informed regarding current research in the field of education and inform the Board as appropriate. This includes educational initiatives including but not limited to advances in the area of educational technology.

D. In the discharge of his/her responsibility for the direction and welfare of pupilstudents, the Superintendent shall:

1. Strive to motivate pupilstudents to achieve their individual best;
2. Create a climate of mutual respect, as well as respect for authority and discipline in each of the schools of the district;
3. Report to the Board at its next meeting the suspension of a pupilstudent; and
4. Recommend any changes in the program of pupilstudent management and support as necessary to respond to district needs.

E. In the discharge of his/her responsibility for the supervision of district employees, the Superintendent shall:

1. Be an exemplary model for the employees of the District;
2. Recommend to the Board all properly certified candidates for employment, assignment, renewal or transfer;
3. Assign staff so as to achieve maximum effectiveness in the attainment of educational goals;
4. Ensure all mandated training is conducted and its effectiveness is assessed.
5. Train and assess staff as necessary and as required to implement approved changes in the curriculum, instructional methods and technology of the district;
6. Evaluate the effectiveness of staff members in the performance of their assigned tasks;
7. Ensure that all performance evaluations are conducted in accordance with timelines prescribed through Board policy, regulations and bargaining contracts;



POLICY

LIVINGSTON BOARD OF EDUCATION

Administration
1230/Page 4 of 55

SUPERINTENDENT'S DUTIES (M)

8. Recommend changes in staffing patterns based on the evaluation of staff and program effectiveness;
 9. Develop and maintain a District-wide organizational structure and promulgate a plan for succession;
 10. Contribute to the negotiation of the collective bargaining agreements within the District;
 11. Maintain all records as required by law and Policy; and
 12. Discipline staff as required and report to the Board forthwith any suspension of a teaching staff member.
- F. In the discharge of his/her responsibility for the maintenance of the physical plant, the Superintendent shall:
1. Strive to make efficient use of district resources in the daily and long-term operations of the schools;
 2. Assign support staff so as to achieve maximum effectiveness from the facilities of the district;
 3. Train support staff as necessary to maintain the facilities and to avoid safety and environmental hazards; and
 4. Evaluate the effectiveness of the district facilities in housing the instructional program and recommend to the Board such changes and improvements as may be required.
- G. In the discharge of his/her responsibility for the management of the district business affairs, the Superintendent shall:
1. Supervise the preparation of the annual budget and recommend its adoption to the Board;
 2. Implement the budget adopted by the Board;
 3. Establish sufficient fiscal controls to ensure that district funds are expended wisely and efficiently; and



POLICY

LIVINGSTON BOARD OF EDUCATION

Administration
1230/Page 5 of 55

SUPERINTENDENT'S DUTIES (M)

4. Report to the Board at its next meeting any expenditure in excess of a budgeted line item.
- H. In the discharge of his/her responsibility as liaison officer to the public, the Superintendent shall:
1. Strive to interpret the needs of the school to the public and the concerns of the public to the Board;
 2. As appropriate, involve members of the public in the review of district needs, community needs, and the operation of the school programs;
 3. Keep the public informed about the accomplishments and challenges of the school district;
 4. Cooperate with the news media, as appropriate; and
 5. Work effectively with municipal government officials and public agencies concerned with the welfare of ~~pupil~~students.

Evaluation Criteria

The Superintendent will be evaluated in accordance with Policy No. 1240 and this job description.

N.J.S.A. 18A:7A-11; 18A:17-17; 18A:17-18; 18A:17-20;
18A:17-21; 18A:22-8.1; 18A:27-4.1; 18A:37-4
N.J.A.C. 6A:8-3.1; 6A:32-4.1; 6A:32-12.2

Cross reference: Policy Guide Nos. 0132, 1220, 1240

Adopted: March 23, 2015
Reviewed: January 28, 2019



R 1240 EVALUATION OF SUPERINTENDENT (M)

A. Roles and Responsibilities for the Implementation of the Annual Evaluation Policy and Procedures

1. The Board of Education and the Superintendent will develop and the Board will adopt a job description and evaluation criteria for the Superintendent's position based upon the Board's local goals, program objectives, policies, instructional priorities, State goals, statutory requirements, and the functions, duties, and responsibilities of the Superintendent.
2. The Superintendent shall have primary responsibility for data collection and reporting methods appropriate to the job description.
3. The Board President, or the Board President's designee, shall oversee the annual evaluation of the Superintendent.
4. The Board President shall establish timelines for completion of the annual evaluation of the Superintendent.

B. Annual Summary Conference

1. The Board of Education shall conduct an annual summary conference with the Superintendent to develop and prepare an Annual Written Performance Report.
2. The annual summary conference between the Board of Education, with a majority of its total membership present, and the Superintendent shall be held before the Annual Written Performance Report is prepared and filed.
3. The Superintendent shall submit to all Board members any information, documents, statistics, or any other data or information he/she would like for the Board members to consider at the annual summary conference.
4. The Board President, or the Board President's designee, shall preside over the Board's annual summary conference meeting.
5. The conference shall be held in executive session, unless the Superintendent requests it be held in public. The conference shall include, but not be limited to, review of the following:



- a. Performance of the Superintendent based upon the Board approved job description;
- b. Progress of the Superintendent in achieving and/or implementing the school district's goals, program objectives, policies, instructional priorities, State goals, and statutory requirements; and
- c. Indicators of student progress and growth toward program objectives.

C. Annual Written Performance Report

1. The Annual Written Performance Report shall be prepared and approved by a majority of the Board of Education's total membership by July 1 and shall include, but not be limited to:

- a. Performance area(s) of strength;
- b. Performance area(s) needing improvement based upon the job description and evaluation criteria set forth in N.J.A.C. 6A:10-8.1(c)2;
- c. Recommendations for professional growth and development;
- d. Summary of indicators of student progress and growth, and a statement of how the indicators relate to the effectiveness of the overall program and the Superintendent's performance; and
- e. Provision for performance data not included in the report to be entered into the record by the Superintendent within ten teaching staff member working days after the report's completion.

2. The Board President, or the Board President's designee, shall prepare a draft of the Annual Written Performance Report after the annual summary conference.

3. The draft of the Annual Written Performance Report shall be disseminated to all Board members for review and comment before presenting the draft report to the Superintendent.

a. In the event a Board member believes a provision(s) of the draft of the Annual Written Performance Report is not in accord with the provisions agreed to by a majority of the Board during the annual summary conference, the Board member shall submit in writing their proposed revision(s) to the drafter of the Annual Written Performance Report. The draft of the Annual Written Performance Report may be revised by the



drafter of the report if the drafter agrees with the Board member's proposed revision. In the event the drafter does not agree with the proposed revision(s), the issue shall be presented to the full membership of the Board of Education in executive session to make a final determination.

4. The draft of the Annual Written Performance Report shall be presented to the full membership of the Board of Education in executive session for discussion and approval after the draft report has been disseminated to all Board members for review. The Superintendent shall receive a copy of the draft of the Annual Written Performance Report from the Board President, or Board President's designee, prior to the executive session where the Board is scheduled to discuss and approve.

5. In the event the Superintendent does not agree with a provision(s) in the draft of the Annual Written Performance Report, the Superintendent shall be provided an opportunity to discuss with the full membership of the Board reconsideration of the disputed provision(s).

6. A majority of the Board's full membership shall approve the draft of the Annual Written Performance Report before presenting the final Annual Written Performance Report to the Superintendent.

7. The Superintendent may submit a written response to the final Annual Written Performance Report, which shall be attached to the report.

Adopted: 08 December 2014

Updated: October 2015

Reviewed: January 28, 2019



R 5200 ATTENDANCE (M)

A. Definitions

1. For the purposes of school attendance, a “day in session” shall be a day on which the school is open and students are under the guidance and direction of a teacher or teachers engaged in the teaching process. Days on which school is closed for such reasons as holidays, teachers’ institutes, and inclement weather shall not be considered as days in session.
2. A “school day” shall consist of not less than four hours, except that one continuous session of two and one-half hours may be considered a full day of Pre-K.
3. “A day of attendance” shall be one in which the student is present for a full day under the guidance and direction of a teacher while school is in session.
 - a. Whenever over-crowded conditions make it necessary to hold two separate sessions with a different group of students in each session, a student attending for all of either session shall be regarded as having attended for the full day. An excused absence for any reason shall not be counted as a day of attendance in the school register.
4. A “half-day class” shall be considered the equivalent of a full day’s attendance only if in session for four hours or more, exclusive of recess periods or lunch periods.

B. Attendance Recording

1. A record of the attendance of all students on roll in a school register shall be kept each day that school is in session by a teacher or other authorized person. It shall be the duty of this person to keep the attendance records according to these rules and the specific instructions issued by the Commissioner of Education.
2. A student shall be recorded as absent in the school register when not in attendance at a session of the school while a member of the school, except students excused due to religious holidays who shall be recorded as excused.
3. A student shall be recorded as either present, absent, or excused for religious observance, every day the school is in session after the student enters until the date the student is transferred to another school, transferred to an individual home instruction record, or officially leaves the school system.
4. The Commissioner shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis.
5. The mere presence of a student at roll call shall not be regarded as sufficient attendance for compliance with N.J.A.C. 6A:32-8.3. In a school which is in session during both the morning and afternoon, a student shall be present at least one hour during both the morning and afternoon in order to be recorded as present for the full day. In a school which is in session during either the morning or the afternoon, a student shall be present at least two hours in the session in order to be recorded as present for the full day.



REGULATION

LIVINGSTON BOARD OF EDUCATION

STUDENTS
R 5200/Page 2 of 7
ATTENDANCE (M)

6. A student not present in school because of his/her participation in an approved school activity, such as a field trip, meeting, cooperative education assignment, or athletic competition will be considered to be in attendance.

C. Absence Categories and Descriptors

The charts below reflect categories of absences and how they will be recorded. The lists included in the charts are not exhaustive. A principal or his/her designee shall administrative discretion when unique circumstances arise. Examples of absences may include, but are not limited to the following:

For Grades K-8

UNEXCUSED TRUANT (CHARGEABLE)	UNEXCUSED VERIFIED (CHARGEABLE)	ADMINISTRATIVELY EXCUSED (NON-CHARGEABLE)
<p>The following items will be marked as undocumented, and therefore count toward the retention threshold of 19 absences:</p> <ul style="list-style-type: none">• No note provided• Note not approved by administration• No note from doctor for 3+ consecutive days for illness• Truancy, as determined by the principal or designee	<p>The following items will be marked as Unexcused Verified and will count toward the retention threshold of 19 absences:</p> <ul style="list-style-type: none">• Illness for 1-2 days as documented by parent• Illness for 3+ consecutive days as documented by a physician• Family Illness• Written parental permission as approved by the administration	<p>The following items must be documented and will be listed on the attendance record for the student, but do not count against attendance:</p> <ul style="list-style-type: none">• Administrative exclusion or prerogative• Suspension• Court Appearance• Religious observance as documented by the parent and approved by State Guidelines• Death in the immediate family• Extraordinary opportunities as approved by the administration• School-sponsored field trips• School-provided Home Instruction



For Grades 9-12

UNEXCUSED TRUANT (CHARGEABLE)	UNEXCUSED VERIFIED (CHARGEABLE)	ADMINISTRATIVELY EXCUSED (NON-CHARGEABLE)
<p>The following circumstances will be marked as Unexcused Truant and therefore count toward the loss-of-credit threshold of 14 absences for a full-year course and 7 absences for a semester course:</p> <ul style="list-style-type: none"> • No note provided • Note not approved by administration • No note from doctor for 3+ consecutive days for illness • Truancy, as determined by the principal or his designee. 	<p>The following circumstances will be marked as Unexcused Verified and will count toward the loss-of-credit threshold of 14 absences for a full-year course and 7 absences for a semester course:</p> <ul style="list-style-type: none"> • Illness for 1-2 days as documented by parent • Illness for 3+ consecutive days as documented by a physician • Family illness • Written parental permission as approved by the administration • College visits 	<p>The following circumstances <u>must be documented</u> and will be listed on the attendance record for the student, but do not count toward the loss-of-credit thresholds:</p> <ul style="list-style-type: none"> • Administrative exclusion or prerogative • Suspension • Court appearance • Religious observance as documented by the parent and approved by State guidelines • Death in the immediate family • The NJ State Driving Exam (half day) • Extraordinary Opportunities as approved by the administration (see LHS Handbook) • School sponsored field trips • School-provided Home Instruction • Required college orientation/testing (official documentation required)

Tardiness

An unexcused tardy will constitute a portion of an unexcused truant absence. A verified tardy will constitute a portion of an unexcused verified absence.

D. Notice to School of a Student's Absence

1. The parent is expected to call the school office before the start of the student's school day.
2. The parent of the student who will attend the morning session, but will not attend the afternoon session should call or provide notice to the school office before the start of the afternoon session.
3. The parent who anticipates a future absence or anticipates that an absence will be prolonged should notify the school office to arrange make-up work.



E. Readmission to School After an Absence

1. A note explaining a student's absence for a non-communicable illness for a period of more than three school days must be accompanied by a physician's statement of the student's illness with medical clearance to return to school.
2. A student who has been absent by reason of having or being suspected of having a communicable disease must present to the school nurse written evidence of being free of communicable disease, in accordance with Policy 8451.

F. Instruction

1. Teachers shall cooperate in the preparation of home assignments for students after a reasonable period of time, or in accordance with the School's handbook.
2. A student who anticipates an absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with Policy 2412. The parent must request home instruction.
3. Students absent for any reason are expected to make up the work missed in a timely manner. Elementary schools will determine a reasonable and consistent amount of time for work to be turned in; secondary schools will outline a timeline for makeup work in the student handbook. The parent or student is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.
4. In general, students will be allowed a reasonable amount of time to make up missed work. Guidelines will be included in the school handbook at the secondary level.
5. A student who missed a test or an exam shall be offered an opportunity to take the test, exam, or an appropriate alternate test within outlined timeframes.

G. Denial of Course Credit

1. A secondary student may be denied course credit when he/she has been absent from ten percent or more of the class sessions, whatever the reason for the absence, except administratively excused absences.
2. An elementary student may be retained at grade level, in accordance with Policy 5410, when he/she has been absent ten percent or more school days, except administratively excused absences.

H. Unexcused Verified Absences During the School Year

1. For up to four cumulative unexcused absences, the Principal or designee shall:
 - a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;



- b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent;
 - c. Identify, in consultation with the student's parents, needed action designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;
 - d. Proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potentially missing or abused child situation is detected; and
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
2. For between five and nine cumulative unexcused absences, the Principal or designee shall:
- a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;
 - b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent;
 - c. Evaluate the appropriateness of action taken pursuant to N.J.A.C. 6A:16-7.6(a)4.i.(3) and H.1.c. above;
 - d. Develop an action plan to establish outcomes based upon the student's patterns of unexcused chargeable absences and to specify the interventions for supporting the student's return to school and regular attendance, which may include any or all of the following:
 - i. Refer or consult with the building's Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
 - ii. Conduct testing, assessments, or evaluations of the student's academic, behavioral, and health needs;
 - iii. Consider an alternate educational placement;
 - iv. Make a referral to or coordinate with a community-based social and health provider agency or other community resource;
 - v. Refer to a court or court program pursuant to N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;
 - vi. Proceed in accordance with N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potential missing or abused child situation is detected; and
 - vii. Engage the student's family.
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.



3. For ten or more cumulative unexcused absences, a student between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-25, and the Principal or designee shall:
 - a. Make a determination regarding the need for a court referral for the truancy, per N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;
 - b. Continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance;
 - c. Cooperate with law enforcement and other authorities and agencies, as appropriate; and
 - d. Proceed in accordance with N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School, and other applicable State and Federal statutes, as required.
4. A court referral may be made as follows:
 - a. When unexcused absences that count toward truancy are determined by school officials to be violations of the compulsory education law, pursuant to N.J.S.A. 18A:38-25, and the Board of Education's policies, in accordance with N.J.A.C. 6A:16-7.6(a), the parent may be referred to Municipal Court.
 - (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Municipal Court; or
 - b. When there is evidence of a juvenile-family crisis, pursuant to N.J.S.A. 2A:4A-22.g, the student may be referred to Superior Court, Chancery Division, Family Part.
 - (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Juvenile-Family Crisis Intervention Unit.
5. For a student with a disability, the attendance plan and its punitive and remedial procedures shall be applied, where applicable, in accordance with the student's IEP, pursuant to 20 U.S.C. §§ 1400 et seq., the Individuals with Disabilities Education Act; the procedural protections set forth in N.J.A.C. 6A:14; accommodation plan under 29 U.S.C. §§794 and 705(20); and individualized health care plan and individualized emergency healthcare plan pursuant to N.J.A.C. 6A:16-2.3(b)5.xii.
6. All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a), shall act in accordance with N.J.A.C. 6A:16-7.6(a)4.i. and H.1. above for each student with up to four cumulative unexcused absences that count toward truancy.
 - a. For each student attending a receiving school with five or more cumulative unexcused absences that count toward truancy, the absences shall be reported to the sending school district.
 - (1) The sending school district shall proceed in accordance with the Board of Education's policies and procedures pursuant to N.J.A.C. 6A:16-7.6(a) and H.5. above and the provisions of N.J.A.C. 6A:16-7.6(a)4.ii. through iv. and H.2. through H.5. above, as appropriate.



I. Recording Attendance

1. Teachers must accurately record the students present, tardy, or absent each day in each session or each class. Attendance records must also record students' attendance at out-of-school curricular events such as field trips.
2. A record shall be maintained of each administratively excused absence and each verified unexcused or unexcused truant absence.
3. A report card will record the number of times the student was absent and tardy.
4. A student's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

J. Appeal

1. Students may be subject to appropriate discipline for their school attendance record.
2. A student who has been retained at grade level for excessive absences may appeal that action in accordance with Policy 5410.
3. A high school student who has been denied course credit for excessive absences may appeal that action in accordance with the Handbook.

K. Attendance Records

1. Attendance records for the school district and each school will be maintained and attendance rates will be calculated as required by the New Jersey Department of Education. The school district will comply with all attendance requirements and any improvement plans as required by the Department of Education.

Adopted:

