

SCOTCH PLAINS-FANWOOD BOARD OF EDUCATION
Open Agenda Meeting Agenda
March 11, 2021
Meeting Held On-Line and Live-Streamed
8:00 p.m. Public Session
(7:30 p.m. Executive Session)

CALL TO ORDER AND ROLL CALL: p.m

MEMBERS PRESENT

- _____ Ms. Nancy Bauer
- _____ Mrs. Amy Boroff
- _____ Ms. Deb Brody
- _____ Mrs. Karen Mitchell
- _____ Ms. Stephanie Suriani
- _____ Ms. Tonya Williams
- _____ Ms. Amy Winkler
- _____ Mr. Evan Murray, Vice President
- _____ Dr. Karen Kulikowski, President

OTHERS PRESENT

- _____ Joan Mast, Ed.D., Superintendent of Schools
- _____ Deborah S. Saridaki, Business Administrator/Board Secretary
- _____ Robert A. McGarry, Ed.D., Assistant Superintendent for Curriculum and Instruction
- _____ Peter N. Pitucco, Director of Human Resources
- _____ Lisa Rebimbas, Director of Special Services
- _____ Douglas Silvestro, Esq., Board Attorney

MOTION FOR EXECUTIVE SESSION

MOTION: **WHEREAS**, the Board of Education must discuss subjects concerning Personnel and Legal Matters; and,

WHEREAS, the aforesaid subjects are not appropriate subjects to be discussed in a public meeting; and,

WHEREAS, the aforesaid subjects to be discussed are within the exemptions which are permitted to be discussed and acted upon in private session pursuant to P.L. 1975, Chapter 231,

IT IS THEREFORE RESOLVED that the aforesaid subjects shall be discussed in private recess by this Board and administrative staff, and information pertaining thereto will be made available to the public as soon thereafter as possible and once the reasons for non-disclosure no longer exist.

MEMBERS PRESENT

_____ Ms. Nancy Bauer
_____ Mrs. Amy Boroff
_____ Ms. Deb Brody
_____ Mrs. Karen Mitchell
_____ Ms. Stephanie Suriani
_____ Ms. Tonya Williams
_____ Ms. Amy Winkler
_____ Mr. Evan Murray, Vice President
_____ Dr. Karen Kulikowski, President

PLEDGE OF ALLEGIANCE

EXECUTIVE SESSION REPORT

OPENING STATEMENT BY DR. JOAN MAST

ADDITION – modified after Friday, March 5

- 10-BUS Theater Vendor
- 11-BUS Visitor Management System
- 4-OBB Nisivoccia LLP Agreement
- 5-OBB School Employees' Health Benefits Program - "Chapter 44"

BOARD PRESIDENT'S ANNOUNCEMENT

The New Jersey Open Public Meeting Law was enacted to insure the right of the public to have advance notice of and to attend the meetings of public bodies at which any business affecting their interests is discussed or acted upon. In accordance with the provisions of this Act, the Scotch Plains-Fanwood Board of Education has caused notice of this meeting to be published by having the date, time and place thereof posted at the Board of Education offices located at 512 Cedar Street, Scotch Plains, New Jersey. Such notice was also provided in written notice forwarded to The Times, The Star Ledger, the Township Clerk of Scotch Plains and the Borough Clerk of Fanwood in the Annual Notice of Regularly Scheduled Meetings as adopted March 26, 2020.

INSTRUCTIONAL UPDATES

- Youth Art Recognition Month
- 2021-2022 Proposed School Budget Presentation by Mrs. Deborah Saridaki

***2021-2022 PROPOSED SCHOOL BUDGET**

MOTION: Move that the Board of Education approves the 2021-2022 Proposed School Budget as follows:

**Adjustment
Banked Cap**

BE IT RESOLVED that the Scotch Plains-Fanwood Board of Education includes in the proposed budget the adjustment for banked cap in accordance with N.J.A.C. 6A:23A-10.3(b). The district has fully exhausted all eligible statutory spending authority and must increase the base budget in the amount of \$483,056.00.

**Adjustment
Enrollment**

RESOLVED that the Scotch Plains-Fanwood Board of Education includes in the proposed budget the adjustment for enrollment in the amount of \$0. The district intends to utilize this adjustment for supplies and materials necessary for the additional students.

**Adjustment
Health Benefits**

RESOLVED that the Scotch Plains-Fanwood Board of Education includes in the proposed budget, the adjustment for increase costs of health benefits in the amount of \$0. The additional funds are included in the base budget and will be used to pay for the additional increases in health benefits.

**Adjustment
PERS Pension**

RESOLVED that the Scotch Plains-Fanwood Board of Education includes in the proposed budget the adjustment for deferral of the PERS pension cost and the additional interest incurred in the amount of \$0. The district intends to utilize this adjustment for the purpose of paying the additional interest charges.

**Adjustment
Responsibility Transferred**

RESOLVED that the Scotch Plains-Fanwood Board of Education includes in the proposed budget the adjustment for increase (decrease) of costs associated with the transfer of responsibilities in the amount of \$0. The district intends to utilize this adjustment for increase (decrease) for the costs.

Capital Reserve Account Withdrawal

RESOLVED that the Scotch Plains-Fanwood Board of Education requests the approval a capital reserve withdrawal in the amount of \$0.

Capital Reserve Account Deposit

RESOLVED that the Scotch Plains-Fanwood Board of Education requests the approval an undesignated capital reserve deposit in the amount of \$0.

**Travel and Related Expense Reimbursement
2021-2022**

WHEREAS, the Scotch Plains-Fanwood Board of Education recognizes school staff and Board members will incur travel expenses related to and within the scope of their current responsibilities and for travel that promotes the delivery of instruction or furthers the efficient operation of the school district; and

WHEREAS, N.J.A.C. 6A:23B-1.1 et seq. requires Board members to receive approval of these expenses by a majority of the full voting membership of the Board and staff members to receive prior approval of these expenses by the Superintendent of Schools and a majority of the full voting membership of the Board; and

WHEREAS, a Board of Education may establish, for regular district business travel only, an annual school year threshold of \$150 per staff member where prior Board approval shall not be required unless this annual threshold for a staff member is exceeded in a given school year (July 1 through June 30); and

WHEREAS, travel and related expenses not in compliance with N.J.A.C. 6A:23B-1.1 et seq., but deemed by the Board of Education to be necessary and unavoidable as noted on the approved Board of Education Out of District Travel and Reimbursement Forms;

NOW, THEREFORE, BE IT RESOLVED, the Board of Education approves all travel not in compliance with N.J.A.C. 6A:23B-1.1 et seq. as being necessary and unavoidable as noted on the approved Board of Education Out of District Travel and Reimbursement Forms; and

BE IT FURTHER RESOLVED, the Board of Education approves travel and related expense reimbursements in accordance with N.J.A.C. 6A:23B-1.2(b), to a maximum expenditure of \$250,000 for all staff and board members.

**Adoption of Proposed Budget
 2021-2022**

BE IT RESOLVED that the proposed budget be approved for the 2021-2022 School Year using the 2021-2022 state aid figures and the Secretary to the Board of Education be authorized to submit the following proposed budget to the Executive County Superintendent of Schools for approval in accordance with the statutory deadline:

	<u>GENERAL FUND</u>	<u>SPECIAL REVENUES</u>	<u>DEBT SERVICE</u>	<u>TOTAL</u>
2021-2022 Total Expenditures	102,855,468	2,612,356	1,231,125	106,698,949
Less: Capital Reserve Withdrawal	0	0	0	0
Less: Anticipated Revenues	7,490,797	2,612,356	0	10,103,153
Taxes to be Raised	95,364,671	0	1,231,125	96,595,796

And to advertise said proposed budget in The Times, a local newspaper, in accordance with the form suggested by the State Department of Education and according to law; and

BE IT FURTHER RESOLVED, that a meeting be held at the Scotch Plains-Fanwood Board of Education Building, 512 Cedar Street, Scotch Plains, New Jersey on April 29, 2021 at 8:00 p.m. for the purpose of conducting a public hearing on the budget for the 2021-2022 School Year.

**IF YOU WANT TO MAKE A PUBLIC COMMENT, PLEASE
GO TO [SPFK12.ORG](https://spfk12.org) FOR ZOOM LOGIN INFORMATION.**

IN ACCORDANCE WITH SCOTCH PLAINS-FANWOOD PUBLIC SCHOOLS BYLAWS #0164 and 0165, THE MEETING WILL BE OPENED FOR 15 MINUTES FOR PUBLIC COMMENTS. (MAXIMUM 3 MINUTES PER SPEAKER.) SPEAKERS ADDRESSING SUPERINTENDENT ITEMS, BUSINESS FUNCTIONS, AND OTHER BOARD BUSINESS WILL BE HEARD FIRST. IF TIME REMAINS, SPEAKERS MAY ADDRESS OTHER MATTERS. **If you would like to make a public comment, go to spfk12.org for Zoom login information.**

Callers: State your full name and the town in which you reside.

PLEASE NOTE: Board Members cannot respond regarding concerns with individual students or staff members. Such matters should be addressed with the Superintendent's office.

COMMITTEE REPORTS

- Community Relations
- Curriculum
- Facilities
- Finance
- Negotiations Update
- Personnel
- Policy
- Strategic Planning
- Student Activities and Athletic
- Wellness and Equity

LETTERS TO THE BOARD

Three emails were sent by the public to the Board of Education. The appropriate administrator responded.

SUPERINTENDENT’S REPORT

*1-S Harassment, Intimidation, and Bullying Report

MOTION: Move that the Board of Education affirms the Superintendent’s decision in the one HIB case – 060-2021-01 reported in Executive Session on February 25, 2021. The case was determined not to be HIB.

PERSONNEL AGENDA

*1-PERS Approval of Superintendent’s Personnel Report (Roll Call Vote)

MOTION: Move that the Board of Education approves the Superintendent’s recommendations for personnel on the Personnel Report dated March 11, 2021 in the areas noted below:

1. Retirements
2. Resignations/Terminations
3. Leaves of Absence
4. Sixth Period Assignments
5. Coaching Appointments
6. Co-Curricular Appointments - 2020-2021 School Year
7. Auxiliary Athletic Events Personnel
8. Auxiliary Employment
9. Substitute Staff - as needed for the 2020-2021 School Year

BUSINESS FUNCTIONS

*1-BUS Approval of Staff Training

MOTION: Move that the Board of Education approves the Superintendent’s recommendations for staff training reimbursements on the reports dated March 11, 2021.

*2-BUS Dyntek – Firewall Quote

MOTION: Move that the Board of Education approves the Dyntek quote relating to hardware, software, maintenance, and professional services for the new firewall in the amount of \$95,359.50 under the NJ contract NJSBA #E-8801-ACES-CPS. Funds will be withdrawn from the Operating Budget.

*3-BUS School Outfitters – Desk Shields Quote

MOTION: Move that the Board of Education approves the School Outfitters quotes for a total of 6,015 desk shields in the amount of \$80,540.85. Purchase will be under the ESCNJ Contract # 20/21-01, Co-Op #65MCESCCPS. Funds will be withdrawn from the Operating Budget.

4-BUS Van Purchases

MOTION: Move that the Board of Education approves the purchase of three 2021 Ram ProMaster Cargo Vans at the cost of \$42,129.31 plus a shelving at a maximum cost of \$4,000 per vehicle for total cost of \$46,129.31 per vehicle. The total purchase of three vehicles will be \$138,387.93 under the ESC Co-Op #65MCESCCPS – ESCNJ 20/21-09. Funds will be withdrawn from 19-20 Excess Extraordinary Aid.

5-BUS Contract Renewal with Effective School Solutions, LLC for Professional Services

MOTION: Move that the Board of Education approves the renewal of the professional services contract with Effective School Solutions, LLC, Summit, NJ pertaining to in-district clinical services including, but not limited to, therapeutic mental health services for at-risk students with emotional and behavioral problems at the High School and Terrill, applicable to the 2021 Summer Program and the 2021-2022 school year in the amount of \$419,120, per the Board's determined need to render these services in district for students found to be eligible.

6-BUS Receipt of Fire/Security Drill Reports

MOTION: Move that the Board of Education acknowledges receipt of the district schools' Security and Fire Drill Reports for the month of February, 2021.

7-BUS Business Reports

MOTION: Move that the Board of Education acknowledges receipt of Board Secretary's Reports, Treasurer of School Fund Reports, and Budget Adjustments:

Pursuant to N.J.A.C. 6A:23A-16.10(c), the Board Secretary certifies that as of February 28, 2021, no line item account has encumbrances and expenditures which in total exceed the line item appropriation in violation of N.J.A.C. 6A:23A-16.10(a); and that pursuant to N.J.A.C. 6A:23A-16.10(c), the Scotch Plains-Fanwood Board of Education, after review of the Board Secretary's and Treasurer's monthly financial reports, certifies that no major account or fund has been over expended in violation of N.J.A.C. 6A:23A-16.10(b).

Therefore, Be It Resolved that the Board of Education approves receipt of Budget Adjustments, the Board Secretary’s Report and the Treasurer of School Monies Report for the month ending February 28, 2021.

8-BUS Acknowledge Receipt of Disbursement Listings

MOTION: Move that the Board of Education acknowledges receipt of the following disbursement listings for the month of February, 2021:

- Creative Summer Workshop
- Cafeteria
- Payroll Agency Account
- Petty Cash
- Music Account
- Athletic Account
- Elementary Student Activity
- Middle School Student Activity (2) – Park and Terrill
- High School Student Activity

9-BUS Bill List

MOTION: Move that the Board of Education approves bills for the period of February 23, 2021 to March 19, 2021 in the amount of \$.

*10-BUS Theater Vendor

MOTION: Move that the Board of Education approves the following vendor:

Name	Title	Stipend To Be Paid From Ticket Proceeds
Beth Kasper	Terrill MS Musical Director/Producer (A)	\$2,972

11-BUS Visitor Management System

MOTION: Move that the Board of Education approves the quote from Raptor Technologies in the amount of \$16,794.00 under the ESCNJ BID #19/20-33 for the Visitor Management System for the eight schools and the administration building.

BOARD POLICIES

*1-POL Approval of Board Policies

MOTION: Move that the Board of Education approves the second reading and adoption of the following board policies on March 11, 2021:

P3159 Teaching Staff Member/School District Reporting Responsibilities
P2431.1 Athletic Activities

2-POL Approval of Board Policies

MOTION: Move that the Board of Education approves the first reading of the following board policies on March 25, 2021:

P3218 Use, Possession, or Distribution of a Substance - Teaching Staff Members
P4218 Use, Possession, or Distribution of a Substance-Support Staff Members

OTHER BOARD BUSINESS

1-OBB Liaison Reports

- Affordable Housing
- Garden State Coalition (GSCS)
- Municipal Alliance Committee (MAC)
- NJ School Boards Association (NJSBA)
- PTA Council
- Presidents Council Meeting
- SP-F Shared Services
- Truth, Racial Healing, and Transformation (TRHT)
- Union County Educational Services Commission (UCESC)
- Union County School Boards Association (UCSBA)

2-OBB Request to Attend Workshops

3-OBB National Autism Awareness Month – April

MOTION: Move that the Board of Education adopts the following resolution:

WHEREAS, autism is a neurodevelopmental disorder that results in difficulties with communication and social interaction, as well as repetitive behaviors;

WHEREAS, autism can affect anyone regardless of race, ethnicity, or other factors;

WHEREAS, it is both a moral and fiscal imperative that services be made available that maximize the potential of each unique child/adult living with autism to contribute to the greatest extent possible to the society and economy of the United States;

WHEREAS, it is well established that early intervention can improve outcomes by significantly improving the cognitive, language, and adaptive skills of people with autism;

WHEREAS, a variety of physical, medical, and mental health issues may accompany autism, resulting in marked functional impairment in all activities of daily living;

WHEREAS, these conditions may include epilepsy, Down syndrome, fragile X syndrome, gastrointestinal problems, immune-system disorders, sleep disturbance, sensory integration dysfunction, and metabolic disorders;

WHEREAS, many individuals on the autism spectrum face co- occurring mental-health challenges, including anxiety, obsessive compulsions, and depression;

WHEREAS, individuals living with autism are highly valued and deserve the highest level of dignity and acceptance by society; and

NOW, THEREFORE BE IT RESOLVED, April 2021 would be an appropriate month to designate as National Autism Awareness Month to increase public awareness of the need to support individuals with autism and the family members and medical professionals who care for individuals with autism; and

BE IT FURTHER RESOLVED that the Board of Education expresses support designating April 2021 as National Autism Awareness Month; recognizes and commends both individuals living with autism and the parents and relatives of those individuals for their sacrifice and dedication.

4-OB B Nisivoccia LLP Agreement

MOTION: Move that the Board of Education approves agreement with Nisivoccia LLP to provide the auditing services for fiscal year ending June 30, 2021 at a cost of \$54,265 (2% increase). The District also is required to implement GASB 84 “Fiduciary Activities” so there will be an additional cost of \$3,500. This contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Public School Contracts Law.

5-OB B School Employees’ Health Benefits Program - “Chapter 44”

MOTION: Move that the Board of Education adopts the following resolution:

WHEREAS, P.L.2020, c.44 (“Chapter 44”) requires the School Employees’ Health Benefits Program (SEHBP) to offer plans, beginning on January 1, 2021, for medical and prescription benefits coverage including the New Jersey Educators Health Plan (NJEHP); as adopted and implemented by the School Employees’ Health Benefits Commission; and

WHEREAS, Chapter 44 established reduced premium contributions for any employee who selects, or is placed into, the NJEHP as his or her health care coverage option; and

WHEREAS, the SEHBP applies to the following employers who elect to participate in the SEHBP: local school district, regional school district, county vocational school district, county special services school district, jointure commission, educational services commission, State-operated school district, charter school; and

WHEREAS, the provisions of Chapter 44 also apply to these same employers even if they do not elect to participate in the SEHBP; and

WHEREAS, many school districts had previously negotiated health benefit agreements with lower net costs compared to the plan design and cost-sharing requirements under “Chapter 44”, and/or have staff that previously declined coverage but now are choosing to enroll in the NJEHP due to its low employee cost-sharing provisions; and

WHEREAS, a significant number of school districts will experience a net increase in their health care costs because the NJEHP premiums are higher than the premiums for the collectively bargained plans previously offered by the district, which is further exacerbated by reduced employee contributions under Chapter 44; and

WHEREAS, other school districts will experience a net increase in their overall health care costs even if the NJEHP premiums are lower than that of the previous plan offerings because the reduction in employee contributions will offset any overall premium savings, resulting in increased net costs to the district; and

WHEREAS, the low employee contribution requirements under NJEHP encourage employees who had previously waived or declined coverage to enroll thereby increasing the districts' health benefit costs for the balance of Fiscal Year 2021, continuing into Fiscal Year 2022 and likely beyond; and

WHEREAS, these costs may exceed districts' ability to address within their budgets owing to the limitations of the 2% property tax levy cap; and

WHEREAS, Chapter 44 was a well-intentioned proposal that aimed to generate hundreds of millions of dollars in savings for school districts, school employees and taxpayers; and

WHEREAS, while some school districts may indeed be realizing savings due to the provisions of Chapter 44, many are experiencing the opposite effect and witnessing an increase in their health care costs, which may result in cuts to critical programs, services and staff in order to balance their budgets; and

WHEREAS, since Chapter 44 essentially froze the level of health benefits and employee contributions for the seven-year period following the law's effective date, districts are unable to control cost increases through the traditional collective bargaining process; and

WHEREAS, it is incumbent upon the Legislature and Governor to address and correct the unintended financial consequences districts are experiencing due to Chapter 44 and ensure that all districts share in the anticipated savings.

NOW, THEREFORE, BE IT RESOLVED that the Scotch Plains-Fanwood Board of Education requests that the State Legislature and Governor provide relief from the increased health care costs experienced by school districts due to the implementation of Chapter 44; and be it further

RESOLVED, that relief from Chapter 44 should include direct, short-term assistance from the state to ensure that all school districts are held financially harmless in both the current and subsequent fiscal years; and be it further

RESOLVED, that the Legislature and Governor should expeditiously begin to explore long-term structural reforms that reverse the unintended consequences of Chapter 44 and generate lasting savings for school districts, employees and taxpayers; and be it further

RESOLVED, that any proposals to amend or revise Chapter 44 include input from all affected stakeholders before moving forward, including feedback from representatives of local boards of education, school business administrators, superintendents, building-level supervisors and school employees; and be it further

RESOLVED, that a copy of this resolution shall be forwarded to Assemblywoman Linda S. Carter, Assemblyman James L. Kennedy, Senator Nicholas P. Scutari, Assembly Speaker Craig J. Coughlin, Senate President Stephen M. Sweeney, Governor Phil Murphy.

RESOLVED, that copies of this resolution be sent to the New Jersey Association of School Business Officials and the New Jersey School Boards Association.

APPROVAL OF MINUTES:

MOTION: Move that the Board of Education approves the minutes listed below:

1. February 18, 2021 - Open Agenda Meeting - Executive Session
2. February 18, 2021 - Open Agenda Meeting
3. February 25, 2021 - Regular Board Meeting - Executive Session
4. February 25, 2021 - Regular Board Meeting

**IF YOU WANT TO MAKE A PUBLIC COMMENT, PLEASE
GO TO [SPFK12.ORG](https://spfk12.org) FOR ZOOM LOGIN INFORMATION.**

IN ACCORDANCE WITH SCOTCH PLAINS-FANWOOD PUBLIC SCHOOLS BYLAWS #0164 and 0165, THE MEETING WILL BE OPENED FOR 15 MINUTES FOR PUBLIC COMMENTS. (MAXIMUM 3 MINUTES PER SPEAKER.) SPEAKERS ADDRESSING SUPERINTENDENT ITEMS, BUSINESS FUNCTIONS, AND OTHER BOARD BUSINESS WILL BE HEARD FIRST. IF TIME REMAINS, SPEAKERS MAY ADDRESS OTHER MATTERS. **If you would like to make a public comment, go to spfk12.org for Zoom login information.**

Callers: State your full name and the town in which you reside.

PLEASE NOTE: Board Members cannot respond regarding concerns with individual students or staff members. Such matters should be addressed with the Superintendent's office.

UPCOMING SCHEDULED MEETINGS

Thursday, March 25 – Regular Public Meeting – 7:30 p.m. – TBD

Thursday, April 22 – Open Agenda Meeting – 7:30 p.m. – TBD

Thursday, April 29 – Regular Public Meeting – 7:30 p.m. – TBD

GOOD OF THE ORDER

ADJOURNMENT

MOTION: Move that the Board of Education adjourns.

TEACHING STAFF MEMBER/SCHOOL DISTRICT REPORTING RESPONSIBILITIES (M)

3159

M

The Board of Education and all certificate holders shall adhere to the reporting requirements outlined in N.J.A.C. 6A:9B-4.3 and N.J.S.A. 18A:16-1.3. For the purpose of this Policy, “certificate holders” shall include all individuals who hold certificates, credentials, certificates of eligibility (CEs), and certificates of eligibility with advance standing (CEASs) issued by the New Jersey State Board of Examiners. For purposes of this Policy, the term “certificate” shall include all standard, emergency and provisional certificates, all credentials, and all 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 charge 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:9B-4.4. The school district shall make these reporting requirements known to all new employees upon initial employment and to all employees on an annual basis.

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

1. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
2. Nontenured teaching staff members, including substitute teachers, who are accused of criminal offenses or unbecoming conduct resign, retire, or are removed from their positions;
3. A certificate holder fails to maintain any license, certificate, or authorization that is mandated pursuant to N.J.A.C. 6A:9B for the holder to serve in a position;
4. The Superintendent becomes aware that a certificate holder has been convicted of a crime or criminal offense while in the district’s employ; or
5. The Superintendent has received a report from the Department of Children and Families substantiating allegations of abuse or neglect, or establishing “concerns” regarding a certificated teaching staff member.

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

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

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

N.J.S.A. 9:6-8.14; 18A:6-10; 18A:6-38.5; 18A:16-1.3
N.J.A.C. 6A:9B-4.3; 6A:9B-4.4

First Read: February 25, 2021
Adopted:

2431.1 ATHLETIC ACTIVITIES

The Board of Education believes that the goals and objectives of this district are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular instructional program of the school. The purpose of such co-curricular activities shall be to develop leadership capacities and good organizational skills, to aid in the socialization of pupils, and to enable pupils to explore a wider range of individual interests than might be available in the regular curricular program.

Pupils shall be fully informed of the intramural and interscholastic sports activities available to them and of the eligibility standards established for participation in these activities.

The Board shall make school facilities, supplies, and equipment available and assign staff members for the support of a program of intramural and interscholastic sports activities. For proposed new programs, pupils/parents will be required to offset the costs involved in initiating a new athletic program, as outlined in this policy or in "contracts" between the Board and parents groups proposing a new sports activity.

The public may petition the Board to initiate a new athletic program where none currently exists, with the full understanding that the program must be supported by and sustained for four years exclusively by participation fees, grants, fundraising, or other sources of support that do not require funding from the school district. Proposals must be submitted by a not-for-profit association, formally established under New Jersey law. Proposals should include the following information:

The association must submit a complete proposal for the athletic program to the Athletic Director and Principal(s) of the school(s) in which the program would be initiated for review; a copy of the proposal will be provided by the sponsor to the Superintendent of Schools who will notify the Board of its receipt. A complete proposal would contain information about the proposed athletic program that includes:

- The authorized designee of the sponsors who will be the official spokesperson regarding the proposal and its sponsors;
- The level of student interest and how it was assessed;
- Projections of student participation for four years and coaching positions required to effectively and safely oversee student participation;
- NJSIAA and conference requirements for the team and participants;



- A listing of schools that would be likely competitors and a sample schedule;
- Resources required to adequately support the program, including facility use, conference fees, transportation, officiating fees, coaching salaries, uniforms, equipment, supplies, utility costs, insurance, etc.;
- Projected budgets for the four years of operation that encompass all required aspects of the program;
- An acknowledgment that an approved program will be operated by the school district under the supervision of qualified coach(es) recommended by the Principal, Athletic Director, and Superintendent; and,
- An acknowledgment that implementation of the program, including scheduling of practices and competitions is under the supervision and approval of the Athletic Director.
- An acknowledgment that no student in need, as determined by the Superintendent or designee, will be excluded from participation due to the inability to pay the individual participation fee required of a family; and,
- The association must establish a fund six months prior to the start of the season. This fund would provide for full funding of the anticipated costs for the upcoming school year, as determined by the proposal of the association. This amount must be reviewed and recommended by the administration and approved by the Board of Education. Payments will be due in increments as follows:

1/3 due six months before the beginning of the season

1/3 due four months before the beginning of the season

1/3 due two months before the start of the season

The Athletic Director and Principal(s) will forward a recommendation in writing to the Superintendent of Schools that endorses or rejects the proposal. A proposal may be modified by mutual agreement of the proponents and school administrators to receive the required initial endorsement. The Superintendent of Schools will review the proposal and will place in writing the decision to support, reject, or modify the proposal to the Board and the sponsoring organization through its designee.



The Board will make an initial determination on the acceptance or rejection of the program by a majority of its members present at a public meeting. A program that receives initial approval will be considered final upon the Board's formal endorsement of a contractual agreement covering a four-year probationary period.

The Superintendent will review the program annually in accordance with existing procedures. Programs that demonstrate sufficient progress in achieving the goals for student participation and program success, and that are not hindered or restricted by issues of fiscal accountability, changes in State mandates and other unforeseen circumstances, will be annually renewed as judged by the school district administration and may begin to receive fiscal support from the school district budget proposed for the fourth year of the program operation. The cost of any off-site practices or competitions (i.e. ice rink time) will always be the responsibility of the sponsoring association.

A comprehensive evaluation will be made annually of the program's operation and before the initiation of the following year's operation by the Superintendent in cooperation with the sponsor through its designee. This review will examine participation rates; program outcomes (positive and negative); budget accounts (revenues and expenditures); State mandates, including NJSIAA regulations; and any other unforeseen circumstances that may affect the continuation of the program. This evaluation report must include a prognosis for the continued viability of the program. This evaluation report will result in a recommendation to the Board to continue or terminate the program.

The Board is not bound by its stated intent to support new athletic programs as outlined in this policy when financial exigencies, changes in State requirements, or other unforeseen circumstances occur. The Board reserves the right to provide funding either partial or full, to support existing programs through the establishment of programs at school levels other than those where the program currently operates.

A student in grades nine through twelve is ineligible for participation in athletic activities if he/she has not met the standards of the New Jersey Interscholastic Athletic Association.

The intent of this Board Policy is to ensure that the pupils participating in athletic activities maintain a standard of academic performance that is consistent with the primary mission of the schools. This mission is to provide an effective and appropriate education for all pupils and to establish acceptable standards of student performance.

Adopted: 28 June 2012
Revised – First Reading February 25, 2021



POLICY GUIDE

TEACHING STAFF MEMBERS Use, Possession, or Distribution of Substance

3218 USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES

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

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

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

In the event the Board physician determines the teaching staff member was under the influence of a substance, the determination shall be reported to the



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

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

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

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

A staff member who unlawfully possessed or in any way has been involved in the distribution of a controlled dangerous substance, including anabolic steroids or



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drug paraphernalia, pursuant to N.J.A.C. 6A:16-6.3, shall be subject to appropriate discipline which may include, but not be limited to, termination of a non-tenured teaching staff member or the filing of tenure charges for a tenured teaching staff member in accordance with law.

42 CFR Part 2

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

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

First Read:

Adopted:



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SUPPORT STAFF MEMBERS Use, Possession, or Distribution of Substances M

4218 USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES

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

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

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

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



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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.

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

42 CFR Part 2

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

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