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**The Somerset Hills School District**  
**Regular Meeting Agenda - October 30, 2019**  
**Board Goal Setting 5:00 P.M.**  
**Executive Session - 6:30 P.M.**  
**Public Input & Action - 7:30 P.M.**  
**Bernards High School Community Room**

**I. Call to Order**

Welcome to a meeting of the Board of Education of Somerset Hills. Please be advised that this and all meetings of the Board are open to the public and media, consistent with the Open Public Meetings Act: (Chapter 231 Laws of 1975), and that advance notice required therein has been provided. Board goal setting shall take place in the first section of the meeting of the Board of Education of Somerset Hills.

**II. Roll Call**

**III. Board Goal Setting**

Gwen Thornton of New Jersey School Boards Association will facilitate.

**IV. Public Questions & Comments**

**V. Executive Session**

WHEREAS the "Open Public Meetings Act:" (Chapter 231 Laws of 1975) authorizes a public body to exclude the public from that portion of a meeting at which specified topics are to be discussed under circumstances where the public consideration of such topics will clearly endanger the public, or where the personal privacy or guaranteed rights of individuals whose activities or affairs are to be discussed would be clearly in danger of unwarranted invasions, and

WHEREAS the matters about to be presented for discussion clearly meet the "circumstances" test of such Act:

RESOLVED that the Board of Education of Somerset Hills now adjourns its public session to reconvene in Executive Session for the purpose of discussing the following: Personnel, Student Matters, Contracts, Negotiations and Litigation.

And, be it further,

RESOLVED that the discussion in Executive Session be disclosed when the Board's consideration of the subject matter has been closed, or that such matter does not adversely affect the rights of prospective, current, or past public officers, or personnel of the Board, unless such individuals have in writing requested the disclosures of such discussion at a public meeting and provided such a public disclosure will no longer clearly endanger the public interest.

**VI. Return to Public Session.**

**Call to Order & Welcome**

Welcome to a meeting of the Board of Education of Somerset Hills. Please be advised that this and all meetings of the Board are open to the public and media, consistent with the Open Public Meetings Act: (Chapter 231 Laws of 1975), and that advance notice required therein has been provided. This is a meeting of the Board of Education of Somerset Hills at which formal action may be taken. The public will have an opportunity to be heard.

**VII. Pledge of Allegiance****VIII. Roll Call****IX. Correspondence****X. Report of the Superintendent**

1. Student Representatives' Reports
2. Student/Staff Recognition
  - a. National Merit Commended and Semifinalist Students
3. Presentation
  - a. Bernards High School Principal Dr. Scott Neigel will present *Rotate and Drop* Schedule

**XI. Public Questions & Comments for Actionable Agenda Items**

We very much welcome input from the public. Public comments are welcome at this time on any agenda item. Towards the end of the meeting there is a second public forum on any topic. Please state your name and address. Comments are limited to three minutes, but an individual may speak a second time after all others who wish to speak on the topic have been heard. Please understand that our public forums are not structured as question and answer sessions, but are offered as opportunities to share your thoughts with the Board. In instances where the Board feels that there is a misunderstanding or inaccuracy, the Board President or Superintendent may address the comment. In accordance with New Jersey Statute, the Board will not discuss matters regarding specific personnel. Public Questions and Comments will be limited to 30 minutes. Thank you for your input.

**XII. Approval of Minutes\***1. Approval of Minutes

Resolved, that the Somerset Hills Board of Education approve the Public Input & Action and Executive meeting minutes for September 25, 2019.

**FINANCE, FACILITIES & OPERATIONS**

Committee Report & Discussion:

**XIII. FINANCE**

Action Items:

1. Board Secretary & Treasurer Reports & Board Certification\*

WHEREAS, the Board Secretary has received the Reports of the Secretary and Treasurer for the month of September 2019 showing the following balances:

<b>FUND</b>	<b>Board Secretary Cash Balance (1)</b>	<b>Treasurer Cash Balance (2)</b>
(10) General Fund	\$7,721,329.04	\$7,721,329.04
(20) Special Revenue Fund	\$ 299,582.12	\$ 299,582.12
(30) Capital Projects Fund	\$ 890,095.43	\$ 890,095.43
(40)Debt Service Fund	\$ 46,961.49	\$ 46,961.49
Total Government Funds	\$8,957,968.08	\$8,957,968.08

(1) From Secretary's Report (2) From Treasurer's Report

WHEREAS in compliance with N.J.A.C.6A: 23-2.1(c)3 the secretary has certified that, as of the date of the report(s), no budgetary line item account has encumbrances and expenditures which in total exceed the amount appropriated by the district board of education, now, therefore, be it

RESOLVED, the Board of Education accepts the above referenced report and certifications and orders that they be attached to and made part of the record of this meeting, and be it FURTHER RESOLVED, in compliance with N.J.A.C.6A: 23-3.11(c) 4, the Board of Education certifies that, after review of the secretary's monthly financial reports (appropriation section) and upon consultation with the appropriate district officials, to the best of its knowledge, no major account or fund has been overexpended in violation of N.J.A.C.6A: 23-2.11(b), and that sufficient funds are available to meet the district's financial obligations for the remainder of the year.

2. Approve 2019-2020 Budget Transfers\*

Resolved that the Somerset Hills Board of Education approves the attached list of budget transfers for September 2019.

3. Payment of Bills\*

WHEREAS, the Board Secretary has presented attached September check registers with the recommendation that the checks be paid, and Now, therefore, be it Resolved, that the following bills be paid and an itemized list be filed with the minutes of this meeting:

FUND	
(10) General Fund	\$3,012,745.54
(20) Special Revenue Fund	\$ 3,098.58
(30) Capital Projects Fund	-
(40) Debt Service Fund	\$ 826,010.00
(60) Cafeteria Fund	-
(90) Agency Fund	\$1,053,698.25
<b>TOTAL</b>	<b>\$4,895,552.37</b>

4. Payment of Bills\*

WHEREAS, the Board Secretary has presented attached October check registers with the recommendation that the checks be paid, and Now, therefore, be it Resolved, that the following bills be paid and an itemized list be filed with the minutes of this meeting:

FUND	
(10) General Fund	\$1,972,466.02
(20) Special Revenue Fund	\$ 179,540.79
(30) Capital Projects Fund	-
(40) Debt Service Fund	-
(60) Cafeteria Fund	-
(90) Agency Fund	\$ 396,259.99
<b>TOTAL</b>	<b>\$2,548,266.80</b>

5 Approve Parent Organization Fundraiser\*

Resolved, that the Somerset Hills Board of Education approve the following parent organization fundraisers for the 2019-2020 school year:

	Organization	School	Event	Date
a	Bernards Baseball	BHS	Bagging for customers at ShopRite-Bernardsville	Jan/Feb 2020
b	Bernards Baseball	BHS	Canning outside Kings Supermarket	Jan/Feb 2020
c	Bernards Baseball	BHS	Claremont Tavern Burgers & Beverages	Feb 2020
d	Bernards Baseball	BHS	Tricky Tray/Raffles	Winter 2020
e	Bernards Baseball	BHS	Chipotle percentage for sales for day	March 2020

f	Senior Class	BHS	Car Magnet sale	School year
g	Senior Class	BHS	Dine to Donate @ Nicoletta Pizza	12/2/19
h	PAC Parents	BHS	Shopping at Bling & Rebecca Collection	10/24/19
i	PAC Parents	BHS	Concessions, clothing, DVD, candy & flowergrams	Nov. 22-24
j	Football Booster Club	BHS	Percentage of sales from Jersey Mike's	Nov 6-10

6. Approve Parent Organization Fundraiser

Resolved, that the Somerset Hills Board of Education approve the following parent organization fundraisers for the 2019-2020 school year:

	Organization	School	Event	Date
a	HSA	BES	Harlem Wizards game	3-30-20

7. Amend Contract for Special Law Enforcement Officers Services\*

Resolved, that the Somerset Hills Board of Education approve the contract with the Bernardsville Police Department for Special Law Enforcement Officer Services at a cost of \$45,354.33 for the time period of September through December 2019. This is an increase of \$3,000 as a result of increasing hourly rate for Special Law Enforcement Officers to \$30/hour from \$27.50/hour.

8. Approve Revision to State Aid for Non-Public Schools

Resolved, that the Somerset Hills Board of Education approve the return of Non-Public funds following revision to state aid for non-public school:

	The Cottage School **
Nursing Service Aid	\$ 970.00
Security Aid	\$ 1500.00
Technology Aid	\$ 360.00
Textbook Aid	\$ 527.00

\*\* The Cottage School students moved out of district.

9. Approve 2019-20 Non-Public Security Aid

Resolved, that the Somerset Hills Board of Education approve the use of funds for Non-Public Security Aid for the following school:

Far Hills Country Day	Security Aid	Security Services from approved security vendor	\$5,640.00
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#### XIV. FACILITIES & OPERATIONS

Action Items:

1. Approve Comprehensive Maintenance Plan\*

Resolved, that the Somerset Hills Board of Education approve the 2020-2021 Comprehensive Maintenance Plan.

2. Approve Annual Maintenance Budget Worksheet\*

Resolved, that the Somerset Hills Board of Education approve the annual Maintenance Budget Worksheet (M-1) calculation of \$125,023.

3. Annual Report of Violence and Vandalism: 2018-2019 (Period 2)\*

Pursuant to N.J.S.A. 18A:17-26, 19 unduplicated acts of violence and vandalism were reported to the NJ Department of Education Electronic Student Safety Data System (SSDS) during period 2 (January 1 - June 30, 2019).

**XV. CURRICULUM**

A. Committee Report &amp; Discussion:

B. Action Items:

1. Approve Field Trips\*

Resolved, that the Somerset Hills Board of Education approve the following field trips:

	School	Trip	# of Students	# of Faculty	# of Chaperones
a	BHS	Physics Classes: Six Flags Great Adventure - Jackson, NJ	200	5	10
b	BHS	AP Physics: Monmouth Reg. H.S - Monmouth, NJ	24	1	1
c	BHS	Comparative World Religions Classes: Sri Venkateswara Community Center - Bridgewater, NJ	25	2	2
d	BHS	Comparative World Religions Classes: Garden State Sikh Association - Basking Ridge, NJ	25	3	0
e	BHS	Comparative World Religions Classes: Mallinckrodt Convent - Mendham, NJ	25	3	0
f	BHS	AP Physics: Rutgers - New Brunswick, NJ	23	1	1
g	BHS	Madrigals: St. Bernards - Bernardsville, NJ	25	1	1
h	BHS	Madrigals: Morristown Presbyterian Church - Morristown, NJ	25	1	1
i	BHS	AP European History: Rutgers - New Brunswick, NJ	13	2	0
j	BHS	Journalism and Yearbook: Columbia University - New York, NY	14	2	1
k	BHS	SIP Students: RVCC - Branchburg, NJ	10	1	0
l	BHS	Softball Team: ESPN - Orlando, FL	25	2	0
m	BHS	Model UN Club: Franklin H.S. - Somerset, NJ	8	1	0
n	BHS	Youth College Readiness: Montclair State - Montclair, NJ	10	1	0

2. Approve Field Trips

Resolved, that the Somerset Hills Board of Education approve the following field trips:

	School	Trip	# of Students	# of Faculty	# of Chaperones
a	BMS	8th Grade Science Classes: Mine Brook - Bernardsville, NJ	24 per trip	2 per trip	1-2 per trip
b	BMS	Student Council (6&7): Brooklawn Middle School - Parsippany, NJ	10	1	0
c	BMS	Eighth Graders: RVCC - Branchburg, NJ	29	2	0
d	BMS	Forensics Club: Montville H.S. - Montville, NJ	15	1	0

3. Approve Professional Development\*

Resolved, that the Somerset Hills Board of Education approve the following professional development:

	School	Name	Workshop/Conference	Date	Est. Cost
a	BHS	Gray, Paula	AP Calculus Roundtable - BHS Media Center	11/06/19	0
b	BHS	Falletta, LuAnn	AP Calculus Roundtable - BHS Media Center	11/06/19	0
c	District	Butler, Coleen	New Superintendent's Academy - Lawrenceville, NJ (12/18, 2/20, 2/26, 3/18, 5/7)	Various	\$1,750
d	BHS	Neigel, Scott	NJASA Techspo '20 - Atlantic City, NJ	1/30 - 1/31	\$767.40
e	BHS	Drew, Lisa	Vaping Me Crazy - Somerville, NJ	11/21	0
f	BHS	Drew, Lisa	Intro to Whole Being Happiness - Self Directed	On-Line	\$395
g	BHS	Bracero, Jeannette	ACTFL - Annual Convention and World Language Expo - Washington, D.C.	11/22	\$747
h	BHS	Violillo, Maddalena	ACTFL - Annual Convention and World Language Expo - Washington, D.C.	11/22	\$632
i	BHS	LaPine, Matthew	Open Ears...Open Hearts - Rochester, NY	3 /4 - 3/7	\$552.85
j	BHS	Hunkele, Heather	Columbia Fall Conference - New York, NY	11/4	\$50
k	BHS	O'Brien, Janice	Columbia Fall Conference - New York, NY	11/4	\$50
l	District	Hoppe, Mike	NJILL and Big Central FB Conference Meetings - Various	10/25, 11/1, 1/3, 6/5	0
m	BHS	Babicke, Dennis	AP Art and Design Training - Albany, NY	11/15	\$394.27
n	District	Vaught, Teresa	McKinney Vento Training - Somerville, NJ	11/15	0
o	BHS	Hoppe, Mike	NIAAA LTC 510 - Transgender Athletes - online.	various	\$125
p	District	Neigel, Scott	Somerset County Principals Association Meetings - Various, NJ (10/24, 11/21, 12/12, 1/16, 2/20, 3/19, 4/23, 5/21)	various	0
q	District	Dempsey, Gretchen	Gifted Education Conference - New Brunswick, NJ	11/22	\$199
r	BHS	Stolarz, Lizabeth	School Counselor Appreciation Day - Newark, NJ	12/13	\$14.26
s	BHS	Vassil, Cheryl	AATF NJ Fall Workshop- Summit, NJ	11/2	\$46.55
t	BHS	Miranda, Jennifer	Leading a School of Social-Emotional Competence & Character - Morristown, NJ	11/13	0
u	BHS	Miranda, Jennifer	The Need for Coping Skills in an Age of Anxiety - Sparta, NJ	11/5	0
v	BHS	Hogge, Jay	NJ Council for History Education - Princeton, NJ	12/6	\$80
w	BHS	Stolarz, Lizabeth	CASE: Unpacking the Headlines - Morristown, NJ	11/5	0
x	BHS	Drew, Lisa	Don't Get Vaped In - Bridgewater, NJ	11/22	0

4. Approve Professional Development

Resolved, that the Somerset Hills Board of Education approve the following professional development:

	School	Name	Workshop/Conference	Date	Est. Cost
a	BMS	Wild, Deborah	TC-NYC: Intersection of Literacy Essay & Author Studies	11/15/19	\$109.50
b	BMS	McGinn, Jessica	Adaptive PE for Students with Special Needs - New Providence, NJ	1/30/20	\$80
c	BES	Brooten, Darcey	Conquer Mathematics Numbers & Operations - Pompton Plains, NJ	12/10/19	\$160
d	BES	O'Day, Lauren	Conquer Mathematics Numbers & Operations - Pompton Plains, NJ	12/10/19	\$160
e	BMS	Russo, Dawn	TC-NYC: Weaving Drama - Readers Theater Video Response & Student Lead Read Aloud	12/16/19	\$70
f	BMS	Tchorz, Valerie	TC-NYC: Weaving Drama - Readers Theater Video Response & Student Lead Read Aloud	12/16/19	\$70
g	BMS	Rizzuto, Rosemarie	Co-Teaching Strategies for ELL Classrooms - West Orange, NJ	12/18/19	\$279
h	BMS	Szesko, Julie-Ann	Restorative Discipline - Voorhees, NJ	12/3	\$289
i	BMS	McGovern, Courtney	Computer Science Summit - New Brunswick, NJ	11/1	0
j	BES	Phelan, Amy	NJPSA/FEA Legal One Hot Topics in School Law - New Providence, NJ	1/30	0
k	BMS	Furbish, Mary Ellen	Cutting-Edge Strategies for Accelerating Performance in Target - West Orange, NJ	12/3 -12/4	\$479
l	BES	Thurlow, Allen	Denville Makerspace Lakeview School - Denville, NJ	11/1/19	0
m	BMS	Habermas, Chris	School Support Network Leading a School of Social-Emotional Competence - Convent Station, NJ	11/13/2019	0

5. School Self-Assessment/Anti-Bullying Bill of Rights Act 2018-2019\*

Resolved, that the Somerset Hills Board of Education approve the New Jersey Department of Education School Self-Assessment for Determining Grades under the Anti-Bullying Bill of Rights Act for July 1, 2018– June 30, 2019 for the following schools:

- Marion T. Bedwell Elementary School
- Bernardsville Middle School
- Bernards High School

**PERSONNEL AND POLICY**

**XVI. PERSONNEL**

A. Committee Report and Discussion.

1. Accept Resignation\*

Resolved, that the Somerset Hills Board of Education accept the resignation of the following Employee:

	Name	School	Position	Effective
a	Salazar, Aida	District	Custodian	10/30/2019

2. Accept Resignation

Resolved, that the Somerset Hills Board of Education accept the resignation of the following Employee:

	Name	School	Position	Effective
a	Nowicki, Matthew	BMS	Teacher	12/2/2019

3. Approve Family Medical Leave of Absence

Resolved, that the Somerset Hills Board of Education approve the following family medical leave of absence dates for the 2019-2020 school year:

	Name	School	Position	Start Date	End Date
a	Vu, Truc-Lan	BES	Teacher	2/3/20	6/19/20

4. Approve Appointment Paraprofessional\*

Resolved, that the Somerset Hills Board of Education approve the appointment of the following Paraprofessional for the 2019-2020 school year, *subject to further investigation pursuant to law*:

	Name	School	Position	Salary	Effective
a	Zavacki, Susan	BHS	Paraprofessional Special Education - B (Part-Time)	\$16.56/Hr	9/27/2019

5. Approve Appointment Paraprofessional

Resolved, that the Somerset Hills Board of Education approve the appointment of the following Paraprofessional staff for the 2019-2020 school year, *subject to further investigation pursuant to law*:

	Name	School	Position	Salary	Effective
a	Stanzione, Michael	BES	Paraprofessional Special Education - B (Part-time)	\$16.56/Hr	11/6/2019 or sooner
b	Tietz, Fred	BES	Paraprofessional Special Education - B	\$16.56/Hr	10/21/2019
c	Marquez, Leyla	BES	Paraprofessional Special Education - B	\$16.75/Hr	10/17/2019
d	Habibi, Sama	BES	Paraprofessional Special Education - B(1 hour/day)	\$17.35/Hr	10/31/2019

6. Approve Appointment Non - Certified Staff\*

Resolved, that the Somerset Hills Board of Education approve the appointment of the following non - certified staff for the 2019-2020 school year, *subject to further investigation pursuant to law*:

Name	School	Position	Step	Salary	Effective
Pedrick, David	District	Maintenance	11	\$62,750	Pending Clearance
		Stipend-Systems Maintenance		\$16,774	



7. Approve Appointment Certified Staff\*

Resolved, that the Somerset Hills Board of Education approve the appointment of the following certified staff for the 2019-2020 school year, *subject to further investigation pursuant to law*:

Name	School	Position	Level	Step	Salary	Effective
Lehnhoff, Robert	BHS	Teacher	MA	6	\$65,095	10/21/2019 (1 transition day)

8. Approve Substitutes\*

Resolved, that the Somerset Hills Board of Education approve the following substitutes for the 2019-2020 school year, *subject to further investigation pursuant to law*:

	Last	First	Substitute Position	Certification
a	Stefani	LeeAnne	Teacher / Paraprofessional	Substitute Certificate
b	Regan	Megan	Teacher / Paraprofessional	Standard Certificate
c	Barbetta	Patricia	Transportation Para	N/A
d	Ahmadi	Sally	Nurse	RPN

9. Approve Co-Curricular Positions\*

Resolved, that the Somerset Hills Board of Education approve the following co-curricular positions for the 2019-2020 school year:

	Last	First	School	Co Curricular Positions	Stipend
a	LaPine	Matthew	BHS	Musical: Spring Vocal	\$4,000

10. Approve Co-Curricular Positions

Resolved, that the Somerset Hills Board of Education approve the following co-curricular positions for the 2019-2020 school year:

	Last	First	School	Co Curricular Positions	Stipend
a	McGovern	Danielle	BMS	Drama: Fall Assistant	\$1,805

11. Approve SOAR Teachers

Resolved, that the Somerset Hills Board of Education approve the following SOAR teachers for the 2019-2020 school year, to be paid out of ESEA Title I funds:

	Name	Position	Effective	Rate/Hr
a	Grau, Jianna	Teacher	October - June	\$59.11 (Max 3 hours / week)
b	Sheehan, Carolyn	Teacher	October - June	\$59.11 (Max 3 hours / week)

12. Approve Salary Guide Level Advancement\*

Resolved, that the Somerset Hills Board of Education approve salary guide level advancement for the following teacher for the 2019-2020 school year (*retroactive September 1, 2019*):

	Name	School	Current Level/Step	\$ Old Salary	Step	New Level/Step	\$ New Salary
a	Young, Joseph	BHS	BA	\$ 59,810.00	5	MA	\$64,080.00

13. Approve Salary Guide Level Advancement

Resolved, that the Somerset Hills Board of Education approve salary guide level advancement for the following teachers for the 2019-2020 school year (*retroactive September 1, 2019*):

	Name	School	Current Level/Step	\$ Old Salary	Step	New Level/Step	\$ New Salary
a	Paterno, Amy	BES	MA +15	\$89,402.00	17	MA + 30	\$91,543.00
b	Jablonski, Holly	BES	MA +15	\$77,986.00	13	MA + 30	\$80,080.00
c	DeMarco, Monica	BES	MA + 15	\$70,200.00	8	MA + 30	\$72,335.00

14. Approve Observation

Resolved, that the Somerset Hills Board of Education approve the following observation for the 2019-2020 school year:

Student Observer	Program	School	Teacher	Date
Billotti, Julia	Child Development / Temple University	BES	Darcey Brooten	Fall 2019 / 6 hours

15. Approve Internship

Resolved, that the Somerset Hills Board of Education approve the following internship for the 2019-2020 school year:

Intern	Program	Subject/School	Mentor	Date
McGovern, Courtney	The College Of New Jersey	Administration/BMS	Dempsey, Gretchen	September, 2019 – May, 2019 / 150 hours

16. Amend Approval Leave Replacement Teacher\*

Resolved, that the Somerset Hills Board of Education amend the approval the following Leave Replacement Teachers for the 2019-2020 school year, *subject to further investigation pursuant to law*:

	Name	School	Position	Replace	Level	Step	Salary	Effective
a	Resnick, Victoria	BHS	Guidance Counselor (LR)	Dooley	MA	7	\$66,505 prorated	10/21/19-6/30/20 (3 Transition Days)

17. Amend Approval Family Medical Leave\*

Resolved, that the Somerset Hills Board of Education amend the approval the following family medical leave of absence dates for the 2019-2020 school year:

Name	School	Position	Start Date	End Date
Murphy, Theresa	BHS	Teacher	February-3 4, 2020	April 10, 2020

18. Amend Approval Family Medical Leave

Resolved, that the Somerset Hills Board of Education amend the approval the following family

medical leave of absence dates for the 2019-2020 school year:

Name	School	Position	Start Date	End Date
Jablonski, Holly	BES	Teacher	Start of the 2019/2020 school year	First day of the <del>third</del> <b>Fourth</b> marking period / <del>January</del> <b>April 13, 2020</b>

## **XVII. POLICY**

Action Items:

### 1. First Reading\*

Resolved, that the Somerset Hills Board of Education approve the first reading of the following bylaw, policy & regulation:

Policy / Regulation #	Title
P & R 3218	Use, Possession, or Distribution of Substances (M) (Revised)
P & R 4218	Use, Possession, or Distribution of Substances (M) (Revised)

### 2. Second Reading\*

Resolved, that the Somerset Hills Board of Education approve the second reading of the following bylaw, policy & regulation:

Policy / Regulation #	Title
P 3159	Teaching Staff Member/School District Reporting Responsibilities (M) (Revised)
P 4219	Commercial Driver's License Controlled Substance and Alcohol Use Testing (M) (Revised)
P & R 6112	Reimbursement of Federal and Other Grant Expenditures (M) (Revised)
P & R 7440	School District Security (M) (Revised)
R 5530	Substance Abuse (M) (Revised)
P 8630	Bus Driver/Bus Aide Responsibility (M) (Revised)
R 8630	Emergency School Bus Procedures (M) (Revised)
P 8670	Transportation of Special Needs Students (M) (Revised)
P 9400	Media Relations (Revised)

## **XVIII. COMMUNITY RELATIONS**

## **XIX. SUPPLEMENTARY MATTERS**

**XX. PUBLIC QUESTIONS AND COMMENTS****XXI. ADJOURNMENT**

**\*Note: The areas of permitted voting for the Bedminster district representative of the Board of Education are: (a) Tuition to be charged the sending district by the receiving district and the bill lists or contracts for the purchase, operation or maintenance of facilities, equipment and instructional materials to be used in the education of the pupils of the sending district; (b) New capital construction to be utilized by sending district pupils; (c) Appointment, transfer or removal of teaching staff members providing services to pupils of the sending district, including any teaching staff member who is a member of the receiving district's central administrative staff; (d) Addition or deletion of curricular and extracurricular programs involving pupils of the sending district; (e) Any matter directly involving the sending district pupils or programs and services utilized by those pupils; (f) Approval of the annual receiving district budget; (g) Any collectively negotiated agreement involving employees who provide services utilized by sending district pupils; (h) Any individual employee contracts not covered by a collectively negotiated agreement, if those employees provide or oversee programs or services utilized by sending district pupils; and (i) Any matter concerning governance of the receiving district board of education including, but not limited to, the selection of the board president or vice-president, approval of board bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district board of education.**

**(cf: P.L.1996, c.103, s.1)**

**Somerset Hills School District**

**October 30 , 2019**

**ADDENDUM**

**IX. Finance**

5. Approve Additional Parent Organization Fundraiser\*

Resolved, that the Somerset Hills Board of Education approve the following parent Organization fundraiser for the 2019-2020 school year:

	<b>Organization</b>	<b>School</b>	<b>Event</b>	<b>Date</b>
g	Boys Lacrosse	BHS	Canning & selling merchandise outside Kings Supermarket	Nov. 16

7. Approve Joint Transportation Agreements\*

Resolved, that the Somerset Hills Board of Education approve the following joint transportation agreement for the following township for the 2019-2020 school year:

<b>District</b>	<b>Service</b>	<b>Cost</b>
Branchburg Township Board of Education	Transportation to and from Celebrate the Children, Denville NJ -- July 10, 2019-Aug, 9, 2019	\$4270.18
	Transportation to and from Celebrate the Children, Denville NJ -- Sept 1, 2019-June 30, 2020	\$34,161.44

**X. Facilities & Operations**

4. Bus Evacuation Drills

Resolved, that the Somerset Hills Board of Education approves the Bus Evacuation Drills for The 2019-2020 School Year. Reports for drills are on file in the Business Office

<b>School</b>	<b>Date</b>
Bedwell Elementary School	10/7, 10/11, & 10/18

**XI. Curriculum**

2. Approve Additional Field Trips

Resolved, that the Somerset Hills Board of Education approve the following field trips:

e	BMS	Cup Stacking Club: Kintersville, PA	20-40	1	4-5
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**XII. Personnel**

1. Accept Additional Resignation\*

Resolved, that the Somerset Hills Board of Education accept the resignation of the following employees:

	<b>Name</b>	<b>School</b>	<b>Position</b>	<b>Effective</b>
b	Bell, Jerald	District	Custodian	11/21/2019

**Somerset Hills School District**

**October 30 , 2019**

**ADDENDUM**

**5. Approve Additional Appointment Paraprofessional**

Resolved, that the Somerset Hills Board of Education approve the appointment of the following Paraprofessional staff for the 2019-2020 school year, *subject to further investigation pursuant to law:*

	<b>Name</b>	<b>School</b>	<b>Position</b>	<b>Salary</b>	<b>Effective</b>
e	Martin, Roma	BES	Paraprofessional Special Education - B (Part-time)	\$16.56/Hr	Pending Clearance
f	Nigro, Marc	BMS	Paraprofessional Special Education - B (Part-time)	\$16.56/Hr	Pending Clearance
g	Reo, Juliana	BES	Paraprofessional Special Education - B (Part-time)	\$16.56/Hr	Pending Clearance

**6. Approve Additional Appointment Non - Certified Staff\***

Resolved, that the Somerset Hills Board of Education approve the appointment of the following non -certified staff for the 2019-2020 school year, *subject to further investigation pursuant to law:*

	<b>Name</b>	<b>School</b>	<b>Position</b>	<b>Step</b>	<b>Salary</b>	<b>Effective</b>
a	Guarneros, Daisy	BHS	Custodian	1	\$32,095	10/31/2019
b	Jacobs, Dao	BHS	Custodian	1	\$32,095	Pending Clearance

**8. Approve Additional Substitutes\***

Resolved, that the Somerset Hills Board of Education approve the following substitutes for the 2019-2020 school year, *subject to further investigation pursuant to law:*

	<b>Last</b>	<b>First</b>	<b>Substitute Position</b>	<b>Certification</b>
e	Garcia	Paola	Custodian	N/A
f	Forrester	Alissa	Teacher / Paraprofessional	Substitute Certificate
g	Gomez	Melissa	Nurse	RPN
h	Furfaro	Antonina	Teacher / Paraprofessional	Substitute Certificate
i	Cohen	Wade	Teacher / Paraprofessional	CE
j	Personick	Carol	Teacher / Paraprofessional	Substitute Certificate
k	Luciano	Carlos	Teacher / Paraprofessional	Substitute Certificate

**9. Approve Additional Co-Curricular Positions\***

Resolved, that the Somerset Hills Board of Education approve the following co-curricular positions for the 2019-2020 school year, *subject to further investigation pursuant to law:*

	<b>Last</b>	<b>First</b>	<b>School</b>	<b>Co Curricular Positions</b>	<b>Stipend</b>	<b>Effective</b>
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**Somerset Hills School District**

**October 30 , 2019**

**ADDENDUM**

b	Lau	Dawn	BHS	Drama Fall Assistant Director	\$2,000	Pending Clearance
c	Bisconti	Brett	BHS	Basketball: Women's Head	\$9,500	Pending Clearance

10. Approve Additional Co-Curricular Positions

Resolved, that the Somerset Hills Board of Education approve the following co-curricular positions for the 2019-2020 school year:

	<b>Last</b>	<b>First</b>	<b>School</b>	<b>Co Curricular Positions</b>	<b>Stipend</b>
b	Koch	Kevin	BMS	Basketball: Boy's Assistant	\$3,115

11. Approve Volunteer

Resolved, that the Somerset Hills Board of Education approve the following volunteer for the 2019-2020 school year:

<b>Name</b>	<b>School</b>	<b>Volunteer</b>
Terraciano, Vincent	BMS	Cup Stacking Club





# POLICY GUIDE

TEACHING STAFF MEMBERS

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Use, Possession, or Distribution of Substances Abuse

Aug 19

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[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 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



# POLICY GUIDE

TEACHING STAFF MEMBERS

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## Use, Possession, or Distribution of Substances Abuse

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 GUIDE

TEACHING STAFF MEMBERS

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## Use, Possession, or Distribution of Substances Abuse

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.**

TEACHING STAFF MEMBERS

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## Use, Possession, or Distribution of Substances Abuse

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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:



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TEACHING STAFF MEMBERS

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Use, Possession, or Distribution of Substances Abuse

Aug 19

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[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 **Board-approved State licensed clinical** laboratory using accepted substance use practices, accepted chain of custody procedures, and testing methodology recommended by the laboratory instrument’s manufacturer.
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 GUIDE

TEACHING STAFF MEMBERS

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Use, Possession, or Distribution of Substances Abuse

- 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 GUIDE

TEACHING STAFF MEMBERS

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Use, Possession, or Distribution of Substances Abuse

## 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 the Board physician. The medical examination shall include a substance test administered by the Board physician or a Board-approved laboratory.



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TEACHING STAFF MEMBERS

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## Use, Possession, or Distribution of Substances Abuse

- e. The teaching staff member shall be transported to the examination and testing location by means of transportation approved by the Superintendent or designee and shall be accompanied by the Principal or designee.
  - f. The teaching staff member, prior to the medical examination and substance test, will be informed by the **Board** physician or ~~the physician's~~ designee on the type of testing to be completed and the substances that will be tested.
  - g. The teaching staff member may, prior to being examined ~~and~~ tested, disclose to the **Board** physician ~~or~~ **designee** any prescription medicine, over-the-counter medicine or supplements, or any other reason why the teaching staff member's test results may be positive.
  - 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 **Board** physician to determine if the teaching staff member is under the influence of any substance as defined in Policy 3218 and this Regulation. The substance test procedures will provide for a **confirmation** ~~confirming~~ test using acceptable confirmation test procedures.
    - a. **Any specimen determined by the Board physician or Board-approved laboratory to have been adulterated by the teaching staff member will be deemed a positive test result for substances.**
  3. ~~The physician shall receive the results of the substance test~~ **shall be provided to the Superintendent and Board physician** within twenty-four hours of the test being administered ~~or~~ ~~—If the results of the substance test are not available within twenty-four hours, the~~





# REGULATION GUIDE

TEACHING STAFF MEMBERS

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## Use, Possession, or Distribution of Substances Abuse

~~physician shall report the results to the Superintendent and the teaching staff member as soon as the test results are available. The Superintendent shall provide the teaching staff member with these results.~~

- a. **In the event the results of the medical examination and substance test are not provided to the Superintendent, it will be deemed a positive test result for substances.**
4. If the **Board** physician determines, based upon the medical examination and the results of the substance test, that the teaching staff member was not under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, ~~the 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 **Board** physician determines, based upon the medical examination and the results of the substance test, that the teaching staff member was under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the **Board** physician will:
    - a. Discuss the results of the examination and substance test with the teaching staff member and provide the teaching staff member an opportunity to present any medical or other reasons for the **Board** physician's determination.
    - b. Provide the teaching staff member an opportunity to have the substance test results confirmed by a ~~State-licensed clinical~~ laboratory selected by the **teaching** staff member and approved by the **Board** physician **and Superintendent**.



# REGULATION GUIDE

TEACHING STAFF MEMBERS

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## Use, Possession, or Distribution of Substances Abuse

- (1) The **Board** 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. **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 **Board** physician.
  - (3) Any **confirmation** ~~confirming~~ test results provided to the **Board** physician **and Superintendent** not within the time period required by the **Board** physician shall not be accepted and the teaching staff member shall be determined to have waived their right to a have **the results of a confirmation** ~~confirming-substance~~ test considered by the physician.
- c. After completing the requirements in 5. a. and b. above, the **Board** physician shall make a final determination whether the teaching staff member was under the influence of a substance during the work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities.
- (1) If the **Board** physician makes a final determination the teaching staff member was not under the influence during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the **Board** physician will report **a final determination** these results to the Superintendent and the teaching staff member shall return to their position in the school district **unless the Superintendent has a reason the teaching staff member should not be returned to their position.** ~~and~~ Any records or



# REGULATION GUIDE

TEACHING STAFF MEMBERS

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## Use, Possession, or Distribution of Substances Abuse

documentation **regarding a negative medical examination or substance test** ~~related to the incident~~ shall not be included in the teaching staff member's personnel file.

- (2) If the **Board** physician makes a final determination the teaching staff member was under the influence during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the **Board** physician will report a **final determination** ~~these results~~ to the Superintendent of Schools and the teaching staff member will be required to meet with the Superintendent.

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

1. Any teaching staff member ~~who has been~~ determined by the **Board** physician to be under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities shall be required to meet with the Superintendent.
  - a. The teaching staff member may include a staff member or a representative of their choice in this meeting.
2. The Superintendent will provide the teaching staff member an opportunity to respond to the **Board** physician's determination.
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:





# POLICY GUIDE

SUPPORT STAFF MEMBERS

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Use, Possession, or Distribution of Substances Abuse

Aug 19

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[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 GUIDE

## SUPPORT STAFF MEMBERS

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

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

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

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any support staff member who, in the course of their employment, has reason to believe a school staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or



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## SUPPORT STAFF MEMBERS

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

drug paraphernalia, shall report the matter as soon as possible to the Principal, or in the absence of the Principal, to the staff member's **supervisor** responsible at the time of the alleged violation. Either the Principal or the staff member's **supervisor responsible at the time of the alleged violation** shall notify the Superintendent of Schools who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

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

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

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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:







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SUPPORT STAFF MEMBERS

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Use, Possession, or Distribution of Substances Abuse

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[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~~ **Board-approved** 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 GUIDE

SUPPORT STAFF MEMBERS

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

**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.**



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## 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 Board-approved laboratory.**



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- e. The support staff member shall be transported to the examination and testing location by means of transportation approved by the Superintendent or designee and shall be accompanied by the support staff member's supervisor or designee.
  - f. The support staff member, prior to the medical examination and substance test, will be informed by the **Board** physician or ~~the physician's~~ designee on the type of testing to be completed and the substances that will be tested.
  - g. The support staff member may, prior to being examined ~~or~~ and tested, disclose to the **Board** physician ~~or designee~~ any prescription medicine, over-the-counter medicine or supplements, or any other reason why the 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 **Board** physician to determine if the support staff member is under the influence of any substance as defined in Policy 4218 and this Regulation. The substance test procedures will provide for a **confirmation** ~~confirming~~ test using acceptable confirmation test procedures.
    - a. **Any specimen determined by the Board physician or Board-approved laboratory to have been adulterated by the support staff member will be deemed a positive result for substances.**
  3. ~~The physician shall receive the results of the substance test~~ **shall be provided to the Superintendent and Board physician** within twenty-four hours of the test being administered ~~or . If the results of the substance test are not available within twenty-four hours, the physician shall report the results to the Superintendent and the support staff member as soon as the test results are available. The Superintendent shall provide the support staff member with these results.~~



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- 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 **Board** physician determines, based upon the medical examination and the results of the substance test, that the support staff member was under the influence of a substance during work hours **or at a school-sponsored function where the support staff member was assigned job responsibilities**, the **Board** physician will:
    - a. Discuss the results of the examination and substance test with the support staff member and provide the support staff member an opportunity to present any medical or other reasons for the **Board** physician's determination.
    - b. Provide the support staff member an opportunity to have the substance test results confirmed by a ~~State-licensed clinical~~ laboratory selected by the **support** staff member and approved by the **Board** physician **and Superintendent**.
      - (1) The **Board** physician will schedule and coordinate the **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. **This confirmation test shall be paid for by the support staff member.**



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



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- (2) If the **Board** physician makes a final determination the support staff member was under the influence during work hours **or at a school-sponsored function where the support staff member was assigned job responsibilities**, the **Board** physician will report a **final determination** ~~these results~~ to the Superintendent of Schools ~~and the support staff member will be required to meet with the Superintendent.~~

### 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 **Board** 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 **Board** 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.

Issued:



