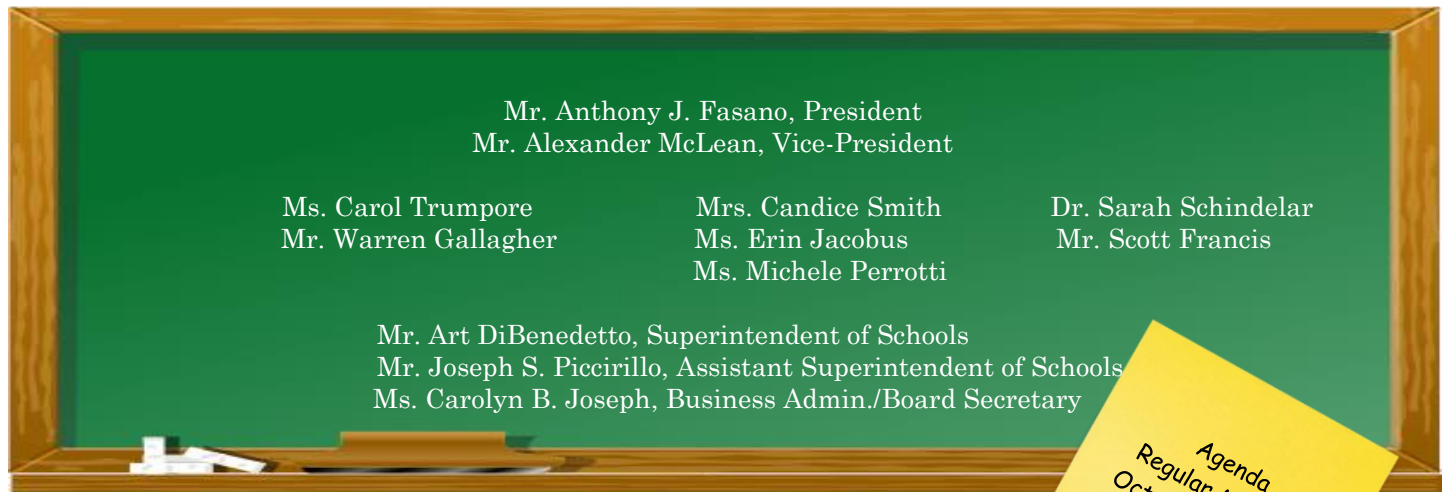


# HOPATCONG BOARD OF EDUCATION



Mr. Anthony J. Fasano, President  
Mr. Alexander McLean, Vice-President

Ms. Carol Trumpore  
Mr. Warren Gallagher

Mrs. Candice Smith  
Ms. Erin Jacobus  
Ms. Michele Perrotti

Dr. Sarah Schindelar  
Mr. Scott Francis

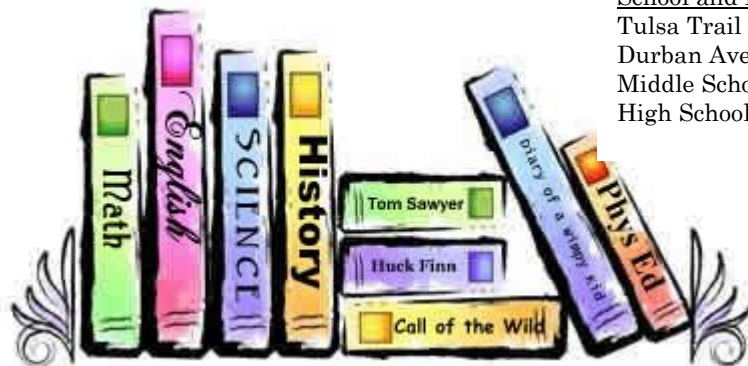
Mr. Art DiBenedetto, Superintendent of Schools  
Mr. Joseph S. Piccirillo, Assistant Superintendent of Schools  
Ms. Carolyn B. Joseph, Business Admin./Board Secretary

Agenda  
Regular Meeting  
October 28, 2019  
7:00 P.M.

New Jersey School Board Association Delegate – Anthony Fasano  
Sussex County Ed. Services Commission – Erin Jacobus  
Liaisons to Borough Council – Alex McLean, Sarah Schindelar, Candice Smith  
School Wide Alliance Team – Carol Trumpore  
Sussex County Regional Cooperative Liaison – Alex McLean, Michele Perrotti  
Municipal Alliance – Erin Jacobus

## School and Parent Organization Liaisons:

Tulsa Trail – Michele Perrotti  
Durban Avenue – Candice Smith  
Middle School – Candice Smith, Scott Francis  
High School – Candice Smith, Warren Gallagher



## STUDENT ACHIEVEMENT

Community Service, Curriculum, Personnel,  
Special Education  
**Candice Smith\***  
**Carol Trumpore\*\***  
Erin Jacobus  
Michele Perrotti

## OPERATIONS

Finance, Facilities, Security & Transportation  
**Alexander McLean\***  
**Scott Francis\*\***  
Warren Gallagher  
Sarah Schindelar

## NEGOTIATIONS

**Sarah Schindelar\***  
Carol Trumpore  
Michele Perrotti  
Anthony Fasano (Ex Officio)

\* Chairperson

\*\*Vice Chairperson

Visit us at [www.hopatcongschools.org](http://www.hopatcongschools.org)

- Policy #1642 was tabled.
- Resolution #1642 was tabled.

All other resolutions on the agenda and addendum were approved.

# HOPATCONG BOARD OF EDUCATION

## REGULAR MEETING

October 28, 2019

**5:30 pm.** (Administration building Room 41 – Open the meeting and enter Executive Session)

**7:00 p.m.** (Board of Education Meeting Room)

1. **CALL TO ORDER**

Time: \_\_\_\_\_pm

2. **FLAG SALUTE**

3. **OPENING STATEMENT**

In accordance with Section 5 of the Open Public Meetings Act, Chapter 231, P.L. 1975, this public body, the Hopatcong Board of Education hereby announces that The New Jersey Herald and the Daily Record have been notified by email that this Board of Education Special meeting – will take place in the Hopatcong BOE Office, Hopatcong, NJ, at 7:00 p.m. October 28, 2019.

4. **ROLL CALL**

___Anthony Fasano	___Scott Francis	___Warren Gallagher
___Erin Jacobus	___Alex McLean	___Michele Perrotti
___Dr. Sarah Schindelar	___Candice Smith	___Carol Trumpore

5. **EXECUTIVE SESSION**

A motion will be made that the Hopatcong Board of Education will enter Executive Session to discuss personnel and attorney/client privilege, which are exempt from public participation pursuant to New Jersey Public Law 1975, Chapter 231, Open Public Meetings Act. Any discussions held by the Board which need not remain confidential will be made public when appropriate. Minutes of the Executive Session will not be disclosed until the need for confidentiality no longer exists. The Board will reconvene in public session at 7:00 p.m.

**Motion to enter executive session:**

(ACTION) Motion by \_\_\_\_\_, seconded by \_\_\_\_\_

___Francis	___Gallagher	___Jacobus	___McLean	___Perrotti
___Schindelar	___Smith	___Trumpore	___Fasano	

6. **RECONVENE**

**Motion to Reconvene**

(ACTION) Motion by \_\_\_\_\_, seconded by \_\_\_\_\_

___Francis	___Gallagher	___Jacobus	___McLean	___Perrotti
------------	--------------	------------	-----------	-------------

# HOPATCONG BOARD OF EDUCATION

## REGULAR MEETING

October 28, 2019

**5:30 pm.** (Administration building Room 41 – Open the meeting and enter Executive Session)

**7:00 p.m.** (Board of Education Meeting Room)

___ Schindelar	___ Smith	___ Trumpore	___ Fasano	
----------------	-----------	--------------	------------	--

### 7. APPROVAL OF MINUTES

Approval of the minutes of the following meetings, as reported by the Board Secretary reviewed by the Board President and members of the Board:

- September 30, 2019 – Regular Meeting
- September 30, 2019 – Executive Session

**Motion to approve 7a – 7b:**

(ACTION) Motion by \_\_\_\_\_, seconded by \_\_\_\_\_

___ Francis	___ Gallagher	___ Jacobus	___ McLean	___ Perrotti
___ Schindelar	___ Smith	___ Trumpore	___ Fasano	

### 8. ACKNOWLEDGEMENTS/CORRESPONDENCE

- Congratulations to **Stacy Yanko** for being recognized as the 2020 Sussex County ESP of the Year!
- The following students achieved **Perfect Attendance** during the 2018 – 2019 school year. Congratulations on this accomplishment!

**Serenity Compitello**  
**Alyssa Garcia**  
**Ella Gennerelli**  
**Shawn George**  
**Ashlynn Loven**  
**Jasmine McConnell**  
**Kiara Morrissey**  
**Allison Rennie**  
**Gavin Rodriguez**  
**Angel Lee Sarang**  
**Bjorn Scott**  
**Savannah Scott**  
**Riley Stewart**

Hudson Maxim  
Tulsa Trail  
Durban Avenue  
Tulsa Trail  
Durban Avenue  
Tulsa Trail  
Durban Avenue  
Durban Avenue  
Tulsa Trail  
Durban Avenue  
Hudson Maxim  
Durban Avenue  
Hudson Maxim

- The following students were chosen as **Hopatcong High School's Students of the Month** for their outstanding performance in October 2019:

**Hernan Josue Guardado, Senior**  
**Jenna Fattorusso, Freshman**  
**Mohammed Fofanah, Freshman**  
**Robyn Zotynia, Freshman**  
**Kevin DeSanto, Senior Intern**

Scholastics (Spanish 5 AP  
Language and Culture)  
Scholastics (Spanish 1)  
Scholastics (French 1)  
Scholastics (French 1)  
Specialty Area (Culinary Arts)

# HOPATCONG BOARD OF EDUCATION

## REGULAR MEETING

October 28, 2019

**5:30 pm.** (Administration building Room 41 – Open the meeting and enter Executive Session)

**7:00 p.m.** (Board of Education Meeting Room)

- d. The following students were chosen as **Hopatcong High School Scholar Athlete of the Month** for their outstanding performance in October 2019:

**Hernan Josue Guardado, Senior**

Boys Soccer

**Christy Brennan, Sophomore**

Girls Soccer

**Motion to approve 8a – 8d:**

(ACTION) Motion by \_\_\_\_\_, seconded by \_\_\_\_\_

Francis	Gallagher	Jacobus	McLean	Perrotti
Schindelar	Smith	Trumpore	Fasano	

## 9. **SUPERINTENDENT'S REPORT AND HIB REPORT**

- a. Superintendent's Report – **Art DiBenedetto, Superintendent of Schools**  
b. A first reading and approval of the Superintendent's HIB Report for October 2019, as presented to the Board at the October meeting on October 28, 2019.

**Motion to approve 9a – 9b:**

(ACTION) Motion by \_\_\_\_\_, seconded by \_\_\_\_\_

Francis	Gallagher	Jacobus	McLean	Perrotti
Schindelar	Smith	Trumpore	Fasano	

## 10. **COMMITTEE REPORTS**

- a. Student Achievement: Community Relations, Curriculum, Personnel, Special Education: **Chair – Candice Smith, Vice Chair – Carol Trumpore**  
b. Operations: Finance, Facilities, Security and Transportation: **Chair – Alex McLean, Vice Chair – Scott Francis**  
c. Negotiations: **Chair – Sarah Schindelar**  
d. Parent/Teacher Organization Representatives

**Motion to approve 10a – 10d:**

(ACTION) Motion by \_\_\_\_\_, seconded by \_\_\_\_\_

Francis	Gallagher	Jacobus	McLean	Perrotti
Schindelar	Smith	Trumpore	Fasano	

## 11. **PUBLIC COMMENT – GENERAL DISCUSSION**

## 12. **FINANCE**

Approval of the following finance items, **12a – 12g**, as recommended by the Superintendent of Schools and the Operations Committee of the Board:

- a. Approval of bills for the General Fund and Special Revenues (Grants) account, October 1, 2019 through October 28, 2019 in the following amounts:  
General Fund and Special Revenue (Grants) account - \$1,276,670.14  
Cafeteria account - \$ 69,410.19

# HOPATCONG BOARD OF EDUCATION

## REGULAR MEETING

October 28, 2019

**5:30 pm.** (Administration building Room 41 – Open the meeting and enter Executive Session)

**7:00 p.m.** (Board of Education Meeting Room)

- b. Approval of the Transfer Report for the month of August 2019.
- c. Approval of the Board Secretary's Report for August 2019.
- d. Approval of the Treasurer's Report for the month of August 2019.
- e. Approval to include **Security Benefit** and **National Life Group** as Tax Shelter Annuity Companies for the 2019-2020 school year.
- f. Approval of the Hopatcong Borough School District's Comprehensive Maintenance Plan, which includes the Annual Required Maintenance Budget Amount Worksheet, Form M-1, and authorization to submit as per N.J.A.C. 6:24. The district's required maintenance activities are reasonable to keep all school facilities open and safe for use and to keep system warranties valid.
- g. Approval of the Annual Maintenance Reserve Deposit Worksheet, Form M-1, per N.J.A.C. 6:24, for the 2019-2020 school year.

### Motion to approve 12 – 12g:

(ACTION) Motion by \_\_\_\_\_, seconded by \_\_\_\_\_

Francis	Gallagher	Jacobus	McLean	Perrotti
Schindelar	Smith	Trumpore	Fasano	

### 13. PERSONNEL

Approval of the following personnel items, **13a – 13j**, as recommended by the Superintendent of Schools and the Student Achievement Committee of the Board:

- a. Acceptance of the resignation of **Pamela Cavallo** from her position as Middle School Nurse in the Hopatcong School District effective December 7, 2019.
- b. Approval of the voluntary transfer of **Ana Voloshin** from her position of High School Nurse to the position of Middle School Nurse, effective December 2, 2019.
- c. Acceptance of the resignation of **Lorie Prior** from her position as Paraprofessional in the Hopatcong School District, effective November 13, 2019.
- d. Approval of the request of **Terry Trivento** for a medical leave of absence from her position as Classroom Nurse, effective December 16, 2019 through February 7, 2020, or until medically cleared by her physician.
- e. Approval of the employment of **Aimee Landrud** as medical leave of absence replacement Classroom Nurse, at a per diem rate of \$250 per day, effective December 12, 2019 to approximately February 7, 2020.
- f. Approval of **Eric Shramko** for Homework Club at a rate of \$28/hour as needed at Hopatcong Middle School during the 2019 – 2020 school year.
- g. Approval of the Winter 2019-2020 Athletic Coach for the Hopatcong High School, stipend is based upon the 2016-2018 negotiated Hopatcong Board of Education/Hopatcong Education Association Extra Pay/Extra Duty guide for this position and may change based upon the outcome of negotiations:

Name	Nature of Action	Position	Class	Level	Salary	Date Effective	Date Terminated
------	------------------	----------	-------	-------	--------	----------------	-----------------

# HOPATCONG BOARD OF EDUCATION

## REGULAR MEETING

October 28, 2019

**5:30 pm.** (Administration building Room 41 – Open the meeting and enter Executive Session)

**7:00 p.m.** (Board of Education Meeting Room)

Delvon Arrington	Appoint	Assistant Girls Basketball Coach	A	4	\$5,034.00	11/1/2019	6/30/2020
------------------	---------	----------------------------------	---	---	------------	-----------	-----------

- h. Approval of the following **Tenure Recommendations** for those staff members who will achieve tenure during the 2019 – 2020 school year:

Name	Location	Position	Start Date	Tenure Date
Matt McKowen	High School	Athletic Trainer	10/21/2015	10/22/2019

- i. Approval of the following 2019 – 2020 advisors at the Hopatcong High School:

Name	Nature of Action	Position	Class	Level	Salary	Date Effective	Date Terminated
Kurt Zimmermann	Appoint	Pop Band	D	4	\$1782.00	10/1/19	6/30/20

- j. Approval of **substitutes, teachers, paraprofessionals, custodians and van drivers.**

**Motion to approve 13a – 13j:**

(ACTION) Motion by \_\_\_\_\_, seconded by \_\_\_\_\_

Francis	Gallagher	Jacobus	McLean	Perrotti
Schindelar	Smith	Trumpore	Fasano	

## 14. **STUDENTS AND SERVICES**

Approval of the following items, **14a – 14d**, as recommended by the Superintendent of Schools and Student Achievement Committee of the Board:

- Approval for educational instruction services for student no. 411988 for up to 10 hours per week beginning September 30, 2019. Instruction will be provided by American Tutor, Inc at a rate of \$45.00 per hour.
- Approval for educational instruction services for student no. 411988 for up to 5 hours per week beginning October 13, 2019. Instruction will be provided by Saint Clare's Hospital at a rate of \$55.00 per hour.
- Approval for home instruction services for student no. 13871 for 5 hours per week. Instruction will be provided by Hopatcong certified staff at the rate of \$35.00 per hour effective October 7, 2019 through November 15, 2019.
- Approval for educational instruction services for student no. 12358 for up to 10 hours per week beginning October 10, 2019. Instruction will be provided by St. Clare's Hospital at a rate of \$55.00 per hour.
- Approval of field trip requests, as required by the New Jersey Department of Education.

**Motion to approve 14a – 14d:**

(ACTION) Motion by \_\_\_\_\_, seconded by \_\_\_\_\_

# HOPATCONG BOARD OF EDUCATION

## REGULAR MEETING

October 28, 2019

**5:30 pm.** (Administration building Room 41 – Open the meeting and enter Executive Session)

**7:00 p.m.** (Board of Education Meeting Room)

Francis	Gallagher	Jacobus	McLean	Perrotti
Schindelar	Smith	Trumpore	Fasano	

### 15. POLICIES AND REGULATIONS

- a. Approval of modifications and additions to the policies and regulations of the Hopatcong Board of Education in accordance with statutory and regulatory changes for approval, as revised, for FIRST READING:

#### **NONE**

- b. Approval of modifications and additions to the policies and regulations of the Hopatcong Board of Education in accordance with statutory and regulatory changes for approval, as revise, for SECOND READING:

#### Policy #

P 6470

P 1642

P 3159

P 3218

P 4218

P 4219

P 6112

P 7440

P 9400

#### Title

*Payment of Claims (M)* (Revised)

*Earned Sick Leave Law (M)* (New)

*Teaching Staff Member/School District Reporting Responsibilities (M)* (Revised)

*Substance Abuse (M)* (Revised)

*Substance Abuse (M)* (Revised)

*Commercial Driver's License Controlled Substance And Alcohol Testing (M)* (Revised)

*Reimbursement of Federal and Other Grant Expenditures (M)* (Revised)

*School District Security (M)* (Revised)

*News Media Relations* (Revised)

#### Regulation #

R 1642

R 3218

R 4218

R 6112

R 7440

#### Title

*Earned Sick Leave Law (M)* (New)

*Substance Abuse (M)* (Revised)

*Substance Abuse (M)* (Revised)

*Reimbursement of Federal and Other Grant Expenditures (M)* (Revised)

*School District Security (M)* (Revised)

#### **Motion to approve 15b:**

(ACTION) Motion by \_\_\_\_\_, seconded by \_\_\_\_\_

Francis	Gallagher	Jacobus	McLean	Perrotti
Schindelar	Smith	Trumpore	Fasano	

### 16. SUSSEX COUNTY REGIONAL COOPERATIVE

Approval of the following items, **16a – 16f9**, as recommended by the Superintendent of Schools and the Operatives committee of the Board:

# HOPATCONG BOARD OF EDUCATION

## REGULAR MEETING

October 28, 2019

**5:30 pm.** (Administration building Room 41 – Open the meeting and enter Executive Session)

**7:00 p.m.** (Board of Education Meeting Room)

- a. The Superintendent and the Director of Transportation recommend the **approval of bills** for the Sussex County Regional Cooperative Operating account for October 1, 2019 through October 28, 2019, in the amount of \$18,480.03 for Regular bills and \$2,347,277.78 for Bus Contractor bills.
- b. The Superintendent and the Director of Transportation recommend the approval of **Kittatinny Regional School District as a Member District** for the 2019-2020 School Year.
- c. The Superintendent and the Director of Transportation recommend the approval of **Hank Fattorusso as a Bus Driver for Athletic Events** on an as needed basis at the rate of \$20.00 per hour for the 2019-20 School Year.
- d. The Superintendent and the Director of Transportation recommend the **approval to rescind the September 19, 2019 resignation** of Sara Pollison, Bus Aide. Effective October 7, 2019, Ms. Pollison's hours changed to 4.5 hours per day.
- e. The Superintendent and the Director of Transportation recommend the **approval to accept the change in hours** per day for personnel effective November 1, 2019 as follows:

Name	Position	Hours per day	Increase of:
Susan Exner	Bus Driver	8.00	2.00 hours
Michelle Urban	Bus Driver	7.25	1.25 hours
Dawn Padgett	Bus Aide	7.50	.75 hours
Mary Kriscunas	Bus Aide	7.50	1.50 hours

- f.
  1. The Superintendent and the Director of Transportation recommend the **acceptance** of student transportation **quotations** for **Special Education Routes** for the 2019-20 School Year as listed on Exhibit A.
  2. The Superintendent and the Director of Transportation recommend the **award** of student transportation **quotations** for **Special Education Routes** for the 2019-20 School Year as listed on Exhibit A.
  3. The Superintendent and the Director of Transportation recommend the **acceptance** of **student transportation quotations for Athletic/Class/Field Trips** for the 2019-20 School Year as listed on Exhibit A.
  4. The Superintendent and the Director of Transportation recommend the **award** of **student transportation contracts for quoted Athletic/Class/Field Trips** to the lowest, responsible and responsive bus contractor companies for the 2019-20 School Year as listed on Exhibit A.
  5. The Superintendent and the Director of Transportation recommend the **acceptance** of **contract addendums** for 2019-20 School Year Routes as listed on Exhibit A.
  6. The Superintendent and the Director Transportation recommend the **approval to renew** 2018-19 Routes for the 2019-20 School Year at the State issued CPI increase of 1.45% or less as listed on Exhibit A.

# HOPATCONG BOARD OF EDUCATION

## REGULAR MEETING

October 28, 2019

**5:30 pm.** (Administration building Room 41 – Open the meeting and enter Executive Session)

**7:00 p.m.** (Board of Education Meeting Room)

7. The Superintendent and the Director of Transportation recommend the ***approval of a revision*** to previously approved quoted routes as listed on Exhibit A. (The quotes were responsive and compliant in accordance with specifications. However, the revisions are necessary due to clerical errors to correct the board minutes for county approval of the contracts.)
8. The Superintendent and the Director of Transportation recommend the ***acceptance*** of a ***Revised list of student transportation bids*** submitted on **August 13, 2019** for the 2019-20 School Year as listed on Exhibit A.
9. The Superintendent The Superintendent and the Director of Transportation recommend the ***approval*** of **Joint Transportation Agreements with High Point Regional High School** for the 2019-20 School Year as listed on Exhibit A.

**Motion to approve 16a – 16f9:**

(ACTION) Motion by \_\_\_\_\_, seconded by \_\_\_\_\_

Francis	Gallagher	Jacobus	McLean	Perrotti
Schindelar	Smith	Trumpore	Fasano	

**17. BOARD OF EDUCATION – MEMBER COMMENTS**

**18. ADJOURNMENT**

**Motion to adjourn:**

(ACTION) Motion by \_\_\_\_\_, seconded by \_\_\_\_\_

All in favor \_\_\_\_\_ Time: \_\_\_\_\_pm

**HOPATCONG BOARD OF EDUCATION  
REGULAR MEETING - MINUTES**

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

A Regular Meeting of the Board of Education of the Hopatcong Borough School District was held on September 30, 2019 in the Hopatcong High School cafeteria, 2A Windsor Avenue, Hopatcong, New Jersey.

**1. CALL TO ORDER**

The meeting was called to order at 7:01 p.m.

**2. FLAG SALUTE**

**3. NEW JERSEY OPEN PUBLIC MEETING ACT STATEMENT**

Mr. McLean, Board Vice President, read the New Jersey Open Public Meetings Act Statement: In accordance with Section 5 of the Open Public Meetings Act, Chapter 231, P.L. 1975, this public body, the Hopatcong Board of Education hereby announces that The New Jersey Herald and the Daily Record have been notified by email that this Board of Education Regular meeting will take place in the Hopatcong Board of Education Meeting Room, 2 Windsor Avenue, Hopatcong, NJ, at 7:00 p.m. on September 30, 2019. Meeting moved to High School cafeteria due to increase in expected attendance.

**4. MEMBERS PRESENT:**

Mr. Alex McLean, Vice President  
Mr. Scott Francis  
Mr. Warren Gallagher  
Ms. Erin Jacobus  
Ms. Michele Perrotti  
Dr. Sarah Schindelar  
Mrs. Candice Smith  
Ms. Carol Trumpore

**MEMBERS ABSENT:** Mr. Anthony Fasano, President

**Also Present:** Mr. Art DiBenedetto, Superintendent, Mr. Joseph Piccirillo, Assistant Superintendent, Ms. Kathleen Ward, Board Secretary pro tempore, Kerri Wright, Esq.

**5. EXECUTIVE SESSION**

The Hopatcong Board of Education entered Executive Session prior to the opening of the public meeting.

**6. RECONVENE**

A motion to return to Public Session was made by Mrs. Smith, seconded by Ms. Jacobus.  
The motion carried with all in favor Time: 7:05 p.m.

**7. APPROVAL OF MINUTES**

Approval of the minutes of the following meetings, as reported by the Board Secretary and reviewed by the Board President and members of the Board:

- a. August 19, 2019 – Board Goals Meeting
- b. August 26, 2019 – Regular Meeting
- c. August 26, 2019 – Executive Session

**Motion to approve Minutes 7a – 7c was made by Mrs. Smith, seconded by Ms. Jacobus:**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	Yes	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

**Motion to approve Minutes 7a – 7c passed.**

**HOPATCONG BOARD OF EDUCATION  
REGULAR MEETING - MINUTES**

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

**8. ACKNOWLEDGEMENTS/CORRESPONDENCE**

Congratulations to Lisa Schuffenhauer for receiving the Bronze Award from TransOptions for her work towards Safe Routes to School during the 2018 – 2019 school year.

**Motion to accept Acknowledgments/Correspondence was made by Mrs. Smith, seconded by Ms. Jacobus.**

**All board members voted in favor.**

**9. SUPERINTENDENT'S REPORT AND HIB REPORT**

**a. Superintendent's Report – Art DiBenedetto, Superintendent of Schools**

i. Bussing - Superintendent DiBenedetto reported that busing was a challenge the first few days of school which required some teachers to stay past their contracted time. Routes are being adjusted to remedy the situation and Mr. D. is grateful to the staff for their assistance.

ii. QSAC update - This year we have been chosen for a QSAC review which is a very detailed examination of the district. Mr. Piccirillo is taking the lead on preparations to be ready for our February review

b. Presentation on NJSLA Test Results and DLM Test Results for the 2018 – 2019 school year— Mr. DiBenedetto and Mr. Piccirillo provided a District Performance Level Summary report for assessment results for school year 18-19 in English Language Arts, Mathematics, Algebra I, Algebra II and Geometry. The percentage of students that met, approached, partially met and exceeded proficiency were reviewed. A five year history of assessment results was explained to the audience. The report included results for all sub-groups with an “n” of twenty students or more and included gender, ethnicity, economically disadvantaged and special education subgroups.

Overall results for assessments in 18-19 were not up to the level hoped for as not every category was able to demonstrate improvement. Three areas of interventions were:

i. The percentage of Hopatcong students approaching expectations were somewhat higher than the state average and concentrated instruction with these students may result in an increased percentage reaching proficiency.

ii. Mr. Piccirillo described software that will be purchased as part of the Power School package that will provide a distinct and specific test analysis that will allow the above-mentioned instruction to take place with students approaching proficiency.

iii. The district has carefully re-structured its RTI program so that there are three levels on intervention specifically connected to intervention strategies.

Access for ELLs results will be put forth in October, 2019.

c. Whereas there has been no HIBs reported for the month of September 2019, acceptance of the report indicating no findings.

**Motion to approve Superintendent's Report and HIB 9a – 9c was made by Mrs. Smith, seconded by Dr. Schindelar:**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	Yes	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

# HOPATCONG BOARD OF EDUCATION REGULAR MEETING - MINUTES

September 30, 2019

5:30 p.m. (Administration Building Room 41 - Open the meeting and enter Executive Session)

7:00 p.m. (High School cafeteria - Public Session)

## 10. COMMITTEE REPORTS

- a. Student Achievement – Community Relations, Curriculum, Personnel and Special Education: **Chairperson - Candice Smith** – Discussed items that are on the agenda. Excited about the grants that Mr. Piccirillo is pursuing and the Ski program for the 4<sup>th</sup> – 8<sup>th</sup> graders.
- b. Operations – Finance, Facilities, Security and Transportation: **Chairperson - Alex McLean** – Mr. McLean reported that the committee discussed the sale of the cell tower and Hudson Maxim School. Also reviewed challenges for the Sussex County Co-op and the need for a new bus. The auditorium roof was also discussed.
- c. Negotiations - **Chairperson - Sarah Schindelar** – Dr. Schindelar, in conjunction with the statement sent by Anthony Fasano, Board President, regarding the negotiation of the HEA contract, reports the progress of the committee: On 6/30/2018, the HEA contract expired and the terms continue indefinitely until renegotiated. Had 1<sup>st</sup> meeting April 19, 2018 when the Board made it clear that the Cadillac health plan is no longer feasible. The committee met 4 more times through 11/2018 and had a meeting scheduled in Dec. 2018 at which point the NJEA representative for the HEA, John Henry Klein put us at impasse and the state needed to provide a mediator who was unable to meet with them until April 2019. The Board modified its position but the HEA would no longer negotiate. Fact Finding scheduled for 8/15/2019 for which the board agreed to the date; HEA would not attend. Second Fact Finder meeting scheduled for 10/21/2019 and hope to come to agreement.
- d. Parent/Teacher Organization Representatives – Thanked everyone who came to icee social. Tomorrow, 10/1/19 at 7pm is the first membership meeting at Durban Avenue School for HEPTO.

**Mrs. Smith made a motion to accept 9a – 9d, seconded by Ms. Jacobus:  
All board members voted in favor.**

## 11. PUBLIC COMMENT

A member of the public/staff reported that this is the 2<sup>nd</sup> year without a contract for the teachers and due to Chapter 78, they are making less money than they did in 2011. “A fair raise is better than empty praise.” Another staff member commented that 2 teachers that retired were not replaced and this affected 11 electives. Many staff members including those that are not teachers have been forced to take on additional responsibilities due to RIFs and retirements. Another member of staff commented that the Secretaries of HOPA are also without a contract. A fear of outsourcing the custodians was brought up and was refuted by Mr. McLean.

## 12. FINANCE

Approval of the following finance items, **12a – 12j**, as recommended by the Superintendent of Schools and the Operations Committee of the Board:

- a. Approval of bills for the General Fund and Special Revenues (Grants) account, August 26, 2019 through September 30, 2019 in the following amounts:  
General Fund and Special Revenue (Grants) account - \$2,166,352.35  
Cafeteria account - \$ 0.00
- b. Approval of the Transfer Report for the month of July 2019.
- c. Approval of the Board Secretary's Report for July 2019.
- d. Approval of the Treasurer's Report for the month of July 2019.
- e. Approval of amendment to the 2020 ESEA Title II Application for the following Allyson McConnell Salary \$25,532, TPAF/FICA Benefits \$8,937 total \$34,469.
- f. Approval of the 2019 – 20 NJTSS-ER Grant Agreement for each school a yearly \$2,000 reimbursement for substitute teachers, travel costs for project-related training and stipends for project staff to meet with state education coaches for professional development.
- g. Approval of the disposal of school bus – 2010 International 39 Passenger (beyond repair).
- h. Approval of the lease/purchase of 2020 Chevrolet Mid Bus 29 Passenger DRW Gas School Bus for five years in the amount of \$70,135.40. Financing still to be determined.

**HOPATCONG BOARD OF EDUCATION  
REGULAR MEETING - MINUTES**

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

- i. Approval of HQW Architects for High School roof project.
- j. Approval of the Warm Jacket Fund Grant serving students in grades 4 – 8 for the purposes of winter sport exploration in the amount, not to exceed, \$30,800 to serve a maximum of 88 students during the winter of 2020.

**Mr. McLean wished to table Finance items 12b, 12c, 12d subject to further discussion and approval at the October meeting. There was discussion amongst board:  
The Superintendent asserted that we need to remain compliant.**

**Motion to table Finance 12b-12d was made by Mr. Gallagher, seconded by Dr. Schindelar:**

Scott Francis	No	Warren Gallagher	Yes	Erin Jacobus	No
Alex McLean	Yes	Michele Perrotti	No	Sarah Schindelar	Yes
Candice Smith	No	Carol Trumpore	No	Anthony Fasano	ABSENT

**Motion failed.**

**Mr. Gallagher made a motion to approve Finance 12b – 12d subject to further clarification on unresolved questions held by Finance committee at their committee meeting in October.**

**Motion was seconded by Mr. McLean.**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	No	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

**Motion to approve Finance 12b, 12c, 12d passed.**

**Motion to approve Finance 12a, and 12e-12j made by Ms. Jacobus and seconded by Ms. Perrotti:**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	Yes	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

**Finance motions 12a and 12e – 12j passed.**

**Mr. Gallagher pointed out that 12j is due to a grant that Mr. Piccirillo was responsible for attaining and congratulations to Mr. DiBenedetto for the sale of the cell tower.**

**13. PERSONNEL**

Approval of the following personnel items, **13a – 13s**, as recommended by the Superintendent of Schools and the Student Achievement Committee of the Board:

- a. Approval the employment of **Nancy Marinaro**, as a Basic Skills Teacher at Hopatcong Middle School, at an annual salary of \$55,783 prorated based upon the Salary Guide Level BA/Step 3, effective November 14, 2019. This salary is based upon the 2017-2018 HEA Salary Guide and may change based upon the outcome of negotiations.
- b. Approval the employment of **Tim Nawrocki**, as Construction Skills Teacher at Hopatcong High School, at an annual salary of \$82,275 prorated based upon the Salary Guide Level BA+30/Step 14, effective January 4, 2020. This salary is based upon the 2017-2018 HEA Salary Guide and may change based upon the outcome of negotiations.

# HOPATCONG BOARD OF EDUCATION REGULAR MEETING - MINUTES

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

- c. Approval of a salary adjustment for **Marissa Kressman**, who was hired at the August 26, 2019 Board of Education meeting at a salary of \$33,469.80 for BA/Step 3 at .6 FTE, to \$36,816.78 to reflect BA/Step 3 at .66 FTE retroactive to September 1, 2019.
- d. Acceptance of the resignation, with regret, of **Annette Grieco** from her position as Secretary in the Hopatcong Middle School, for purpose of retirement, retroactively effective August 30, 2019. Mrs. Grieco has served the district for 24 years.
- e. Approval for **Linda Hill**, a retired Hopatcong School District Teacher, to volunteer at Durban Avenue School pending a criminal history background check.
- f. Approval of **Michael Batche** as Events Manager in the Hopatcong School District for the 2019-2020 school year at the rate of \$6,615.
- g. Approval of the **Julie Wilson** to be a detention monitor at the Hopatcong High School for the 2019 – 2020 school year at a rate of \$20 per hour.
- h. Approval of the following 2019 – 2020 advisors at the Hopatcong High School:

Name	Nature of Action	Position	Class	Level	Salary	Date Effective	Date Terminated
Mary Burns	Appoint	8 <sup>th</sup> Grade Advisor	-	-	\$1213.00	9/1/19	6/30/20
Heather DelBagno	Resign	Mock Trial	E	4	\$1566.00	9/1/19	9/30/19
Leslie Woodworth	Appoint	Mock Trial	E	1	\$614.00	10/1/19	6/30/19

- i. Acceptance of the resignation of **Lana Robertson** from her position as a Paraprofessional in the Hopatcong School District, effective August 28, 2019.
- j. Rescind the approval of employment for **Lauren Marrero** due to job abandonment who was approved at the August 26, 2019 Board of Education regular meeting.
- k. Approval of the employment of **Melissa Vater** as a Paraprofessional in the Hopatcong School District, at a rate of \$11.00 per hour, plus \$1.00 differential for toileting if applicable retroactively effective September 6, 2019.
- l. Approval of the Winter 2019-2020 Athletic Coaches for the Hopatcong High School, stipends are based upon the 2016-2018 negotiated Hopatcong Board of Education/Hopatcong Education Association Extra Pay/Extra Duty guide for this position and may change based upon the outcome of negotiations:

Name	Nature of Action	Position	Class	Level	Salary	Date Effective	Date Terminated
Mike Farrell	Appoint	Head Boys Basketball Coach	A	4	\$7,712.00	10/1/2019	6/30/2020
Dave Campagna	Appoint	Asst. Boys Basketball Coach	A	4	\$5,034.00	10/1/2019	6/30/2020
Dominic Schiavone	Appoint	Asst. Boys Basketball Coach	A	2	\$3,666.00	10/1/2019	6/30/2020
Jamie Douglas	Appoint	Head Girls Basketball Coach	A	4	\$7,712.00	10/1/2019	6/30/2020

**HOPATCONG BOARD OF EDUCATION  
REGULAR MEETING - MINUTES**

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

Julianne Brennan	Appoint	Asst. Girls Basketball Coach	A	4	\$5,034.00	10/1/2019	6/30/2020
TBA	Appoint	Asst. Girls Basketball Coach	A	-	-	10/1/2019	6/30/2020
Eric Fajerman	Appoint	Head Wrestling Coach	A	4	\$7,712.00	10/1/2019	6/30/2020
Martin Volz	Appoint	Asst. Wrestling Coach	A	4	\$5,034.00	10/1/2019	6/30/2020
Toby Richards	Appoint	Head Bowling Coach	B	4	\$5,034.00	10/1/2019	6/30/2020
Kara Licastro	Appoint	Head Winter Cheerleading Coach	B	4	\$5,034.00	10/1/2019	6/30/2020
Hayley Vicedomini	Appoint	Asst. Winter Cheerleading Coach	B	4	\$3,287.00	10/1/2019	6/30/2020
Jen Pensa	Appoint	Asst. Winter Cheerleading Coach	B	1	\$2,093.00	10/1/2019	6/30/2020

m. Approval of the Spring 2019-2020 Athletic Coaches for the Hopatcong High School, stipends are based upon the 2016-2018 negotiated Hopatcong Board of Education/Hopatcong Education Association Extra Pay/Extra Duty guide for this position and may change based upon the outcome of negotiations:

Name	Nature of Action	Position	Class	Level	Salary	Date Effective	Date Terminated
Mike Juskus	Appoint	Head Boys Track Coach	A	4	\$7,712.00	10/1/2019	6/30/2020
Pete Oesen	Appoint	Head Girls Track Coach	A	4	\$7,712.00	10/1/2019	6/30/2020
Patrick Neal	Appoint	Asst. Track Coach	A	4	\$5,034.00	10/1/2019	6/30/2020
Wilson Cusano	Appoint	Asst. Track Coach	A	4	\$5,034.00	10/1/2019	6/30/2020

**HOPATCONG BOARD OF EDUCATION  
REGULAR MEETING - MINUTES**

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

Jamie Douglas	Appoint	Asst. Track Coach	A	4	\$5,034.00	10/1/2019	6/30/2020
Chris Buglovsky	Appoint	Head Baseball Coach	A	4	\$7,712.00	10/1/2019	6/30/2020
Mike Farrell	Appoint	Asst. Baseball Coach	A	4	\$5,034.00	10/1/2019	6/30/2020
TBA	Appoint	Asst. Baseball Coach	A	-	-	10/1/2019	6/30/2020
Paul Miller	Appoint	Head Softball Coach	A	4	\$7,712.00	10/1/2019	6/30/2020
Craig Vallaro	Appoint	Asst. Softball Coach	A	4	\$5,034.00	10/1/2019	6/30/2020
Julianne Brennan	Appoint	Asst. Softball Coach	A	3	\$4,388.00	10/1/2019	6/30/2020
Toby Richards	Appoint	Head Golf Coach	B	4	\$5,034.00	10/1/2019	6/30/2020
Traci Duffy	Appoint	Head Boys Tennis Coach	B	4	\$5,034.00	10/1/2019	6/30/2020
Heather DelBagno	Appoint	Asst. Boys Tennis Coach	B	4	\$3,287.00	10/1/2019	6/30/2020

n. Approval of the utilization of Title I and Title II ESEA grant as indicated below:

Title	Name	2019 - 2020 Salary	Grant %	Grant Total	Local Total
I	Jamie Gambuzza	\$69,915	30%	\$20,986	\$48,929
I	Stacey Christano	\$93,385	30%	\$28,017	\$65,368
I	Hilary Wolf	\$74,215	30%	\$22,266	\$51,949
I	Kathleen Brennan	\$83,835	30%	\$25,152	\$58,683
I	Nancy Marinaro	\$55,783	90%	\$53,345	\$2,438
II	Allyson McConnell	\$67,365	100%	\$34,469	\$32,896

o. Approval of the following 2019 – 2020 advisors at the Hopatcong Middle School:

Name	Nature of Action	Position	Class	Level	Salary	Date Effective	Date Terminated
Kristen O'Shea	Appoint	Middle School Chorus	D	1	\$977.00	10/1/19	6/30/20

# HOPATCONG BOARD OF EDUCATION REGULAR MEETING - MINUTES

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

Joseph Bitteto	Appoint	Middle School Intramural (.5)	C	1	\$706.50	10/1/19	6/30/20
----------------	---------	-------------------------------	---	---	----------	---------	---------

- p. Approval of the following **Tenure Recommendations** for those staff members who will achieve tenure during the 2019 – 2020 school year:

Name	Location	Position	Start Date	Tenure Date
Jennifer Bisignani	Durban Ave.	Teacher	9/2/2015	9/3/2019
Marissa Richards	Durban Ave.	Teacher	9/2/2015	9/3/2019
Susan Mastroviti	Durban Ave.	Teacher	10/27/2015	10/28/2019

- q. Approval of **Craig Vallaro** to make curriculum updates for the following courses at a rate of \$28 an hour:

Course	Total Hours
6 <sup>th</sup> Grade History	10
7 <sup>th</sup> Grade History	10

- r. Approval of **Kyle Bisignani** to create a District App for a onetime cost of \$4,000, payable upon completion.
- s. Approval of **substitutes, teachers, paraprofessionals, custodians and van drivers.**

**Motion was made by Ms. Jacobus and seconded by Ms. Perrotti to approve Personnel 13a – 13s:**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	ABSTAIN	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

**Personnel items 13a – 13s were approved.**

## 14. **STUDENTS & SERVICES**

Approval of the following items, **14a – 14d**, as recommended by the Superintendent of Schools and Student Achievement Committee of the Board:

- Approval of the Memorandum of Agreement with Family Resource Network for a free aftercare program for qualified multiple-handicapped and autistic students beginning January 2020.
- Approval of Tri-County Behavioral Care as a vendor for social emotional episodes for the 2019 – 2020 school year.
- Approval for home instruction services for student no. 14244 for 5 hours per week. Instruction will be provided by Hopatcong certified staff at the rate of \$35.00 per hour effective September 16, 2019 through December 16, 2019.
- Approval of field trip requests, as required by the New Jersey Department of Education.

**Motion to approve Students and Services, 14a – 14d was made by Ms. Jacobus, seconded by Mr. Gallagher:**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	Yes	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

**Students and Services items 14a – 14d were approved.**

# HOPATCONG BOARD OF EDUCATION REGULAR MEETING - MINUTES

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

## 15. **CURRICULUM**

Approval of the following items, **15a – 15b**, as recommended by the Superintendent of Schools and the Student Achievement Committee of the Board.

- a. Approval of the following Hopatcong High School students to participate in Career Internships with Hopatcong certified staff:

<b>Name</b>	<b>Grade</b>	<b>Career Field</b>
Jacob Boehm	12	Culinary
Angela Costanza	12	Child Care
Kevin DeSanto	12	Culinary
Jack Hadowanetz	12	Athletic Training
Nicole Parks	12	Child Care
Leann Olson	12	Photography
Morgan Rennie	12	Education
Amanda Sutton	12	Music Education
Olivia Vasquez	12	Child Care
Charlotte Whritenour	12	Music Education

- b. Whereas the *Vision Statement* of the Hopatcong Board of Education includes reference to the importance of “innovative instruction programs,” “technological infusion,” “college and career readiness,” and “21<sup>st</sup>-Century” learning; and whereas the Board of Education’s *Vision Statement* and *Annual Goals* prioritize the importance of “engaging all students” – particularly ELL and Special Education students; it is resolved that all curriculum from PK-12 in the Hopatcong Borough Schools include the *NJ Career Ready Practices*, and an approved list of *Modifications and Differentiation Strategies*, as well as a specific approved list referencing *ELL Supports*.

**Motion was made by Mrs. Perrotti to approve Curriculum items 15a – 15b, which was seconded by Ms. Jacobus:**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	Yes	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

## 16. **TRAVEL**

Resolved, that the Hopatcong Board of Education approve travel costs as related in this resolution, which are educationally necessary and fiscally prudent and are related to and within the scope of the employee’s current responsibilities and promotes the delivery of instruction or furthers the efficient operation of the school district. The reimbursements listed in this resolution are in compliance with the state travel reimbursement guidelines as established by the Department of the Treasury and Board of Education policy in accordance with N.J.A.C. 6A:23B-1.1. seq.

Whereas the August BOE agenda had a discrepancy in the reporting of travel expenses, be it resolved that the board, at the recommendation of the Superintendent, delete the travel agenda item from August and replace it with a full delineation of travel, registration expenses for the 19-20 fiscal year up to this point in time.

<b>STAFF MEMBER</b>	<b>CONFERENCE</b>	<b>DATE(S)</b>	<b>TRAVEL</b>	<b>REGISTRAT.</b>
Kester, K	Multi-Tiered Support	10/14	\$8.05	\$90
Schwab, K	HR Training	8/21	\$142.58*	
Hallenbeck, J	Anti-Bully Specialist	9/12	\$117.75	\$500
Campagna, D	AP Training	7/29-8/01	\$79.36	\$1,025

# HOPATCONG BOARD OF EDUCATION REGULAR MEETING - MINUTES

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

Buglovsky, C	Anti-Bully Specialist	9/30-10/2	\$118.58	\$500
Binotto, Emil	NJSPA Conf	10/17-18		\$292
Schuffenhauer, L	Trans-Opt. Recog.	9/12	\$6.39	0
Kennedy, M	SEL Training	9/12	\$9.92	0
Anthes, L	Trauma – Students	10/25	\$19.53	0
Pallotta, S	Trauma	10/25	\$19.53	0
DiBrienza-C,	Legal IEPs	10/14	\$24.74	\$90
O'Connor, S	Multi-Tiered Support	10/14	\$6.89	\$90
Montefusco, S	Legal IEPs	10/14	\$25.11	0
Dinnocenzo, M	Legal IEPs	10/14	\$25.11	0
Gambuzza, J	LRC Phonics	9/11	\$	0
Gambuzza, J	NJTSS	9/12	\$48.73	0
Gambuzza, J	Dyslexia	10/4	\$58.80	\$195
Anthes, L	Legal IEPs	10/14	\$24.55	0
Manisa, D	School Climate	10/11	\$10.97	
Manisa, D	Anti-Bully Spec.	9/30-10/2	\$90.39	\$500
Balinski, L	Multi-Tiered Support	10/14		\$90
Anderson, R	AP Calc	8/5-8/8		\$900
Geary, M	Facilities Train	8/15	0	0
Buglovsky, C	HWS AD Mtgs	monthly	\$196.35	0
Buglovsky, C	NJAC Mtgs.	monthly	\$98	0
Piccirillo, J	Residency Program	8/21-2/26		\$1,750
Debos, E	Arts Integ	10/28	0	0
Hersh, D	Legal IEPs	10/14	\$24.80	0
Kennedy, M	Bullying Spec Mtgs	monthly	\$79.36	0
Stephens, N	Legal IEPs	10/14	\$24.55	0
Stephens, N	Pre-Post Assessment	10/17-18	0	0
Pallotta, S	Legal IEPs	10/14	\$25.11	0
Takacs, C	ABS Mtgs.	Monthly	0	0
Pallotta, S	OOD Mtg	10/02	\$3.84	0
Miller, T	CST Dir. Mtgs.	monthly	\$84.94	0
Kennedy, M	SCSC Mtg.	10/1	\$9.30	0
Pallotta, S	Vaping Conf	10/29	\$10.50	0
Piereth, M	Sensory Motor	11/06	\$12.77	0
Christiano, S	Beyond Decoding	10/4	\$11.88	\$195
Munoz, C	Mock Trial NJ Bar	10/17	\$26.04	0
<b>Total</b>			<b>\$1,444.42</b>	<b>\$6,217.00</b>

**Motion to approve Travel in the amount of \$7,661.42 was made by Ms. Jacobus and seconded by Ms. Perrotti:**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	Yes	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

**Item16, Travel, was approved.**

# HOPATCONG BOARD OF EDUCATION REGULAR MEETING - MINUTES

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

## 17. **POLICIES & REGULATIONS**

- a. Approval of modifications and additions to the policies and regulations of the Hopatcong Board of Education in accordance with statutory and regulatory changes for approval, as revised, for FIRST READING:

<b><u>Policy #</u></b>	<b><u>Title</u></b>
P 6470	<i>Payment of Claims (M)</i> (Revised)
P 1642	<i>Earned Sick Leave Law (M)</i> (New)
P 3159	<i>Teaching Staff Member/School District Reporting Responsibilities (M)</i> (Revised)
P 3218	<i>Substance Abuse (M)</i> (Revised)
P 4218	<i>Substance Abuse (M)</i> (Revised)
P 4219	<i>Commercial Driver's License Controlled Substance And Alcohol Testing (M)</i> (Revised)
P 6112	<i>Reimbursement of Federal and Other Grant Expenditures (M)</i> (Revised)
P 7440	<i>School District Security (M)</i> (Revised)
P 9400	<i>News Media Relations</i> (Revised)

<b><u>Regulation #</u></b>	<b><u>Title</u></b>
R 1642	<i>Earned Sick Leave Law (M)</i> (New)
R 3218	<i>Substance Abuse (M)</i> (Revised)
R 4218	<i>Substance Abuse (M)</i> (Revised)
R 6112	<i>Reimbursement of Federal and Other Grant Expenditures (M)</i> (Revised)
R 7440	<i>School District Security (M)</i> (Revised)

- b. Approval of modifications and additions to the policies and regulations of the Hopatcong Board of Education in accordance with statutory and regulatory changes for approval, as revise, for SECOND READING:

**NONE**

**Ms. Jacobus made a motion to approve Policies and Regulations item 17a, which was seconded by Ms. Perrotti:**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	Yes	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

**Policies and Regulations, item 17a was approved.**

## 18. **RESOLUTIONS**

- a. Approval of the Memorandum of Agreement with Sussex County Community College for satellite program beginning October 2019.

**Ms. Jacobus made a motion to approve Resolution 18a, which was seconded by Ms. Perrotti:**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	Yes	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

**Resolution 18 was approved.**

**HOPATCONG BOARD OF EDUCATION  
REGULAR MEETING - MINUTES**

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

**19. SUSSEX COUNTY REGIONAL COOPERATIVE**

Approval of the following items, **19a – 19g15**, as recommended by the Superintendent of Schools and the Operatives committee of the Board:

- a. The Superintendent and the Director of Transportation recommend the approval of bills for the Sussex County Regional Cooperative Operating account for August 27, 2019 through September 30, 2019, in the amount of \$4,075.55 for Regular bills and \$2,841,500.78 for Bus Contractor bills.
- b. The Superintendent and the Director of Transportation recommend the approval to lease purchase a **2020 Chevrolet Mid Bus 29 Passenger DRW Gas School Bus all CRS** per the ESCNJ Co-Op Bid 18/19-37 at a price with options of \$73,785.80.
- c. The Superintendent and the Director of Transportation recommend the approval of job descriptions for the positions of Bus/Van Driver and Bus Aide as attached.
- d. The Superintendent and the Director of Transportation recommend the approval to accept the resignation of Sara Pollison, Bus Aide, effective September 19, 2019.
- e. The Superintendent and the Director of Transportation recommend the approval to accept the following change in hours for Bus Drivers effective October 1, 2019.

Name	Total Hours	Increase of:
Jaime Jones	8.0	1.5
Joan Leach	7.0	1
Tina McGrath	7.5	1
Bobbi Jo VanHorn	8.0	2

- f. The Superintendent and the Director of Transportation recommend the approval of Shannon Wilson to attend the New Jersey School Boards Association Annual Convention in Atlantic City, NJ, representing the School Transportation Supervisors Association on October 21, 22 and 23. There is no cost for meals, travel or lodging to the SCRTC.
- g.
  1. The Superintendent and the Director of Transportation recommend the **acceptance** of student transportation **quotations** for **Special Education Routes** for the 2019-20 School Year as listed on Exhibit A.
  2. The Superintendent and the Director of Transportation recommend the **award** of student transportation **quotations** for **Special Education Routes** for the 2019-20 School Year as listed on Exhibit A.
  3. The Superintendent and the Director of Transportation recommend the **acceptance** of student transportation **quotations** for **Special Education Routes** for the 2019 Extended School Year as listed on Exhibit A.
  4. The Superintendent and the Director of Transportation recommend the **award** of student transportation **quotations** for **Special Education Routes** for the 2019 Extended School Year as listed on Exhibit A.
  5. The Superintendent and the Director of Transportation recommend the **acceptance** of **student transportation quotations for Athletic/Class/Field Trips** for the 2019-20 School Year as listed on Exhibit A.
  6. The Superintendent and the Director of Transportation recommend the **award** of **student transportation contracts for quoted Athletic/Class/Field Trips** to the lowest, responsible and responsive bus contractor companies for the 2019-20 School Year as listed on Exhibit A.
  7. The Superintendent and the Director of Transportation recommend the **Renewal of Student Activity Routes** for the 2019-20 School Year at the State issued CPI of 1.45% or less as listed on Exhibit A
  8. The Superintendent and the Director of Transportation recommend the **acceptance** of **contract addendums** for 2019-20 School Year Routes as listed on Exhibit A.

# HOPATCONG BOARD OF EDUCATION REGULAR MEETING - MINUTES

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

9. The Superintendent and the Director Transportation recommend the **approval to renew** 2018-19 Routes for the 2019-20 School Year at the State issued CPI increase of 1.45% or less as listed on Exhibit A.
10. The Superintendent and the Director of Transportation recommend the **approval of a correction** to a previously approved quoted route. (The quotes were responsive and compliant in accordance with specifications. However, the correction is necessary due to a clerical error to correct the board minutes for county approval of the contract.)
11. The Superintendent and the Director of Transportation recommend the **acceptance of student transportation bids** submitted on **August 13, 2019** for the 2019-20 School Year as listed on Exhibit A.
12. The Superintendent and the Director of Transportation recommend the **award of student transportation contracts** to the lowest, responsible and responsive bus contractor company bidders for the **August 13, 2019** bid for the 2019-20 School Year as listed on Exhibit A.
13. The Superintendent and the Director of Transportation recommend the **rejection of student transportation bids** for non-compliance issues or route terminations submitted on **August 13, 2019** for the 2019-20 School Year as listed on Exhibit A.
14. The Superintendent and the Director of Transportation recommend the **approval of Parental Contracts** for the 2019-20 School Year as listed on Exhibit A.
15. The Superintendent and the Director of Transportation recommend the **approval of a Joint Transportation Agreement with Vernon Township Board of Education** for the 2019-20 School Year as listed on Exhibit A.

**Ms. Jacobus made a motion to approve 19a – 19g15 which was seconded by Ms. Perrotti:**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	Yes	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

**Sussex County Regional Cooperative items 19a – 19g15 were approved.**

**Board Vice-President, Mr. McLean introduces the following for approval:**

**20.**

## **ADDENDUM**

September 30, 2019 - Regular Meeting

- a. It is recommended by the Superintendent that the Board of Education approve the employment of **Janice Hero** as Grade 2 Long Term Substitute Teacher at a salary of \$110.00 per day, retroactively effective to September 23, 2019 through November 19, 2019. Effective November 20, 2019, salary will be \$55,783 prorated, based upon Level BA/Step 1, through February 27, 2020 or until such time that the regular teacher returns from a Medical Leave of Absence.

**Ms. Perrotti made a motion to approve Addendum a; was seconded by Mr. Francis:**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	ABSTAIN	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

**Addendum item a. was approved**

**HOPATCONG BOARD OF EDUCATION  
REGULAR MEETING - MINUTES**

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

b. Merit Goals , Joseph Piccirillo, Hopatcong BOE

1. Whereas the Hopatcong Board of Education has a strategic interest in the pursuit of grants; and whereas the current grant opportunities for the district are limited to federal allocation grants (ESEA, IDEA) and one NJDOE grant (NJTSS); and whereas the Hopatcong Board of Education is implementing CTE programs, new courses and new initiatives; therefore be it resolved that the board agrees to the following arrangement with Mr. Joseph Piccirillo as a merit pay potential.
  - a. With the approval of the superintendent and with the knowledge and approval of the Hopatcong Board of Education, Mr. Piccirillo is charged with the responsibility of pursuing grant opportunities.
  - b. In response to a successful grant pursuit, Mr. Piccirillo will earn a merit amount of 3.33% of the value of that grant for the application, implementation and evaluation of the grant program. He will continue to earn the same percentage on any further grants that might be earned until he reaches a 3.33% of his salary for the overall goal. (\$4,828)
2. Whereas Hopatcong High School is a comprehensive high school; and whereas a review of high school graduate's pursuits after high school demonstrates that the number of students entering the work force is significant; and whereas high school initiatives should include this population in its efforts to make the school a truly comprehensive experience for students; and whereas one research based strategy is to provide students with Career and Technical Education opportunities; therefore be it resolved that the board agrees to the following as a merit pay potential.
  - a. With consultation of the high school principal and superintendent, Mr. Piccirillo will be charged with the responsibility of start-up of high school CTE programs in fiscal year 2020.
  - b. In 19-20, for each successful planning of a CTE program as a start-up in 20-21, an endeavor that includes current teacher recruitment, writing of curriculum, forming an advisory group and gaining APPROVAL of the DOE, Mr. Piccirillo will receive an amount of \$1,500 per program approval.
  - c. As per contract, the limit on this goal will be 3.33% of Mr. Piccirillo's salary.

**Ms. Perrotti made a motion to approve Addendum b; was seconded by Mrs. Smith:**

Scott Francis	Yes	Warren Gallagher	Yes	Erin Jacobus	Yes
Alex McLean	ABSTAIN	Michele Perrotti	Yes	Sarah Schindelar	Yes
Candice Smith	Yes	Carol Trumpore	Yes	Anthony Fasano	ABSENT

**Addendum Item b was approved.**

21. **BOARD OF EDUCATION - MEMBER COMMENTS**

- Michele Perrotti – Thank you for sticking it out.
- Scott Francis – Thank you for coming; great new year ahead.
- Erin Jacobus – Thank you for coming.
- Candice Smith – Appreciate you coming out.
- Alex McLean – Thank you.
- Sarah Schindelar – Thank you.
- Carol Trumpore – Thank you for coming.
- Warren Gallagher - Thank you for being here.

**HOPATCONG BOARD OF EDUCATION  
REGULAR MEETING - MINUTES**

**September 30, 2019**

**5:30 p.m.** (Administration Building Room 41 - Open the meeting and enter Executive Session)

**7:00 p.m.** (High School cafeteria - Public Session)

**22.    ADJOURNMENT**

**Motion to adjourn was made by Mrs. Smith, seconded by Ms. Perrotti.**

**All in favor**

**Time: 8:57 p.m.**

Respectfully submitted,

*Kathleen Ward*

Board Secretary pro tempore

8c



**Hopatcong Borough Schools**  
**Hopatcong High School**

P.O. Box 1029 x Hopatcong, New Jersey 07843  
(973) 398-8803 x FAX (973) 398-9048

To: Mr. Art DiBenedetto

From: Mr. Chris Buglovsky

Date: October 2, 2019

*Chris Buglovsky*

Re: **High School's Student of the Month - October**

The following students were chosen as Hopatcong High School's Students of the Month for their outstanding performance in October, 2019.

**SCHOLASTICS (Spanish 5 AP Language and Culture) – Hernan Josue Guardado , Senior**

Hernan worked very hard during the summer to complete every/all summer AP assignments on time even when he was on vacation. He is prepared for class and participates above and beyond requirements. Hernan helps other students with class work and home work.

**SCHOLASTICS (Spanish 1) – Jenna Fattorusso - Freshmen**

Jenna is a pleasure to have in class. She is very enthusiastic about her school work. She is always cooperative and responsible.

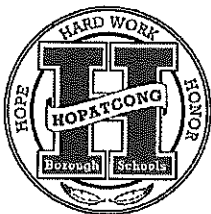
**SCHOLASTICS (FRENCH 1) – Mohamed Fofanah – Freshmen**

**SCHOLASTICS (FRENCH 1) – Robyn Zotynia – Freshmen**

Mohamed and Robyn are doing well on quizzes, taking good notes and completing homework. They also participate well in class, taking risks and inferring meanings of new words. Bravo!

**SPECIALTY AREA (Culinary Arts) – Kevin DeSanto, Senior Intern**

Kevin is a great help! He gets right to work when he arrives, is always pleasant and never has an attitude. He happily helps students with skills assignments and is looking forward to trying new recipes for inclusion in the classes.



**Hopatcong Borough Schools**  
**Hopatcong High School**

P.O. Box 1029 x Hopatcong, New Jersey 07843  
(973) 398-8803 x FAX (973) 398-9048

To: Mr. Art DiBenedetto

From: Mr. Christopher Buglovsky

Date: October 2, 2019

Re: **High School's Scholar Athlete of the Month - October**

The following students were chosen as Hopatcong High School's Scholar Athletes of the Month for their outstanding performance in October, 2019.

**ATHLETICS (Boys Soccer) – Hernan Josue Guardado, Senior**

Hernan is a consistent player each and every game. He is a team captain who leads by example on the field. Hernan stabilizes the defense and then leads the offensive attack.

**ATHLETICS (Girls Soccer) – Christy Brennan - Sophomore**

Christy has been outstanding recently on the field. She leads the team with eight goals and has been the perfect example of leadership, dedication and work ethic.

13j

# **LIST OF APPROVED SUBSTITUTES**

**DISTRICT:** Hopatcong

**COUNTY:** Sussex

**Date adopted by Local Board of Education Subject to Criminal Background Check** October 28, 2019

<b>NAME</b>	<b>INSTITUTIONS ATTENDED</b>	<b>DATES OF ATTENDANCE</b>	<b>DEGREE RECEIVED</b>	<b>MAJOR</b>	<b>CERTIFICATE(S)</b>
Sal Esposito	William Paterson University	1988-1995	BA	ART	Elementary Teacher
Jennifer Pensa	James Madison University	2009-2013	BS	Sociology	Substitute Certificate
<b>SUBSTITUTE PARAPROFESSIONALS</b> Adrienne Bleibdrey	<b>SUBSTITUTE CUSTODIANS/ MECHANIC</b>	<b>SUBSTITUTE VAN/BUS DRIVERS</b>	<b>SUBSTITUTE School Nurse</b>	<b>SUBSTITUTE DAY PLUS</b>	<b>HOME INSTRUCTION</b>

# POLICY

Finances

6470/Page 1 of 3

PAYMENT OF CLAIMS (M)

## 6470 PAYMENT OF CLAIMS (M)

### M

It is the purpose of the Board to effect the prompt payment of bills, but at the same time insure that due care has been taken in the review of such bills.

Each bill or obligation of this Board must be fully itemized, verified and duly audited and must be passed upon and ordered paid by the Board before a warrant can be released for payment, except that the Business Administrator/Board Secretary is directed to make payment of interest on bonds as it becomes due, payments to redeem bonds as they become due, progress payments to contractors as specified in their contract and warrants to cover approved payrolls and agency account deposits.

It shall be the responsibility of the Business Administrator/Board Secretary upon receipt of an invoice to verify that the voucher is in order and properly submitted, the goods were received in acceptable condition or services were satisfactorily rendered, and funds are available to cover the payment within the scope of the approved budget.

The School Business Administrator/Board Secretary shall identify and investigate, if necessary, the reason for any increase to a purchase order. If it is found by the School Business Administrator/Board Secretary that an increase to a purchase order is warranted, the School Business Administrator/Board Secretary shall either approve a revision to the original purchase order with the reason noted, approve the issuance of a supplemental purchase order for the difference, or cancel the original purchase order and issue a new purchase order. If it is found an increase is not warranted, the purchase order shall be cancelled and the goods returned. In no instance shall an adjustment be made to a purchase order that changes the purpose or vendor of the original purchase order or a bid award price.

The school district's financial systems shall be programmed to:

1. Limit system access so that only appropriate Business office staff may make purchase order adjustments;
2. Reject adjustments in excess of any established approval thresholds;
3. Prevent unauthorized changes to be processed;



# POLICY

## HOPATCONG BOARD OF EDUCATION

Finances  
6470/Page 2 of 3  
PAYMENT OF CLAIMS (M)

4. Reject payments where the sum of the invoice amount plus any previous invoices charged to the purchase order exceeds the sum of the original purchase order amount plus any authorized adjustments;
5. Reject duplicate purchase order numbers;
6. Reject duplicate invoice numbers; and
7. Prepare an edit/change report listing all payments made in excess of the originally approved purchase order amount.

The School Business Administrator/Board Secretary shall review on a monthly basis edit/change reports listing all payments made in excess of the originally approved purchase order amount to ensure that all payments made are properly authorized.

Should funds not be available in the line account to which a proposed purchase will be charged, the responsible administrator shall determine the overage and request that a transfer be made to cover it as described in Policy 6422.

All claims for payment shall be submitted to the Board for review in the form of a listing including warrant number, to whom paid, and amount of remittance; and in the form of original records including a signed voucher, the receiving report, and the vendor's invoice where available. The Board must approve all claims for payment, except in accordance with N.J.S.A. 18A:19-4.1, the School Business Administrator/Business Secretary and the Superintendent are authorized to make interim payments to vendors between meetings in cases where a cost savings would accrue to the Board or interference of the operations of the school program would occur. Any such approval of payment must be presented to the Board for ratification at the next regular Board meeting.

Prior to the Board's consideration of the vouchers for payment each voucher shall be reviewed and approved by the a designated members of the ~~Finance Committee~~ of the Board.

When a claim for payment is duly approved in accordance with this policy, the School Business Administrator/Board Secretary and/or designated staff member shall promptly prepare a warrant for payment, cancel the commitment placed against the appropriate account, and post the actual expenditure. All warrants shall be signed by the Board President, Board Secretary and/or Superintendent and Treasurer of School Monies. Signatures of the Board President, Board Secretary and/or Superintendent and



# POLICY

## HOPATCONG BOARD OF EDUCATION

Finances  
6470/Page 3 of 3  
PAYMENT OF CLAIMS (M)

Treasurer of School Monies, and other designated signators may be engraved on a signature plate. The Vice-President may sign for the President in all matters.

N.J.S.A. 2C:21-55  
N.J.S.A. 18A:18A-18; 18A:19-1 et seq.; 18A:22-8.1  
N.J.A.C. 6A:23A-6,10

Adopted: 29 June 1992  
Revised: 20 May 2002  
Revised: 29 June 2009



# POLICY GUIDE

ADMINISTRATION  
1642/page 1 of 3  
Earned Sick Leave Law  
Mar 19  
M

[See **POLICY ALERT No. 218**]

## 1642 EARNED SICK LEAVE LAW

All persons holding any office, position, or employment in local school districts, regional school districts, or county vocational schools of the State who are steadily employed by the Board of Education or who are protected by tenure in their office, position, or employment under the provisions of N.J.S.A. 18A:30-2 or any other law, except persons in the classified service of the civil service under Title 11, Civil Service, of the Revised Statutes, shall be allowed sick leave with full pay for a minimum of ten school days in any school year in accordance with the provisions of N.J.S.A. 18A:30-2.

However, a Board of Education may determine some persons holding an office, position, or employment are not eligible for sick leave in accordance with N.J.S.A. 18A:30-2. These persons shall be covered under the provisions of the New Jersey Earned Sick Leave Law (Act), N.J.S.A. 34:11D-1 through 34:11D-11. Policy and Regulation 1642 outline the provisions of the Act for those persons the Board of Education determines are not eligible for sick leave in accordance with the provisions of N.J.S.A. 18A:30-2 or any rule or law of New Jersey other than the Act.

For the purposes of Policy and Regulation 1642, "employer" means a local school district, regional school district, county vocational school, or charter school of the State who does not provide sick leave with full pay to an employee pursuant to N.J.S.A. 18A:30-2 or any other law, rule, or regulation of New Jersey and is required to comply with the requirements of the Act.

For the purposes of Policy and Regulation 1642, "employee" means an individual engaged in service for compensation to a local school district, regional school district, county vocational school, or charter school of the State who is not provided sick leave with full pay pursuant to N.J.S.A. 18A:30-2 or any other law, rule, or regulation of New Jersey and is eligible to accrue earned sick leave in accordance with the requirements of the Act.

In accordance with the provisions of N.J.S.A. 34:11D-2, for every thirty hours worked, an employee eligible to accrue earned sick leave under the Act shall accrue one hour of earned sick leave commencing no later than October 29, 2018.



# POLICY GUIDE

ADMINISTRATION  
1642/page 2 of 3  
Earned Sick Leave Law

The employer will provide an employee with the full complement of earned sick leave for a benefit year as required under N.J.S.A. 34:11D-2 on the first day of each benefit year in accordance with the provisions of N.J.S.A. 34:11D-2.a.

The employer will permit the employee to accrue or use in any benefit year, or carry forward from one benefit year to the next, more than forty hours of earned sick leave.

Unless the employee has accrued earned sick leave prior to October 29, 2018, the earned sick leave shall begin to accrue on October 29, 2018 for any employee who is hired and commences employment before October 29, 2018 and the employee shall be eligible to use the earned sick leave beginning February 26, 2019 after the employee commences employment.

If the employee's employment commences after October 29, 2018, the earned sick leave shall begin to accrue upon the date that employment commences. The employee shall be eligible to use the earned sick leave beginning on the 120<sup>th</sup> calendar day after the employee commences employment.

The employer shall be in compliance with N.J.S.A. 34:11D-2 if the employer offers paid time off to an employee, which is fully paid and shall include, but is not limited to personal days, vacation days, and sick days, and may be used for the purposes of N.J.S.A. 34:11D-3 in the manner provided by the Act, and is accrued at a rate equal to or greater than the rate described in N.J.S.A. 34:11D-2.

The employer shall pay the employee for earned sick leave at the same rate of pay with the same benefits as the employee normally earns, except that the pay rate shall not be less than the minimum wage required for the employee pursuant to N.J.S.A. 34:11-56a4.

ADMINISTRATION  
1642/page 3 of 3  
Earned Sick Leave Law

The employer shall permit an employee to use the earned sick leave accrued pursuant to the Act for any of the reasons outlined in N.J.S.A. 34:11D-3.a.

No employer shall take retaliatory personnel action or discriminate against an employee who accrues sick leave under the Act because the employee requests or



# POLICY GUIDE

uses earned sick leave either in accordance with the Act or the employer's own earned sick leave policy for employees covered under the Act. Any complaints alleging a violation of the Act shall be filed in accordance with the provisions of N.J.S.A. 34:11D-4.

In accordance with N.J.S.A. 34:11D-5, failure of the employer to comply with the provisions of the Act shall be regarded as a failure to meet the wage payment requirements of the "New Jersey State Wage and Hour Law."

The employer shall retain records documenting hours worked and earned sick leave taken by employees covered under the Act in accordance with the provisions of N.J.S.A. 34:11D-6.

The employer shall provide notification, in a form issued by the Commissioner of Labor and Workforce Development, to employees of their rights under the Act; post the notification; and provide a copy of the notification to employees eligible to accrue earned sick leave under the Act in accordance with the provisions of N.J.S.A. 34:11D-7.

N.J.S.A. 34:11D-1 through 34:11D-11

Adopted:



# POLICY

## HOPATCONG BOARD OF EDUCATION

Teaching Staff Members  
3159/Page 1 of 3

### 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. ~~their arrest or indictment for any crime or offense to the Superintendent of Schools within fourteen calendar days of the arrest or indictment in accordance with the provisions of N.J.A.C. 6A:9B-4.3.~~ For the 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 CE 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;



# POLICY

## HOPATCONG BOARD OF EDUCATION

Teaching Staff Members  
3159/Page 2 of 3

### TEACHING STAFF MEMBER/SCHOOL DISTRICT REPORTING RESPONSIBILITIES

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 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.



# POLICY

## HOPATCONG BOARD OF EDUCATION

Teaching Staff Members  
3159/Page 3 of 3

### TEACHING STAFF MEMBER/SCHOOL DISTRICT REPORTING RESPONSIBILITIES

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

Adopted: 3 May 2010



# POLICY

## HOPATCONG BOARD OF EDUCATION

### TEACHING STAFF MEMBERS

3218/page 1 of 4

### Use, Possession, or Distribution of Substances Abuse

Aug 19

M

[See POLICY ALERT Nos. 125, 133, 205 and 218]

### 3218 USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES ABUSE

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.~~

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 teaching staff member who reports to work or attends a school-sponsored function where the teaching staff member has assigned job responsibilities under the influence of or in possession of any substance will be subject to appropriate discipline, which may include termination of a non-tenured teaching staff member or the filing of tenure charges for a tenured teaching staff member in accordance with law.~~

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



# POLICY

## HOPATCONG BOARD OF EDUCATION

### TEACHING STAFF MEMBERS

3218/page 1 of 4

Use, Possession, or Distribution of Substances Abuse

Aug 19

M

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 of a teaching staff member to consent to the medical examination **including a and** substance test will be ~~deemed determined to be~~ 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 a teaching 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 and results will not be maintained by the school district. Any required examination and testing shall be paid for by the Board. The teaching 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 teaching staff member.~~

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

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



# POLICY

## HOPATCONG BOARD OF EDUCATION

### TEACHING STAFF MEMBERS

3218/page 1 of 4

#### Use, Possession, or Distribution of Substances Abuse

Aug 19

M

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

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

42 CFR Part 2

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

N.J.A.C. 6A:16-4.1; 6A:16-6.3; 6A:16-6.5 ~~6A:32-6.3~~

Adopted:

26 September 1996



# POLICY

HOPATCONG  
BOARD OF EDUCATION

TEACHING STAFF MEMBERS

3218/page 1 of 4

**Use, Possession, or Distribution of Substances Abuse**

Aug 19

**M**

Revised:	March 2015
1 <sup>st</sup> Reading:	27 April 2015
2 <sup>nd</sup> Reading & Adoption:	18 May 2015



# POLICY

## HOPATCONG BOARD OF EDUCATION

### SUPPORT STAFF MEMBERS

4218/page 1 of 3

Use, Possession, or Distribution of Substances Abuse

Aug 19

M

[See POLICY ALERT Nos. 125, 133, 205 and 218]

#### 4218 USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES ABUSE

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



# POLICY

## HOPATCONG BOARD OF EDUCATION

### SUPPORT STAFF MEMBERS

4218/page 1 of 3

#### Use, Possession, or Distribution of Substances Abuse

Aug 19

M

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 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 and 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 a 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 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



# POLICY

## HOPATCONG BOARD OF EDUCATION

### SUPPORT STAFF MEMBERS

4218/page 1 of 3

#### Use, Possession, or Distribution of Substances Abuse

Aug 19

M

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 ~~6A:32-6.3~~

Adopted: 26 September 1996

Revised: March 2015

1<sup>st</sup> Reading: 27 April 2015

2<sup>nd</sup> Reading & Adoption: 18 May 2015



## COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

[See POLICY ALERT Nos. 130, 162, 217 and 218]

### 4219 COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE AND ALCOHOL USE TESTING

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

#### **For School Districts That Have School Buses, Bus Drivers, or Employees Who Operate a School Vehicle Requiring a Commercial Driver's License**

The Board requires all employees of the Board performing any safety-sensitive function to be free of drugs and alcohol and will test those employees who operate a commercial motor vehicle in accordance with 49 CFR 382 et seq. and 49 CFR 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 functions as defined by 49 CFR 382.107 means any time from the time an employee begins to work or is required to be in readiness to work until the time the employee is relieved from work and all responsibility for performing work. Safety-sensitive functions 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 motor 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 motor vehicle except time spent resting in an area defined as a sleeping berth;
5. All time loading or 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



# POLICY

## HOPATCONG BOARD OF EDUCATION

Support Staff  
4219/Page 2 of 20

### COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

The Omnibus Transportation Employee Testing Act of 1991 requires all operators of commercial motor vehicles subject to the CDL requirements to be tested for controlled substances and alcohol. Federal regulations of the U.S. Department of Transportation require that any employee using a CDL be required to submit to alcohol and controlled substance testing in accordance with 49 CFR 40.

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

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

#### Violations

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

#### Prohibited Substances

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

#### Testing Procedures



## COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

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

### Definitions

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

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

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

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

"Controlled substances" means those substances identified in 49 CFR 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 DER shall receive test results and other communications for the employer consistent with the requirements of this Policy and 49 CFR 40. Service agents cannot act as a DER.

"FMCSA" means Federal Motor Carrier Safety Administration.

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

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



# POLICY

## HOPATCONG BOARD OF EDUCATION

Support Staff  
4219/Page 4 of 20

### COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

"Medical Review Officer (MRO)" is a licensed physician responsible for receiving and reviewing laboratory results generated by the district's drug testing program and evaluating medical explanations for certain drug test results.

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

"Service agent" is any person or entity, other than an employee of the Board, who provides services specified under 49 CFR 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. An individual permitted to act as a SAP must possess the credentials as outlined in 49 CFR 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 4160. Such screening shall be conducted in accordance with the procedures set forth in this Policy and 49 CFR 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:



# POLICY

## HOPATCONG BOARD OF EDUCATION

Support Staff  
4219/Page 5 of 20

### COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

- a. The employee has participated in a controlled substances testing program that met the requirements of 49 CFR 382 et seq. within the previous thirty days; and
- 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 with the employer); or
  - (2) Participated in the random controlled substances testing program for the previous twelve months (from the date of application with the employer.)
- c. The DER must ensure that no prior employer, to the DER's knowledge, has records of a violation of a controlled substances testing program within the previous six months.

If an individual is so exempted, the DER shall contact the controlled substances testing programs in which the individual participated and shall obtain and retain from the testing program(s) the following information in accordance with 49 CFR 382.301(c):

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

An employee who has applied for and has been selected to operate a Board vehicle or any existing employee transferring into a new position requiring the employee to operate a Board vehicle, shall submit a written consent authorizing the Board to obtain the



## COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

following information from other employers who have employed the employee during any period during the two years before the date of the employee's application or transfer into the new position. The written consent from the employee will permit the DER to obtain the following information from previous Division of Transportation (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.

The DER will obtain and review this information before the employee first performs safety-sensitive functions. If this is not feasible, the DER will not permit the employee to perform safety-sensitive functions after thirty days from the date the employee first performed safety-sensitive functions, unless the DER has obtained or made and documented a good faith effort to obtain this information.

### 2. Random Testing

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



## COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

The minimum annual percentage rate for random alcohol testing shall be ten percent of the average number of driver positions. The minimum annual percentage rate for random controlled substances testing shall be twenty-five percent of the average number of driver positions. The minimum annual percentage rates may be adjusted as determined by the FMCSA Administrator in accordance with 49 CFR 382.305.

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

### 3. Post-Accident Testing

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



## COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

administered within eight hours following the accident, the DER shall cease attempts to administer the alcohol test and shall prepare and maintain the same record. Records shall be submitted to the FMCSA upon request.

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

- a. Who was performing safety-sensitive functions with respect to a vehicle, if the accident involves the loss of human life; or
- b. Who receives a citation within thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
  - (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 on file a record stating the reasons the test was not promptly administered. Records shall be submitted to the FMCSA upon request.

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



## COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

### 4. Reasonable Suspicion Testing

The DER shall require an employee to submit to an alcohol and/or controlled substance test when the employee is observed by a supervisor or school official who is trained in accordance with 49 CFR 382.603 and causes the observer to have reasonable suspicion to believe the employee has violated 49 CFR 382 et seq. Reasonable suspicion must exist to require the employee to undergo a test and must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. 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 employee is required to be in compliance with the testing requirements of 49 CFR 382 et seq.

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

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

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



## COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

determination that reasonable suspicion existed to require an alcohol test.

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

### 5. Return to Duty Testing

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

The DER may recommend to the Superintendent of Schools the employee's employment be terminated depending on the circumstances.

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

Employees permitted to return to duty are required to take return-to-duty tests and shall be evaluated by a SAP. These employees must participate in an assistance program prescribed by the SAP and as required in 49 CFR 40 Subpart O.

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



# POLICY

## HOPATCONG BOARD OF EDUCATION

Support Staff  
4219/Page 11 of 20

### COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

follow-up testing will be completed in accordance with 49 CFR 40.307. The SAP will comply with all reporting requirements of 49 CFR 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 MRO who is a licensed physician (M.D. or D.O.) and shall designate the MRO as the individual responsible for receiving laboratory results generated by the testing program. The MRO shall have knowledge of controlled substances abuse disorders and have appropriate medical training to interpret and evaluate the employee's confirmed drug test results together with his/her medical history and other biomedical data. The MRO will perform all functions and responsibilities as required in 49 CFR 40.121.

#### Employer Notification

The MRO 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 MRO's evaluation. The MRO 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 CFR 40.163.

#### Split Specimen Tests

Split specimen testing will be conducted in accordance with 49 CFR 40 Subpart H. The MRO will notify the Superintendent of Schools or designee 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



## COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

meeting the requirements of 49 CFR 40 Subpart D. The DER will ensure the collection site meets the security requirements of 49 CFR 40.43.

### Designated Screening Laboratory

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

### Specimens

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

### Refusal to Submit

An employee will be deemed as refusing to take a drug test as described in 49 CFR 40.191. As per 49 CFR 40.191, an employee 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



## COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

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 an additional drug test the DER or collector has directed the employee 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 49 CFR 40.193(d). In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;
8. Fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector);
9. Fails to follow the collection observer(s) instructions of which could be used to interfere with the collection process;
10. Possesses or wears a prosthetic or other device that could be used to interfere with the collection process; or
11. Admits to the collector or MRO he/she has adulterated or substituted the specimen.

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

If an employee 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



## COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

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" 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 employee refuses to take a non-DOT test or to sign a non-DOT form, the employee has not refused to take a DOT test. There are no consequences under DOT agency regulations for refusing to take a non-DOT test.

### Record of Negative Screening

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

### Prescription Drugs

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

### Consequences to Employees 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 SAP who shall determine what assistance, if any, is needed to resolve problems with alcohol or controlled substance use;



# POLICY

## HOPATCONG BOARD OF EDUCATION

Support Staff  
4219/Page 15 of 20

### COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL 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 SAP to determine that the employee has followed the rehabilitation program prescribed;
6. Be subject to unannounced follow-up alcohol and/or controlled substance abuse testing; and
7. Be subject to the disciplinary Policy and Regulations of the Board.

#### Return-to-Work Agreement

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

#### Maintenance and Retention of Records

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

1. Records Related to the Collection Process
  - a. Collection logbooks (if used);
  - b. Documents related to the random selection process;
  - c. Calibration documentation for Evidential Breath Testing Devices (EBT's);
  - d. Documentation of Breath Alcohol Technician (BAT) training;
  - e. Documentation of reasoning for reasonable suspicion testing;



# POLICY

## HOPATCONG BOARD OF EDUCATION

Support Staff  
4219/Page 16 of 20

### COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

- f. Documentation of reasoning for post-accident testing;
  - g. Documents verifying a medical explanation for the inability to provide adequate breath or urine for testing; and
  - h. Consolidated annual calendar year summaries.
- 2. Records Related to the Employee's Test Results
  - a. Employer's copy of the alcohol test form, including results;
  - b. Employer's copy of the controlled substance test chain of custody and control form;
  - c. Documents sent to the employer by the MRO;
  - d. Documentation of any employee's refusal to submit to a required alcohol or controlled substance test; and
  - e. Documents provided by an employee to dispute results of test.
- 3. Documentation of any Other Violations of Controlled Substance Use or Alcohol Misuse Policies
- 4. Records Related to Evaluations and Training
  - a. Records pertaining to the SAP's determination of an employee's need for assistance;
  - b. Records concerning an employee's compliance with the 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 the requirement to provide employees with educational material, including an employee's signed receipt of materials;
  - e. Documentation of supervisor training; and



# POLICY

## HOPATCONG BOARD OF EDUCATION

Support Staff  
4219/Page 17 of 20

### COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

- f. Certification that training conducted under this Policy complies with all requirements of the Policy.
- 5. Records Related to Drug Testing
  - a. Agreements with collection site facilities, laboratories, MROs, 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.
- 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	3 Years



# POLICY

## HOPATCONG BOARD OF EDUCATION

Support Staff  
4219/Page 18 of 20

### COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

drug testing	
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

Document to be maintained	Period required to be maintained
Alcohol test results indicating a breath alcohol concentration less than 0.02	1 Year
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



# POLICY

## HOPATCONG BOARD OF EDUCATION

Support Staff  
4219/Page 19 of 20

### COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

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:
  - (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;



# POLICY

## HOPATCONG BOARD OF EDUCATION

Support Staff  
4219/Page 20 of 20

### COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

- (8) An explanation of what constitutes a refusal to submit to an alcohol or controlled substance test;
- (9) The consequences for employees found to have violated the prohibitions of this Policy, including the immediate removal of the employee from safety-sensitive functions;
- (10) The consequences for employees found to have an alcohol concentration level of 0.02 or greater but less than 0.04; and
- (11) Information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life. Signs and symptoms of an alcohol or controlled substances problem, and available methods of intervening when an alcohol or a control substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management.

Omnibus Transportation Employee Testing Act of 1991  
49 CFR 40 et seq.  
49 CFR 382 et seq.  
49 CFR 395.2

Adopted: 22 July 1996  
Revised: 9 December 2002  
Revised: 18 March 2019



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

[See POLICY ALERT Nos. 190 and 218]

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

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

In accordance with this requirement, the New Jersey Department of Education (NJDOE) has implemented a reimbursement request system of payment. The procedures as outlined in the New Jersey Department of Education Policies and Procedures for Reimbursement of Federal and Other Grant Expenditures shall be followed by school districts in submitting reimbursement requests. Reimbursement requests for entitlement grant awards under **the Every Student Succeeds Act (ESSA) 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.

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 or \$50,000 for IDEA, Perkins, and NCLB (per title); whichever is less. The Superintendent or designee is responsible for monitoring the cumulative ten percent level of fiscal change.

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

Reimbursement requests must contain a brief description of the expenditures for which reimbursement is being requested. Individual line items need not be detailed. Expenditures must be supported by documentation at the school district level but should not be submitted to the NJDOE with a reimbursement request. The Superintendent of Schools or designee is responsible to maintain supporting documentation for seven years and for making it available to the NJDOE, the United States Department of Education, and/or their authorized representatives upon request. Documentation for salary expenditures is subject to the requirements of the **Federal Uniform Grant Guidance** 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 district will receive an email notification through the EWEG system. Approval of a reimbursement request by NJDOE does not imply approval of the



# POLICY

## HOPATCONG BOARD OF EDUCATION

Finances  
6112/Page 3 of 3

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

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, or will be expended **within three business days of receipt of funds 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: 28 February 2011



# POLICY

## HOPATCONG BOARD OF EDUCATION

Property  
7440/Page 1 of 2  
SECURITY OF SCHOOL PREMISES

[See POLICY ALERT Nos. 96, 214, 217 and 218]

### 7440 SECURITY OF SCHOOL PREMISES

#### 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 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 or nonpublic school. In the case of a school building located in a municipality in which there is no municipal police department, a copy of the blueprints and maps shall be provided to an entity designated by the Superintendent of the New Jersey State Police. The Board shall provide revised copies to the applicable law enforcement authorities or designated entities 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.**



# POLICY

## HOPATCONG BOARD OF EDUCATION

Property  
7440/Page 2 of 2  
SECURITY OF SCHOOL PREMISES

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

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

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

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

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

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

Adopted: 29 June 1992  
Revised: 18 March 2019



# POLICY

## HOPATCONG BOARD OF EDUCATION

Community  
9400/Page 1 of 2  
NEWS MEDIA RELATIONS

### 9400 NEWS MEDIA RELATIONS

~~Representatives of the local newspapers and radio and television stations are an important link in the communications chain between the school district and the community it serves. The maintenance of a good working relationship with members of the media is essential to meeting the objectives of the school district's school and community relations program.~~

The Board of Education must give formal approval to all basic practices governing relations between ~~news~~ the media and the school district and reserves the right to negotiate, on terms most favorable to the school district, for the ~~radio~~ broadcasting, ~~televising~~, filming, or sound recording of any school event by an outside agency

The Superintendent or ~~his/her~~ designee shall be the chief communications representative of the school district Board. He/she ~~The chief communications representative~~ shall be readily available to: ~~media representatives~~; provide media representatives with all appropriate and necessary information;; suggest or supply feature articles or stories;; prepare **information to be released to the media**; ~~"press kits,"~~ assist school and parent organizations with ~~media press~~ relations;; meet periodically with media representatives;; and protect school personnel from any unnecessary demands on their time by ~~news~~ media representatives; and provide additional information as appropriate.

The Superintendent or ~~his/her~~ designee ~~designee~~ must approve ~~authorize~~ in advance interviews between staff members ~~or students~~ and media representatives **when the staff member is representing or speaking on behalf of the Board of Education or the school district.**

A school district staff member not designated by the Superintendent or designee to assist in any of the media responsibilities outlined in this Policy, including speaking to a representative of the media, is not prohibited from doing so on their own behalf as a private citizen provided the staff member does not indicate or imply they represent or are speaking on behalf of the Board of Education or the school district and indicate they are speaking on their own behalf as a private citizen.

A staff member who is acting on their own behalf as a private citizen should be cognizant of their obligations to protect the privacy and confidentiality of students and school operations in accordance with Federal and State laws.

The Board of Education reserves its right to regulate the exercise of school district staff members' First Amendment rights of the United States



# POLICY

## HOPATCONG BOARD OF EDUCATION

Community  
9400/Page 2 of 2  
NEWS MEDIA RELATIONS

**Constitution in such situations to the extent that such exercise may interfere with the safe and orderly operation of the schools and the learning environment.**

**The Superintendent or designee must authorize the release of any images of district subjects, personnel, or students.**

**Any image of a student with a disability shall not be disseminated or used in print or media in any way if they are identified as a student with a disability unless permission is granted by the parent(s). Any image of a child placed in the district by the New Jersey Department of Children and Families, Division of Child Protection and Permanency shall not be published without permission of the Department case worker. Where the release of images may violate the privacy of any student or staff member, the Superintendent or designee must first secure the written permission of the staff member or the student's parent(s).**

Adopted: 29 June 1992



# POLICY

## HOPATCONG BOARD OF EDUCATION

Community  
9400/Page 1 of 2  
NEWS MEDIA RELATIONS

### 9400 NEWS MEDIA RELATIONS

~~Representatives of the local newspapers and radio and television stations are an important link in the communications chain between the school district and the community it serves. The maintenance of a good working relationship with members of the media is essential to meeting the objectives of the school district's school and community relations program.~~

The Board of Education must give formal approval to all basic practices governing relations between ~~news~~ the media and the ~~school~~ district and reserves the right to negotiate, on terms most favorable to the ~~school~~ district, for the ~~radio~~ broadcasting, televising, filming, or sound recording of any school event by an outside agency

The Superintendent or ~~his/her~~ designee shall be the chief communications representative of the ~~school district~~ Board. ~~He/she~~ **The chief communications representative** shall be readily available to: ~~media representatives~~, provide media representatives with all appropriate and necessary information;; suggest or supply feature articles or stories;; prepare **information to be released to the media**; "press kits," assist school and parent organizations with **media press relations**;; meet periodically with media representatives;; ~~and~~ protect school personnel from any unnecessary demands on their time by ~~news~~ media representatives; and **provide additional information as appropriate.**

The Superintendent or ~~his/her~~ designee ~~designee~~ must ~~approve~~ **authorize** in advance interviews between staff members ~~or students~~ and media representatives **when the staff member is representing or speaking on behalf of the Board of Education or the school district.**

A school district staff member not designated by the Superintendent or designee to assist in any of the media responsibilities outlined in this Policy, including speaking to a representative of the media, is not prohibited from doing so on their own behalf as a private citizen provided the staff member does not indicate or imply they represent or are speaking on behalf of the Board of Education or the school district and indicate they are speaking on their own behalf as a private citizen.

A staff member who is acting on their own behalf as a private citizen should be cognizant of their obligations to protect the privacy and confidentiality of students and school operations in accordance with Federal and State laws.

The Board of Education reserves its right to regulate the exercise of school district staff members' First Amendment rights of the United States



# POLICY

## HOPATCONG BOARD OF EDUCATION

Community  
9400/Page 2 of 2  
NEWS MEDIA RELATIONS

Constitution in such situations to the extent that such exercise may interfere with the safe and orderly operation of the schools and the learning environment.

The Superintendent or designee must authorize the release of any images of district subjects, personnel, or students.

Any image of a student with a disability shall not be disseminated or used in print or media in any way if they are identified as a student with a disability unless permission is granted by the parent(s). Any image of a child placed in the district by the New Jersey Department of Children and Families, Division of Child Protection and Permanency shall not be published without permission of the Department case worker. Where the release of images may violate the privacy of any student or staff member, the Superintendent or designee must first secure the written permission of the staff member or the student's parent(s).

Adopted: 29 June 1992



# REGULATION GUIDE

ADMINISTRATION  
R 1642/page 1 of 14  
Earned Sick Leave Law  
Mar 19  
M

[See POLICY ALERT No. 218]

## R 1642 EARNED SICK LEAVE LAW

### A. Definitions Relative to Policy and Regulation 1642 and the New Jersey Earned Sick Leave Law (Act)

“Act” means the New Jersey Earned Sick Leave Law -- N.J.S.A. 34:11D-1. through 34:11D-11.

“Benefit year” means the period of twelve consecutive months, July 1 through June 30, as established by an employer in which an employee shall accrue and use earned sick leave as provided pursuant to N.J.S.A. 34:11D-2, provided that once the starting date of the benefit year is established by the employer it shall not be changed unless the employer notifies the Commissioner of Labor and Workforce Development of the change in accordance with regulations promulgated pursuant to the Act. The Commissioner shall impose a benefit year on any employer the Commissioner determines is changing the benefit year at times or in ways that prevent the accrual or use of earned sick leave by an employee.

“Certified Domestic Violence Specialist” means a person who has fulfilled the requirements of certification as a Domestic Violence Specialist established by the New Jersey Association of Domestic Violence Professionals.

“Child” means a biological, adopted, or foster child, stepchild or legal ward of an employee, child of a domestic partner or civil union partner of the employee.

“Civil union” means a civil union as defined in N.J.S.A. 37:1-29.

“Commissioner” means the Commissioner of Labor and Workforce Development.

“Department” means the Department of Labor and Workforce Development.



# REGULATION GUIDE

ADMINISTRATION  
R 1642/page 2 of 14  
Earned Sick Leave Law

“Designated domestic violence agency” means a county-wide organization with a primary purpose to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined by the Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the division for the express purpose of providing the services.

“Domestic or sexual violence” means stalking, any sexually violent offense, as defined in N.J.S.A. 30:4-27.26, or domestic violence as defined in N.J.S.A. 2C:25-19, and N.J.S.A. 17:29B-16.

“Domestic partner” means a domestic partner as defined in N.J.S.A. 26:8A-3.

“Employee” means, for the purposes of Policy and Regulation 1642, an individual engaged in service for compensation to a local school district, regional school district, county vocational school, or charter school of the State who is not provided with sick leave with full pay pursuant to N.J.S.A. 18A:30-2 or any other law, rule, or regulation of New Jersey and is eligible to accrue earned sick leave in accordance with the requirements of the Act.

“Employer” means, for the purposes of Policy and Regulation 1642, a local school district, regional school district, county vocational school, or charter school of the State who does not provide sick leave with full pay to an employee pursuant to N.J.S.A. 18A:30-2 or any other law, rule, or regulation of New Jersey and is required to comply with the requirements of the Act.

“Family member” means a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent of an employee, or a spouse, domestic partner, or civil union partner of a parent or grandparent of an employee, or a sibling of a spouse, domestic partner, or civil union partner of the employee, or any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship.

“Health care professional” means any person licensed under Federal, State, or local law, or the laws of a foreign nation, to provide health care services, or any other person who has been authorized to provide health care by a licensed health care professional, including but not limited to doctors, nurses, and emergency room personnel.



# REGULATION GUIDE

ADMINISTRATION  
R. 1642/page 3 of 14  
Earned Sick Leave Law

“Parent” means a biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or of the employee’s spouse, domestic partner, or civil union partner, or a person who stood in loco parentis of the employee or the employee’s spouse, domestic partner, or civil union partner when the employee, spouse or partner was a minor child.

“Retaliatory personnel action” means denial of any right guaranteed under the Act and any threat, discharge, including a constructive discharge, suspension, demotion, unfavorable reassignment, refusal to promote, disciplinary action, sanction, reduction of work hours, reporting or threatening to report the actual or suspected immigrant status of an employee or the employee’s family, or any other adverse action against an employee.

“Sibling” means a biological, foster, or adopted sibling of an employee.

“Spouse” means a husband or wife.

## B. Provision of Earned Sick Leave – N.J.S.A. 34:11D-2

1. The employer shall provide earned sick leave in accordance with the Act for each employee working for the employer.
2. For every thirty hours worked, the employee shall accrue one hour of earned sick leave. The employer **I will** provide an employee their full complement of earned sick leave for a benefit year as required under N.J.S.A. 34:11D-2 on the first day of each benefit year in accordance with the Act.
3. The employer **I will** permit the employee to accrue or use in any benefit year, or carry forward from one benefit year to the next, more than forty hours of earned sick leave.
  - a. Unless the employee has accrued earned sick leave prior to October 29, 2018, the earned sick leave shall begin to accrue on October 29, 2018 for any employee who is hired and commences employment before October 29, 2018 and the employee shall be eligible to use the earned sick leave beginning on February 26, 2019 after the employee commences employment.



# REGULATION GUIDE

ADMINISTRATION  
R 1642/page 4 of 14  
Earned Sick Leave Law

- b. If the employee's employment commences after October 29, 2018, the earned sick leave shall begin to accrue upon the date that employment commences. The employee shall be eligible to use the earned sick leave beginning on the 120<sup>th</sup> calendar day after the employee commences employment.
4. The employer shall be in compliance with N.J.S.A. 34:11D-2 if the employer offers paid time off to an employee, which is fully paid and shall include, but is not limited to personal days, vacation days, and sick days, and may be used for the purposes of N.J.S.A. 34:11D-3 in the manner provided by the Act, and is accrued at a rate equal to or greater than the rate described in N.J.S.A. 34:11D-2.
5. The employer shall pay the employee for earned sick leave at the same rate of pay with the same benefits as the employee normally earns, except that the pay rate shall not be less than the minimum wage required for the employee pursuant to N.J.S.A. 34:11-56a4.
6. Upon the mutual consent of the employee and employer, an employee may voluntarily choose to work additional hours or shifts during the same or following pay period, in lieu of hours or shifts missed, but shall not be required to work additional hours or shifts or use accrued earned sick leave. The employer may not require, as a condition of an employee using earned sick leave, that the employee search for or find a replacement worker to cover the hours during which the employee is using earned sick leave.

ADMINISTRATION  
R 1642/page 5 of 14  
Earned Sick Leave Law

7. If an employee is transferred to a separate division, entity, or location, but remains employed by the same employer, then the employee shall be entitled to all earned sick leave accrued at the



# REGULATION GUIDE

prior division, entity, or location, and shall be entitled to use the accrued earned sick leave as provided in the Act.

8. If an employee is terminated, laid off, furloughed, or otherwise separated from employment with the employer, any unused accrued earned sick leave shall be reinstated upon the re-hiring or reinstatement of the employee to that employment, within six months of termination, being laid off or furloughed, or separation, and prior employment with the employer shall be counted towards meeting the eligibility requirements set forth in N.J.S.A. 34:11D-2.
9. The employer may choose the increments in which its employees may use earned sick leave, provided that the largest increment of earned sick leave an employee may be required to use for each shift for which earned sick leave is used shall be the number of hours the employee was scheduled to work during that shift.

## C. Permitted Usage of Earned Sick Leave – N.J.S.A. 34:11D-3

1. The employer shall permit an employee to use the earned sick leave accrued pursuant to the Act for any of the following:
  - a. Time needed for diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;
  - b. Time needed for the employee to aid or care for a family member of an employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;
  - c. Absence necessary due to circumstances resulting from the employee, or a family member of an employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member: medical attention needed to recover from

ADMINISTRATION  
R 1642/page 6 of 14  
Earned Sick Leave Law

physical or psychological injury or disability caused by domestic or sexual violence; services from a designated domestic violence agency or other victim services



# REGULATION GUIDE

organization; psychological or other counseling; relocation; or legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic or sexual violence;

- d. Time during which the employee is not able to work because of a closure of the employee's workplace, or the school or place of care of a child of an employee, by order of a public official due to an epidemic or other public health emergency, or because of the issuance by a public health authority of a determination that the presence in the community of the employee, or a member of the employee's family in need of care by the employee, would jeopardize the health of others; or
  - e. Time needed by the employee in connection with a child of the employee to attend a school-related conference, meeting, function or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability.
2. If an employee's need to use earned sick leave is foreseeable, the employer **I will** require advance notice, not to exceed seven calendar days prior to the date the leave is to begin, of the intention to use the leave and its expected duration, and shall make a reasonable effort to schedule the use of earned sick leave in a manner that does not unduly disrupt the operations of the employer. If the reason for the leave is not foreseeable, the employer will require an employee to give notice of the intention as soon as practicable, if the employer has notified the employee of this requirement.

ADMINISTRATION  
R 1642/page 7 of 14  
Earned Sick Leave Law

- a. The employer may prohibit employees from using foreseeable earned sick leave on certain dates provided reasonable notice of these dates is provided to employees



# REGULATION GUIDE

and the employer will require reasonable documentation if sick leave that is not foreseeable is used during those dates.

- b. For earned sick leave of three or more consecutive days, the employer will require reasonable documentation that the leave is being taken for the purpose permitted under N.J.S.A. 34:11D-3.a. and C.1. above.
- c. If the leave is permitted under N.J.S.A. 34:11D-3.a.(1) and C.1.a. above or N.J.S.A. 34:11D-3.a.(2) and C.1.b. above, documentation signed by a health care professional who is treating the employee or the family member of the employee indicating the need for the leave and, if possible, number of days of leave, shall be considered reasonable documentation.
- d. If the leave is permitted under N.J.S.A. 34:11D-3.a.(3) and C.1.c. above because of domestic or sexual violence, any of the following shall be considered reasonable documentation of the domestic or sexual violence: medical documentation; a law enforcement agency record or report; a court order; documentation that the perpetrator of the domestic or sexual violence has been convicted of a domestic or sexual violence offense; certification from a certified Domestic Violence Specialist or a representative of a designated domestic violence agency or other victim services organization; or other documentation or certification provided by a social worker, counselor, member of the clergy, shelter worker, health care professional, attorney, or other professional who has assisted the employee or family member in dealing with the domestic or sexual violence.
- e. If the leave is permitted under N.J.S.A. 34:11D-3.a.(4) and C.1.d. above, a copy of the order of the public official or the determination by the health authority shall be considered reasonable documentation.

ADMINISTRATION  
R 1642/page 8 of 14  
Earned Sick Leave Law

- f. If the leave is permitted under N.J.S.A. 34:11D-3.a.(5) and C.1.e. above, tangible proof of the reasons outlined in



# REGULATION GUIDE

N.J.S.A. 34:11D-3.a.(5) and C.1.e. above shall be considered reasonable documentation.

3. Nothing in the Act shall be deemed to require the employer to provide earned sick leave for an employee's leave for purposes other than those identified in N.J.S.A. 34:11D-3, or prohibit the employer from taking disciplinary action against an employee who uses earned sick leave for purposes other than those identified in N.J.S.A. 34:11D-3.

## **Option – Must Select One Option Below**

4. The employer will not pay an employee for unused earned sick leave at the end of the benefit year pursuant to N.J.S.A. 34:11D-3.c.

ADMINISTRATION  
R 1642/page 9 of 14  
Earned Sick Leave Law

5. If the employer provides an employee with the full complement of earned sick leave for a benefit year on the first day of each benefit year as indicated in B.2. above, then the employer shall permit the employee to carry forward any unused sick leave to the next benefit year.
6. Unless the employer's policy or a collective bargaining agreement provides for the payment of accrued earned sick leave upon termination, resignation, retirement, or other separation from employment, an employee shall not be entitled under N.J.S.A. 34:11D-3 to payment of unused earned sick leave upon the separation from employment.

ADMINISTRATION  
R 1642/page 10 of 14  
Earned Sick Leave Law



# REGULATION GUIDE

7. Any information the employer possesses regarding the health of an employee or any family member of the employee or domestic or sexual violence affecting an employee or employee's family member shall be treated as confidential and not disclosed except to the affected employee or with the written permission of the affected employee.

## D. Retaliation, Discrimination Prohibited – N.J.S.A. 34:11D-4

1. No employer shall take retaliatory personnel action or discriminate against an employee who accrues sick leave under the Act because the employee requests or uses earned sick leave either in accordance with the Act or the employer's own earned sick leave policy for employees covered under the Act. Any complaints alleging a violation of the Act shall be filed in accordance with the provisions of N.J.S.A. 34:11D-4.
  - a. The employer shall not count earned sick leave taken under the Act as an absence that may result in the employee being subject to discipline, discharge, demotion, suspension, a loss or reduction of pay, or any other adverse action.
2. There shall be a rebuttable presumption of an unlawful retaliatory personnel action under N.J.S.A. 34:11D-4 whenever the employer takes adverse action against an employee within ninety days of when that employee:
  - a. Files a complaint with the Department or a court alleging a violation of any provision of N.J.S.A. 34:11D-4;
  - b. Informs any person about the employer's alleged violation of N.J.S.A. 34:11D-4;
  - c. Cooperates with the Department or other persons in the investigation or prosecution of any alleged violation of N.J.S.A. 34:11D-4;
  - d. Opposes any policy, practice, or act that is unlawful under N.J.S.A. 34:11D-4; or
  - e. Informs any person of his or her rights under N.J.S.A. 34:11D-4.

ADMINISTRATION  
R 1642/page 11 of 14  
Earned Sick Leave Law



# REGULATION GUIDE

3. Protections of N.J.S.A. 34:11D-4 shall apply to any person who mistakenly but in good faith alleges violations of the Act.
4. Any violator of the provisions of N.J.S.A. 34:11D-4 shall be subject to relevant penalties and remedies provided by the "New Jersey State Wage and Hour Law," N.J.S.A. 34:11-56a et seq., including the penalties and remedies provided by N.J.S.A. 34:11-56a24, and relevant penalties and remedies provided by N.J.S.A. 2C:40A-2, for discharge or other discrimination.

## E. Violations; Remedies, Penalties, Other Measures – N.J.S.A. 34:11D-5

1. Any failure of the employer to make available or pay earned sick leave as required by the Act, or any other violation of the Act, shall be regarded as a failure to meet the wage payment requirements of the "New Jersey State Wage and Hour Law," N.J.S.A. 34:11-56a et seq., or other violation of the New Jersey State Wage and Hour Law, as the case may be, and remedies, penalties, and other measures provided by the New Jersey State Wage and Hour Law, N.J.S.A. 34:11-58, and N.J.S.A. 2C:40A-2 for failure to pay wages or other violations of the New Jersey State Wage and Hour Law shall be applicable, including, but not limited to, penalties provided pursuant to N.J.S.A. 34:11-56a22 and 34:11-56a24, and civil actions by employees pursuant to N.J.S.A. 34:11-56a25, except that an award to an employee in a civil act shall include, in addition to the amount provided pursuant to N.J.S.A. 34:11-56a25, any actual damages suffered by the employee as the result of the violation plus an equal amount of liquidated damages.

## F. Retention of Records, Access – N.J.S.A. 34:11D-6

1. The employer shall retain records documenting hours worked by employees and earned sick leave accrued/advanced, used, paid, and paid out and carried over by/to employees, for a period of five years, and shall, upon demand, allow the Department access to those records to monitor compliance with the requirements of the Act.

ADMINISTRATION  
R 1642/page 12 of 14  
Earned Sick Leave Law



# REGULATION GUIDE

- a. If an employee makes a claim the employer has failed to provide earned sick leave required by the Act and the employer has not maintained or retained adequate records documenting hours worked by the employee and earned sick leave taken by the employee or does not allow the Department access to the records, it shall be presumed the employer has failed to provide the earned sick leave, absent clear and convincing evidence otherwise.
2. In addition, the penalties provided by the "New Jersey State Wage and Hour Law," N.J.S.A. 34:11-56a et seq. for violations of the requirements of the New Jersey State Wage and Hour Law regarding the maintaining and disclosure of records shall apply to violations of the requirements of N.J.S.A. 34:11D-6.

## G. Notification to Employees – N.J.S.A. 34:11D-7

1. The employer shall provide notification, in a form issued by the Commissioner, to employees of their rights under the Act, including the amount of earned sick leave to which they are entitled and the terms of its use and remedies provided by the Act to employees if the employer fails to provide the required benefits or retaliates against employees exercising their rights under the Act.
  - a. The employer shall conspicuously post the notification in a place or places accessible to all employees in each of the employer's workplaces.
  - b. The employer shall also provide each employee with a written copy of the notification: not later than thirty days after the form of the notification is issued; at the time of the employee's hiring, if the employee is hired after the issuance; and at any time, when first requested by the employee.
  - c. The Commissioner shall make the notifications available in English, Spanish, and any other language that the Commissioner determines is the first language of a

ADMINISTRATION  
R 1642/page 13 of 14  
Earned Sick Leave Law



# REGULATION GUIDE

significant number of workers in the State and the employer shall use the notification in English, Spanish, or any other language for which the Commissioner has provided notifications and which is the first language of a majority of the employer's workforce.

## H. Provisions Preemptive; Construction of Act -- N.J.S.A. 34:11D-8

1. No provision of the Act, or any regulations promulgated to implement or enforce the Act, shall be construed as:
  - a. Requiring the employer to reduce, or justifying the employer in reducing, rights or benefits provided by the employer pursuant to the employer's policy or a collective bargaining agreement which are more favorable to employees than those required by the Act or which provide rights or benefits to employees not covered by the Act;
  - b. Preventing or prohibiting the employer from agreeing, through a collective bargaining agreement or employer policy, to provide rights or benefits which are more favorable to employees than those required by the Act or to provide rights or benefits to employees not covered by the Act;
  - c. Prohibiting the employer from establishing a policy whereby an employee may donate unused accrued earned sick leave to another employee or other employees; or
  - d. Superseding any law providing collective bargaining rights for employees, or in any way reducing, diminishing, or adversely affecting those collective bargaining rights, or in any way reducing, diminishing, or affecting the obligations of the employer under those laws.
2. Employees or employee representatives may waive the rights or benefits provided under the Act during the negotiation of a collective bargaining agreement.

ADMINISTRATION  
R 1642/page 14 of 14  
Earned Sick Leave Law



# REGULATION GUIDE

3. With respect to employees covered by a collective bargaining agreement in effect on October 29, 2018, no provision of the Act shall apply until the stated expiration of the collective bargaining agreement.

## I. Severability – N.J.S.A. 34:11D-9

1. The provisions of the Act shall be deemed to be severable and if any section, subsection, paragraph, sentence or other part of the Act is declared to be unconstitutional, or the applicability thereof to any person is held invalid, the remainder of the Act shall not thereby be deemed to be unconstitutional or invalid.

Adopted:



# REGULATION

## HOPATCONG BOARD OF EDUCATION

TEACHING STAFF MEMBERS

R 3218/page 1 of 7

Use, Possession, or Distribution of Substances Abuse

Aug 19

M

[See POLICY ALERT Nos. 125, 133, 205 and 218]

### R 3218 USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES ABUSE

#### 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.
21. "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.
32. "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.
43. "Substance test" means a test conducted by a State-licensed ~~clinical~~ laboratory using accepted substance use practices, accepted chain of custody procedures, and testing methodology recommended by the laboratory instrument's manufacturer.
54. "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.



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### TEACHING STAFF MEMBERS

R 3218/page 1 of 7

Use, Possession, or Distribution of Substances Abuse

Aug 19

M

- B. Procedures to be Followed When a Teaching Staff Member has Unlawfully Possessed or has been Involved 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 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.



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### TEACHING STAFF MEMBERS

R 3218/page 1 of 7

### Use, Possession, or Distribution of Substances Abuse

Aug 19

M

#### 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;
      - (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 a physician. The medical examination shall include a substance test administered by the physician or a State licensed laboratory.



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### TEACHING STAFF MEMBERS

R 3218/page 1 of 7

#### Use, Possession, or Distribution of Substances Abuse

Aug 19

M

- 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 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 physician or designee any prescription medicine, over-the-counter medicine or supplements, or any other reason why the teaching staff member's test results may be positive.
  - h. **Refusal by a A teaching 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 3218 and this Regulation will be deemed as a positive test result test for substances.**
2. The **results of 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 **confirmation** ~~confirming~~ test using acceptable confirmation test procedures.
- a. **Any specimen determined by the physician or Board-State licensed laboratory to have been adulterated by the teaching staff member will be deemed a positive test result for substances.**
3. ~~The physician shall receive the results of the substance test shall be provided to the Superintendent and 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 teaching staff member as soon as the test results are available. The~~



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### TEACHING STAFF MEMBERS

R 3218/page 1 of 7

Use, Possession, or Distribution of Substances Abuse

Aug 19

M

Superintendent shall provide the teaching staff member with these results.

- a. **In the event the results of the medical examination and substance test are not provided to the Superintendent, it will be deemed a positive test result for substances.**
4. If the 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 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 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 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 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 physician **and Superintendent.**
    - (1) The physician will schedule and coordinate the **confirmation** ~~confirming~~ test procedures, including the acceptable time period for the **confirmation** ~~confirming~~ test to be conducted based on the existing test results, and the time in which a



# REGULATION

## HOPATCONG BOARD OF EDUCATION

TEACHING STAFF MEMBERS

R 3218/page 1 of 7

Use, Possession, or Distribution of Substances Abuse

Aug 19

M

~~confirmation confirming~~ test result would be valid.  
**This confirmation test shall be paid for by the teaching staff member.**

- (2) The ~~confirmation confirming-substance~~ test results must be provided to the **Board physician and Superintendent** within the time period required by the physician.
  - (3) Any ~~confirmation confirming~~ test results provided to the physician **and Superintendent** not within the time period required by the physician shall not be accepted and the teaching staff member shall be determined to have waived their right to a have **the results of a confirmation confirming-substance** test considered-by-the-physician.
- c. After completing the requirements in 5. a. and b. above, the 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 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 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 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 physician makes a final determination the teaching staff member was under the influence



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### TEACHING STAFF MEMBERS

R 3218/page 1 of 7

#### Use, Possession, or Distribution of Substances Abuse

Aug 19

M

during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the 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.

#### DE. 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 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 physician's determination.
3. A teaching staff member ~~who has been~~ determined to be ~~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 termination** ~~of a non-tenured teaching staff member;; and/or~~
  - c. ~~the F~~iling of tenure charges for a tenured teaching staff member.

Issued: 26 September 1996

Revised: March 2015

1<sup>st</sup> Reading: 27 April 2015

2<sup>nd</sup> Reading & Adoption: 18 May 2015



# REGULATION

## HOPATCONG BOARD OF EDUCATION

SUPPORT STAFF MEMBERS

R 4218/page 1 of 7

Use, Possession, or Distribution of Substances Abuse

Aug 19

M

[See POLICY ALERT Nos. 125, 133, 205 and 218]

### R 4218 USE, POSSESSION, OR DISTRIBUTION OF SUBSTANCES ABUSE

#### 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.
21. **"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.
32. **"Substance test"** means a test conducted by a State-licensed clinical laboratory using accepted substance use practices, accepted chain of custody procedures, and testing methodology recommended by the laboratory instrument's manufacturer.
43. **"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.**
54. **"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.



# REGULATION

## HOPATCONG BOARD OF EDUCATION

SUPPORT STAFF MEMBERS

R 4218/page 1 of 7

Use, Possession, or Distribution of Substances Abuse

Aug 19

M

**B. Procedures to be Followed When a Support Staff Member has Unlawfully Possessed or has been Involved 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 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.



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### SUPPORT STAFF MEMBERS

R 4218/page 1 of 7

Use, Possession, or Distribution of Substances Abuse

Aug 19

M

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

1. The following procedures shall be used when a support staff member is suspected of being under the influence of a substance during work hours **or at a school-sponsored function where the support staff member has been assigned job responsibilities.**
  - a. The support staff member's supervisor, upon receiving a report or information a support staff member may be under the influence of a substance during work hours **or at a school-sponsored function where the support staff member has been assigned job responsibilities** will:
    - (1) Immediately notify the Superintendent 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 to include a substance test administered by the Board physician or a State licensed laboratory.**



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### SUPPORT STAFF MEMBERS

R 4218/page 1 of 7

#### Use, Possession, or Distribution of Substances Abuse

Aug 19

M

- 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 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 or and tested, disclose to the physician or designee any prescription medicine, over-the-counter medicine or supplements, or any other reason why the support staff member's test results may be positive.
  - h. **Refusal by a 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 physician to determine if the support staff member is under the influence of any substance as defined in Policy 4218 and this Regulation. The substance test procedures will provide for a **confirmation** confirming test using acceptable confirmation test procedures.
- a. **Any specimen determined by the 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 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~~



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### SUPPORT STAFF MEMBERS

R 4218/page 1 of 7

Use, Possession, or Distribution of Substances Abuse

Aug 19

M

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 position. Any records or documentation related to the incident shall not be included in the support staff member's personnel file.~~
5. If the physician determines, based upon the medical examination and the results of the substance test, that the support staff member was under the influence of a substance during work hours **or at a school-sponsored function where the support staff member was assigned job responsibilities**, the 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 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 physician **and Superintendent**.
    - (1) The physician will schedule and coordinate the **confirmation** ~~confirming~~ test procedures, including the acceptable time period for the **confirmation** ~~confirming~~ test to be conducted based on the existing test results, and the time in which a **confirmation** ~~confirming~~ test result would be valid.



# REGULATION

## HOPATCONG BOARD OF EDUCATION

SUPPORT STAFF MEMBERS

R 4218/page 1 of 7

Use, Possession, or Distribution of Substances Abuse

Aug 19

M

**This confirmation test shall be paid for by the support staff member.**

- (2) The **confirmation** ~~confirming substance~~ test results must be provided to the physician **and Superintendent** within the time period required by the physician.
  - (3) Any **confirmation** ~~confirming~~ test results provided to the physician **and Superintendent** not within the time period required by the physician shall not be accepted and the support staff member shall be determined to have waived their right to **have the results of a confirmation** ~~confirming substance~~ test considered ~~by the physician~~.
- c. After completing the requirements in 5. a. and b. above, the 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 physician makes a final determination the support staff member was not under the influence during work hours **or at a school-sponsored function where the support staff member was assigned job responsibilities**, the 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 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.~~



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### SUPPORT STAFF MEMBERS

R 4218/page 1 of 7

#### Use, Possession, or Distribution of Substances Abuse

Aug 19

M

- (2) If the 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 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.~~

#### DC. 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 physician 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** 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 physician's determination.
3. A support staff member ~~who has been~~ determined to ~~be have been~~ 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 termination of a non-tenured support staff member; and/or**
  - c. ~~the F~~iling of tenure charges for a tenured support staff member.



# REGULATION

HOPATCONG  
**BOARD OF EDUCATION**

SUPPORT STAFF MEMBERS

R 4218/page 1 of 7

**Use, Possession, or Distribution of Substances Abuse**

Aug 19

**M**

Issued: 26 September 1996

Revised: March 2015

1<sup>st</sup> Reading: 27 April 2015

2<sup>nd</sup> Reading & Adoption: 18 May 2015



# REGULATION

## HOPATCONG BOARD OF EDUCATION

FINANCES

R 6112/Page 1 of 6

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

[See POLICY ALERT Nos. 190 and 218]

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

##### 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



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### FINANCES

R 6112/Page 2 of 6

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

accountable to the State of New Jersey, Department of Education for the use of funds provided.

#### B. Procedures

##### 1. Functionality

- 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 **ESSA NCLB** 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 ~~last day~~ **seventh** of the **following** month, following the monthly Board meeting. The school district may request reimbursement **since the school**



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### FINANCES

R 6112/Page 3 of 6

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

**district will make payment within three business days of receipt of funds.**

- (3) The school district makes salary payments on the 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 last day of the following month **because the school district will make payroll expenditure within three business days of receiving the funds.** The school district may not request reimbursement in anticipation of subsequent pay dates, **that is, those occurring more than three business days after receiving 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 funds during the calendar month in which reimbursement is requested.** **If payment to the provider is made at the end of the month; however, the school district must request reimbursement during the month following payment.**
- (5) The school district is responsible for reimbursing the State of New Jersey for pension and social security payments made on behalf of employees paid with Federal funds. For members of the Teachers' Pension and Annuity Fund (TPAF), school districts shall reimburse the State no later than **November October 1.** 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



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### FINANCES

R 6112/Page 4 of 6

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

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.
- 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.



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### FINANCES

R 6112/Page 5 of 6

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

#### 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."
2. Expenditures must be supported by documentation at the school district level. This documentation should not be submitted to the NJDOE with a reimbursement request. The Superintendent of Schools or designee is responsible to maintain supporting documentation for seven years and for making it available to the NJDOE, the United States Department of Education, and/or their authorized representatives upon request.
3. Documentation for salary expenditures is subject to the requirements of the **Federal Uniform Grant Guidance** applicable ~~Federal Office of Management and Budget Circular: A-21, "Cost Principles for Educational Institutions," A-87, "Cost Principles for~~



# REGULATION

## HOPATCONG BOARD OF EDUCATION

### FINANCES

R 6112/Page 6 of 6

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

~~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.**

Issued: 28 February 2011



# REGULATION

## HOPATCONG BOARD OF EDUCATION

PROPERTY  
R 7440/Page 1 of 7  
SCHOOL SECURITY

[See POLICY ALERT Nos. 96, 214, 217 and 218]

### R 7440 SCHOOL 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 school district or community provider and structures that support these buildings, such as school district 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.



# REGULATION

## HOPATCONG BOARD OF EDUCATION

PROPERTY  
R. 7440/Page 2 of 7  
SCHOOL SECURITY

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.



# REGULATION

## HOPATCONG BOARD OF EDUCATION

PROPERTY  
R 7440/Page 3 of 7  
SCHOOL SECURITY

### 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.



# REGULATION

## HOPATCONG BOARD OF EDUCATION

PROPERTY  
R 7440/Page 4 of 7  
SCHOOL SECURITY

**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.

**ED. 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.



# REGULATION

## HOPATCONG BOARD OF EDUCATION

PROPERTY  
R 7440/Page 5 of 7  
SCHOOL SECURITY

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.



# REGULATION

## HOPATCONG BOARD OF EDUCATION

PROPERTY  
R. 7440/Page 6 of 7  
SCHOOL SECURITY

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.

### FE. School Safety Specialist

1. The Superintendent of Schools shall designate a school administrator, or a school employee with expertise in school safety and security, 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;



# REGULATION

## HOPATCONG BOARD OF EDUCATION

PROPERTY  
R 7440/Page 7 of 7  
SCHOOL SECURITY

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

2. **Anytime** ~~A call to 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.~~

Issued: 20 November 1992  
Revised: 18 November 2013  
Revised: 18 March 2019

