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**The Somerset Hills School District  
Regular Meeting Agenda - February 23, 2022  
Executive Session - 6:30 P.M.  
Public Input & Action - 7:30 P.M.  
Bernards High School Media Center**

**I. 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 as shown on the Agenda.

**II. Roll Call**

**III. 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.

**IV. Pledge of Allegiance**

**V. Roll Call**

**VI. Report of the Superintendent**

1. *School Law Talks - The Board, Committees, and How They Work* - Board Attorney, Derlys Gutierrez
2. Student Representatives' Report
3. Warren Korecky, CPA firm Suplee, Clooney & Co. - Audit Report
4. Board Recognition - Retirees

- WHEREAS, Amy Phelan has been employed from August 2007 through August 2022 as an Elementary School Principal and;

WHEREAS, Amy Phelan exemplified expertise, commitment, and professionalism in her duties;

NOW THEREFORE BE IT RESOLVED, the Somerset Hills School District and Board of Education recognize Amy Phelan's retirement effective September 1, 2022, and extend to her congratulations and best wishes for a happy, healthy, and enjoyable retirement.

- WHEREAS Dennis Babicke has been employed from September 2008 through April 2022 as a Teacher of Art and;

WHEREAS, Dennis Babicke exemplified expertise, commitment, and professionalism in his duties;

NOW THEREFORE BE IT RESOLVED, the Somerset Hills School District and Board of Education recognize Dennis Babicke's retirement effective April 16, 2022, and extend to him congratulations and best wishes for a happy, healthy, and enjoyable retirement.

**VII. Public Comments for Actionable Agenda Items**

We very much welcome input from the public. Public comments are welcome at this time on any actionable 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 Comments will be limited to 30 minutes. Thank you for your input.

**VIII. 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 January 26, 2022. .

**IX. FINANCE**

A. Committee Report & Discussion:

PUBLIC HEARING REGARDING 2020-2021 AUDIT

WHEREAS pursuant to N.J.S.A. 18A:23-5, the Board is required to conduct a public hearing for the 2020-2021 Audit; and

THEREFORE, be it resolved that the Board hereby opens the public hearing on the 2020-2021 Audit.

- Discussion
- Public Comments
- Motion to close public hearing and adopt the 2020-2021 Audit.

## B. 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 December 2021 showing the following balances:

<b>FUND</b>	<b>Board Secretary Cash Balance (1)</b>	<b>Treasurer Cash Balance (2)</b>
(10) General Fund	\$10,797,360.87	\$10,797,360.87
(20) Special Revenue Fund	(\$186,783.29)	(\$186,783.29)
(30) Capital Projects Fund	\$371,191.25	\$371,191.25
(40) Debt Service Fund	\$559,491.00	\$559,491.00
Total Government Funds	\$11,541,259.83	\$11,541,259.83

## (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 2021-2022 Budget Transfers\*

Resolved that the Somerset Hills Board of Education approves the attached list of budget transfers for December 2021.

3. Payment of Bills\*

WHEREAS, the Board Secretary has presented attached January 2022 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:

<b>FUND</b>	
(10) General Fund	\$4,254,834.82
(20) Special Revenue Fund	\$96,359.55
(30) Capital Projects Fund	—
(40) Debt Service Fund	—
(60) Cafeteria Fund	\$56,898.66
(90) Agency Fund	\$1,083,113.08
<b>TOTAL</b>	<b>\$5,491,206.11</b>

4. Approve Special Education Schools\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following schools for the 2021-2022 school year and/or ESY:

	<b>Student ID#</b>	<b>Provider</b>	<b>Location</b>	<b>Tuition</b>
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a	9247137466	Essex Valley School	W. Caldwell, NJ	\$73,449 (\$35,092.30 prorated)
b	3365687651	UCESC – Lamberts Mill Academy	Westfield, NJ	\$58,544 (\$5,854 prorated)

5. Acceptance of 2020-2021 Audit\*

WHEREAS, the Somerset Hills Board of Education engaged the firm of Suplee, Clooney and Company to conduct a yearly audit of the district's financial records; and Whereas the firm audited these records for the 2020-2021 school year; NOW THEREFORE BE IT RESOLVED that the minutes reflect that the Somerset Hills Board of Education reviewed the 2020-2021 Audit Report, and

BE IT FURTHER RESOLVED that the Board Secretary be directed to file the necessary reports with the State Department of Education.

Recommendations:

None

6. Acceptance of 2019-2020 NJDA Procurement Review\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, accepts the New Jersey Department of Agriculture Procurement Review for the 2019-2020 school year and implements the Corrective Action Plan as it relates to Food Services Procurement and monitoring of Food Service Management Company.

7. Approve Student Settlement Agreement\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the agreement for students ID#1948299187 and ID#4835621102.

8. Approve Professional Service Contract Revision\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the professional service agreement with *Policy Find* for the 2021-2022 school year for an additional amount of not to exceed \$2,000.

9. Approve Preschool Tuition Rate (Full Day)

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve 2022-2023 tuition rate.

Number of Full-Days	Amount	School
5 days	\$750 per month	Bedwell

**X. FACILITIES & OPERATIONS**

A. Committee Report & Discussion:

B. Action Items:

1. HIB Report

Resolved, that the Somerset Hills Board of Education reviewed the Harassment, Intimidation, and Bullying cases presented on January 26, 2022, and upheld the findings and/or consequences recommended by the Superintendent.

- BMS #7, #8, #9, #10

2. Approve Bernard High School Scholarship\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the *LPW Women in Business Scholarship* for 2021-2022 school year.

**XI. CURRICULUM**

## A. Committee Report &amp; Discussion:

## B. Action Items:

1. Approve Field Trips

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following field trips:

	School	Trip	# of Students	# of Faculty	# of Chaperones
a	BES	Fairview Farm: Bedminster, NJ	107	9	18
b	BES	Trailside Nature & Science Center: Mountainside, NJ	80	6	11

2. Approve Field Trips\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following field trips:

	School	Trip	# of Students	# of Faculty	# of Chaperones
a	BHS	Montclair State University: Little Falls, NJ	7	3	0

3. Approve Professional Development/School Business

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following professional development/school business:

	School	Name	Workshop/Conference	Date(s)	Est. Cost
a	BES	Collins, J.	Fairview Farm Field Trip	05/2022	\$0
b	BES	Davis, E	Fairview Farm Field Trip	05/2022	\$0
c	BES	Falzarano, S.	Fairview Farm Field Trip	05/2022	\$0
d	BES	Rudin, E.	Fairview Farm Field Trip	05/2022	\$0
e	BES	Sheehan, C.	Fairview Farm Field Trip	05/2022	\$0
f	BES	Ziolkowski, M	Fairview Farm Field Trip	05/2022	\$0
g	BMS	Escobar-Chaffee, S.	Using Art to Increase Learning K-8	03/10	\$379.
h	BMS	Escobar-Chaffee, S.	2022 National Art Education Convention	03/03 - 03/05	\$426.

i	BMS	Fabregas, K.	Motivating the Unmotivated: Teaching the Hard to Reach Student	3/16	\$259.
j	BMS	Ryan, S.	NJ School Nurses: A Force for the Future	3/19	\$150.
k	BMS	Tynan, J.	Motivating the Unmotivated: Teaching the Hard to Reach Student	3/16	\$259.

4. Approve Professional Development/School Business\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following professional development/school business:

	School	Name	Workshop/Conference	Date(s)	Est. Cost
a	Central	Up to 3 Board Members	NJSBA: Spring Education Symposium	04/26 - 04/27	\$300
b	Central	DeMarco, J.	School Safety Specialist Training	03/01, 03/08, 03/15, 03/22, 03/29	\$185
c	BHS	Hoppe, M.	DAANJ Convention	03/14 - 03/18	\$570.20
d	BHS	Pair, R.	Writing about Literature: Exploring the Contemporary Essay	03/08	\$134.24
e	BHS	Snyder, A.	Writing about Literature: Exploring the Contemporary Essay	03/08	\$134.24

5. Approve Bilingual ELL 3-Year Program Plan\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the ELL 3-Year Plan on file in the Curriculum Office.

6. Approval of the Extended School Year Program for Summer 2022\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the Extended School Year Program for Summer 2022 to commence on July 5, 2022 and conclude on August 11, 2022 (Note: There will be no school on Fridays during this program).

7. Approve 2022 - 2023 District Calendar\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the district calendar for the 2022-2023 school year.

## XII. PERSONNEL

- A. Committee Report and Discussion.
- B. Action Items:

1. Accept Retirement

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the retirement of the following employee:

	<b>Name</b>	<b>School</b>	<b>Position</b>	<b>Effective</b>
a	Phelan, Amy	BES	School Principal	09/01/2022

2. Accept Retirement\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the retirement of the following employee:

	<b>Name</b>	<b>School</b>	<b>Position</b>	<b>Effective</b>
a	Babicke, Dennis	BHS	Teacher MA	04/16/2022

3. Accept Resignation

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, accepts the resignation of the following employees:

	<b>Name</b>	<b>School</b>	<b>Position</b>	<b>Effective</b>
a	Furbish, Mary Ellen	BMS	Teacher MA	02/23/2021

4. Accept Resignation\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, accepts the resignation of the following employees:

	<b>Name</b>	<b>School</b>	<b>Position</b>	<b>Effective</b>
a	Guarneros, Daisy	District	Full Time Custodian	02/22/2022
b	Guarneros, Susan	District	Full Time Custodian	02/22/2022
c	Torromeo, Ronald	District	Full Time Custodian	03/18/2022

5. Amend Approval Internship

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent amends the approval of the following internship for the 2021-2022 school year, *subject to further investigation pursuant to law:*

	<b>Intern</b>	<b>School</b>	<b>Subject</b>	<b>Mentor</b>	<b>Dates</b>
a	Campbell, Ellie	BMS	Guidance Department	Craver, Marcy	<del>Fall 2021 Semester</del> Fall 2021 & Spring 2022 Semesters

6. Amend Approval Overloads

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, amends the approval of the following BMS overloads for the 2021-2022 school year.

	<b>Course</b>	<b>Teacher</b>	<b>Term</b>	<b>Salary</b>	<b>OVERLOAD Salary</b>
a	Honors Geometry	O'Halloran, A.	1/31 - 6/16	\$67,340	<del>\$1,122.56</del> \$5,612.79

b	Math I/E 6	Rizzuto, R.	1/31 - 6/16	\$111,242	\$1,854.40 \$9,272.02
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7. Amend Approval Athletic/Co-Curricular Volunteer\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, amend the approval of the following ~~BHS~~ BMS volunteer for the 2021- 2022 school year:

	Last Name	First Name	Season	Position
a	Struble	Alice	Spring	Softball

8. Amend Approval Family Medical Leave

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, amend the approval the following family medical leave of absence dates for the 2021-2022 and 2022-2023 school years:

ID	School	Position	Leave Dates	Amended Leave Dates
8823	BMS	Teacher BA	09/14/2021 - 06/30/2022	09/14/2021 - 06/30/2023

9. Approve Afterschool Title 1 Support Program Instructors

Resolved, that the Somerset Hills Board of Education approve the appointment of the following certificated staff for the 2021 - 2022 school year:

	Name	School	Position	Effective	Hourly Rate
a	Acuña, Marixza	BES	Teacher BA	March 1 - June 9, Tuesday & Thursday 3:30 PM-5:00 PM	\$42.18
b	Mirando, Stephan	BES	Teacher MA	March 1 - June 9, Tuesday & Thursday 3:30 PM-5:00 PM	\$46.24

10. Approve Appointment Non-Tenured Certificated Staff

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following non-tenured certificated staff for the 2021 - 2022 school year

	Name	School	Position	Replace	Level	Step	Salary	Effective
a	Andino, Alex	BMS	Spanish	Furbish, Mary Ellen	BA	2-3	\$61,300 <i>prorated</i>	02/24/2021

11. Approve Appointment Non-Certified Staff\*

Resolved, that the Somerset Hills Board of Education approve the appointment of the following non-certified staff for the 2021-2022 school year, *subject to further investigation pursuant to law*:

Name	School	Position	Replace	Salary	Effective
Riccio, Frank	District	Transportation Manager	9693	\$75,000 <i>prorated</i>	3/25/22 or sooner



					<i>Pending Clearance</i>
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12. Approve Leave Replacement Teacher

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following Leave Replacement Teacher for the 2021-2022 school year, *subject to further investigation pursuant to law:*

	<b>Name</b>	<b>School</b>	<b>Position</b>	<b>Replace</b>	<b>Level</b>	<b>Step</b>	<b>Salary</b>	<b>Dates</b>
a	Riker, Joanna	BES	Teacher	8543	BA	1	\$60,800 <i>prorated</i>	02/07/22 - 6/30/22

13. Approve Substitutes\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following substitutes for the 2021-2022 school year *subject to further investigation pursuant to law:*

	<b>Last Name</b>	<b>First Name</b>	<b>Substitute Position</b>	<b>Certification</b>	<b>Effective</b>
a	Zambrano	Maria	Custodian	N/A	<i>Pending Clearance</i>
b	Yanchguano	Ana	Custodian	N/A	02/24/2022
c	Waraporn	Suyara	Custodian	N/A	<i>Pending Clearance</i>
d	Decker	Tristan	Teacher/Paraprofessional	County Substitute Certification	<i>Pending Clearance</i>

14. Approve Appointment Custodial Employees\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the appointment of the following custodial employee for the 2021-2022 school year *subject to further investigation pursuant to law:*

	<b>Last Name</b>	<b>First Name</b>	<b>Job Title</b>	<b>Replace</b>	<b>Step</b>	<b>\$ Salary</b>	<b>Effective</b>
a	Garcia	Paola	Custodial	9548	2	\$33,700 <i>prorated</i>	03/01/2022
b	Phetkon	Preeda	Custodial	9609	10	\$40,655 <i>prorated</i>	<i>Pending Clearance</i>
c	Delapaz	Manuel	Custodial	9741	2	\$16,850 .5 FTE <i>prorated</i>	02/24/2022

15. Approve Appointment Part-Time Regular Education Paraprofessional

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the appointment of the following Part-Time Regular Education Paraprofessionals for the 2021-2022 school year *subject to further investigation pursuant to law*:

	Last Name	First Name	School	Position	Replace	Step	Hourly Rate
a	Finnigan	Shawna	BES	Para-Reg Ed B Hourly	9800	1	\$16.34

16. Approve Volunteer

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following Oak Knoll School student as a Bedwell volunteer for the 2021 - 2022 school year:

	Student Volunteer	Subject	Teacher	Date
a	Sharp, Grace	Elementary Education	Collins, Jessica	May 2022

17. Approve Mentor

Resolved, that the Somerset Hills Board of Education approve the following mentor for the 2021-2022 Provisional Teacher Program to be paid at the rate of \$550 for the year (*prorated*):

- Mary Clare Windisch - Mentor for Joanna Riker

18. Approve Athletic/Co-Curricular Positions

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following BMS co-curricular and athletic stipends for the 2021-2022 school year:

	Last Name	First Name	BHS Co-Curricular Position	Season	Stipend
a	Gori	Michelle	Softball: Assistant	Spring	\$2,733
b	Marashlian	Nicole	Track: Boys/Girls Assistant	Spring	\$2,733

19. Approve Athletic/Co-Curricular Positions\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following BHS co-curricular and athletic stipends for the 2021-2022 school year:

	Last Name	First Name	BHS Co-Curricular Position	Season	Stipend
a	Ciocco	Jared	Musical: Spring Assistant Director	Spring	\$2,225
b	Ellis	Judge	Musical: Spring Set Construction	Spring	\$2,500

20. Approve Athletic/Co-Curricular Volunteer\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following BHS volunteer for the 2021- 2022 school year:

	Last Name	First Name	Season	Position
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a	Milde	Joe	Spring	Golf
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21. Approve the Attainment of the Superintendents' Merit Goals\*

Resolved, that the Somerset Hills Board of Education, with the approval of the County Superintendent, approve the attainment of the Somerset Hills School District Superintendent's 2021-2022 Merit Goal.

a	Consider the district's technology from a needs-assessment standpoint and develop a prioritized plan to address areas of concern.
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22. Approve Job Descriptions\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following job descriptions:

- *HR Specialist*
- *Central Office Secretary for Superintendent & Assistant Superintendent - Confidential*
- *Business Office Assistant - Confidential*
- *Reading Specialist*

23. Approve Organizational Chart\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the updated Somerset Hills School District Organizational Chart.

### **XIII. POLICY**

A. Committee Report and Discussion.

B. Action Items:

1. First Reading\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the first reading of the following bylaw, policy & regulation:

Policy / Regulation #	Title
P2622 & R2622	Student Assessment (M) (Revised) and (M) (New) respectively
R2460.30	Additional/Compensatory Special Education and Related Services (M) (New)
P8465 & R8465	Bias Crimes and Bias-Related Acts (M) (Revised)
P5131 & R5131	Student Random Drug Testing

2. Second Reading\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the second reading of the following bylaw, policy & regulation:

Policy / Regulation #	Title
P1648.14	Safety Plan for Healthcare Settings in School Buildings - COVID-19 (M) (New)

### **XIV. STRATEGIC PLANNING**

A. Committee Report & Discussion:

**XV. SUPPLEMENTARY MATTERS**

**XVI. PUBLIC COMMENTS**

Public comments are welcome at this time on any topic. Public Comments will be limited to 3 minutes. Please state your name and address. Thank you for your input.

**XVII. 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**

**February 23, 2022**

**ADDENDUM**

**XII. PERSONNEL**

10. Approve Appointment Non-Tenured Certificated Staff (*revised from agenda*)

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following non-tenured certificated staff for the 2021 - 2022 school year

	<b>Name</b>	<b>School</b>	<b>Position</b>	<b>Replace</b>	<b>Level</b>	<b>Step</b>	<b>Salary</b>	<b>Effective</b>
a	Andino, Alex	BMS	Spanish	Furbish, Mary Ellen	BA	2-3	\$61,300 <i>prorated</i>	02/24/2021 2022

14. Rescind Appointment Custodial Employees\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, rescind the appointment of the following custodial employee for the 2021-2022 school year:

	<b>Last Name</b>	<b>First Name</b>	<b>Job Title</b>	<b>Replace</b>	<b>Step</b>	<b>\$ Salary</b>
c	Delapaz	Manuel	Custodial	9741	2	\$16,850 .5 FTE <i>prorated</i>

18. Amend Approval Athletic/Co-Curricular Positions

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, amend the approval of the following BMS co-curricular and athletic stipends for the 2021-2022 school year:

	<b>Last Name</b>	<b>First Name</b>	<b>BHS BMS Co-Curricular Position</b>	<b>Season</b>	<b>Stipend</b>
a	Gori	Michelle	Softball: Assistant	Spring	\$2,733
b	Marashlian	Nicole	Track: Boys/Girls Assistant	Spring	\$2,733

19. Approve Athletic/Co-Curricular Positions\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following BHS co-curricular and athletic stipends for the 2021-2022 school year:

	<b>Last Name</b>	<b>First Name</b>	<b>BHS Co-Curricular Position</b>	<b>Season</b>	<b>Stipend</b>
c	Carlin	Jessica	Lacrosse: Women's Assistant (FR)	Spring	\$5,600

**Somerset Hills School District**

**February 23, 2022**

**ADDENDUM**

24. Amend Approval Family Medical Leave\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, amend the approval of the following Family Medical Leave of Absence dates for the 2021-2022 school year:

	<b>ID</b>	<b>School</b>	<b>Position</b>	<b>Dates for Accumulated Sick Leave</b>	<b>Dates for FMLA (Unpaid with Benefits)</b>
a	8739	BHS	Teacher MA	<del>Mar 7</del> Feb 16 - Apr 8, 2022	Apr 18 - June 30, 2022

25. Amend Approval Overload\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, amend the approval of the following BHS overload for the 2021 - 2022 school year:

	<b>Course</b>	<b>Teacher</b>	<b>Term</b>	<b>Salary</b>	<b>OVERLOAD Salary <i>prorated</i></b>
a	Financial Literacy	Clark, Kelly	<del>3/7</del> 2/15 - 6/30	\$103,845	<del>\$2,596.64</del> \$3,115.97
b	Financial Literacy	Murphy, Theresa	9/1 - 2/14	\$76,030	<del>\$3,143.28</del> \$2,788.34

26. Approve Overload\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following overloads for the 2021-2022 school year: BHS

	<b>Course</b>	<b>Teacher</b>	<b>Term</b>	<b>Salary</b>	<b>OVERLOAD Salary <i>prorated</i></b>
a	Social Studies	Kaplan, Dan	2/15 - 6/30	\$64,260	\$4,820.46

27. Approve Transfer\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following transfer for the 2022 - 2023 school year:

	<b>Name</b>	<b>Position</b>	<b>From</b>	<b>To</b>	<b>Effective</b>
a	Dooley, Megan G.	Teacher MA - Guidance	BHS	BES	09/01/2022

**Somerset Hills School District**

**February 23, 2022**

**ADDENDUM**

28. Approve Leave Replacement Teacher\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following Leave Replacement Teacher for the 2021-2022 school year, *subject to further investigation pursuant to law:*

	<b>Name</b>	<b>School</b>	<b>Position</b>	<b>Replace</b>	<b>Level</b>	<b>Step</b>	<b>Salary</b>	<b>Dates</b>
a	Dunker, Jeffrey	BHS	Social Studies	8739	MA	2	\$66,300 <i>prorated</i>	02/24 - 6/30

29. Approve Appointment Non-Tenured Certificated Staff\*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following non-tenured certificated staff for the 2021 - 2022 school year, *subject to further investigation pursuant to law:*

	<b>Name</b>	<b>School</b>	<b>Position</b>	<b>Replace</b>	<b>Level</b>	<b>Step</b>	<b>Salary</b>	<b>Effective</b>
a	Robinson, Carl	BHS	Math	Collins, Kay	MA	15	\$82,675 <i>prorated</i>	<i>Pending Clearance</i>

30. Approve Mentor\*

Resolved, that the Somerset Hills Board of Education approve the following mentor for the 2021-2022 Provisional Teacher Program to be paid at the rate of \$550 for the year (*prorated*):

- Dan Kaplan - Mentor for Jeffrey Dunker

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[See **POLICY ALERT** Nos. 197, 205, 209, 211, 220, and 226]

## 2622 STUDENT ASSESSMENT

State assessments provide parents with important information about their child's progress; detailed diagnostic information about each individual student's performance that educators, parents, and students can utilize to enhance foundational knowledge and student achievement; and include item analysis which will clarify a student's level of knowledge and understanding of a particular subject or area of a subject. The data derived from State assessments are utilized by teachers and administrators to pinpoint areas of difficulty and customize instruction accordingly. Such data can be accessed and utilized as a student progresses to successive school levels.

The Commissioner of Education, in accordance with N.J.S.A. 18A:7C-1 et seq. and 18A:7E-2 and 3, may implement assessments of student achievement in any grade(s) and by such assessments as the Commissioner deems appropriate. The system and related schedule of Statewide assessments shall be approved by the New Jersey State Board of Education. The school district shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments pursuant to N.J.A.C. 6A:8-4.1(c) and (d).

Pursuant to N.J.A.C. 6A:8-4.1(c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled. The school district will provide accommodations or modifications to the Statewide assessment system in accordance with the provisions of N.J.A.C. 6A:8-4.1(d).

Students with disabilities as defined in N.J.A.C. 6A:14-1.3 shall participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10. The school district shall administer the alternative State assessment for students with disabilities in accordance with the provisions of N.J.A.C. 6A:8-4.1(d)3.

The school district shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, (f), (g), (h), or (i), as applicable.





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The school district shall maintain an accurate record of each student's performance on Statewide assessments and maintain for every student a ninth grade through graduation transcript in accordance with the provisions of N.J.A.C. 6A:8-4.2(d). The Superintendent shall report assessment results to the public and provide educators, parents, and students with assessment results in accordance with the provisions of N.J.A.C. 6A:8-4.3.

N.J.S.A. 18A:7C-1 et seq.; 18A:7E-2; 18A:7E-3  
N.J.A.C. 6A:8-4.1 et seq.; 6A:8-5.1; 6A:14-1.1 et seq.; 6A:14-3.7; 6A:14-4.10

Adopted:



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[See **POLICY ALERT No. 226**]

## R 2622 STUDENT ASSESSMENT

### A. Statewide Assessment System – N.J.A.C. 6A:8-4.1

1. The school district shall, according to a schedule prescribed by the Commissioner of Education, administer the applicable Statewide assessments, including the following major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight; the high school assessment component; and the alternative State assessment for students with disabilities; and provide notification to each student entering grades three through twelve of the Statewide assessment schedule.
2. Pursuant to N.J.A.C. 6A:8-4.1(c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner of Education pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled.
  - a. The school district shall provide all appropriate accommodations or modifications to the Statewide assessment system as specified by the New Jersey Department of Education (NJDOE) for English language learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act as specified in a student's Individualized Education Program (IEP) or 504 plan in accordance with N.J.A.C. 6A:8-4.1(d)1.
    - (1) The school district may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or English.



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- (2) The school district shall have the option for a first-year ELL of substituting a NJDOE-approved language proficiency test only for the English language arts component of the Statewide assessment, when the student has entered the United States after June 1 of the calendar year prior to the test administration.
  - b. The school district shall ensure students with disabilities as defined in N.J.A.C. 6A:14-1.3 participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10.
  - c. At specific times prescribed by the Commissioner of Education, the school district shall administer the alternative State assessment for students with disabilities to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities in accordance with N.J.A.C. 6A:8-4.1(d)3.
  - d. The school district shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, (f), (g), (h), or (i), as applicable.
3. Test Administration Procedures and Security Measures
- a. The school district shall be responsible for ensuring the security of all components of the Statewide assessment system that are administered within the school district.
  - b. All Statewide assessments shall be administered in accordance with the NJDOE's required test administration procedures and security measures.
  - c. Any breach of such procedures or measures shall be immediately reported to the Superintendent or designee.



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B. Documentation of Student Achievement – N.J.A.C. 6A:8-4.2

1. After each test administration, the NJDOE shall provide the Superintendent the following:
  - a. Rosters of student performance in each content area;
  - b. Individual student reports; and
  - c. School and school district summary data, including school and school district means, numbers tested, and percent achieving at each performance level.
    - (1) The school district summary data shall be aggregated and disaggregated, and school summary data shall be disaggregated, for students with disabilities as defined in N.J.A.C. 6A:14-1.3 and for ELLs.
2. The school district shall transmit within ten business days any official records, including transcripts, of students who transfer to other school districts or institutions.
3. The school district shall maintain an accurate record of each student's performance on Statewide assessments.
4. The school district shall maintain for every student a ninth grade through graduation transcript that contains the following, as available:
  - a. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth at N.J.A.C. 6A:8-5.1(a)6;
  - b. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);
  - c. Evidence of instructional experience and performance in the New Jersey Student Learning Standards (NJSLS);
  - d. Evidence of technological literacy;



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- e. Evidence of career education instructional experiences and career development activities;
- f. Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in NJDOE-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and
- g. Any other information deemed appropriate by the school district.

## C. Accountability – N.J.A.C. 6A:8-4.3

- 1. The Superintendent shall report final results of annual assessments to the Board and members of the public at a public meeting within sixty days of receipt of the information from the NJDOE.
- 2. The Superintendent shall provide educators, parents, and students with results of annual assessments as required under N.J.A.C. 6A:8-4.2(a) and B.1. above, within thirty days of receipt of information from the NJDOE.
- 3. The school district shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area either on the Statewide or local assessments.
- 4. All students shall be expected to demonstrate the knowledge and skills of the NJSLs as measured by the Statewide assessment system.

## D. Annual Review and Evaluation of School Districts – N.J.A.C. 6A:8-4.4

- 1. The NJDOE shall review the performance of schools and school districts by using a percent of students performing at the proficient level as one measure of annual measurable objective (AMO) and incorporating a progress criterion indicative of systemic reform.



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- a. The review shall include the performance of all students, including students with disabilities as defined by N.J.A.C. 6A:14-1.3, students from major racial and ethnic groups, economically disadvantaged students, and ELLs.
- b. The review shall take place at each grade level in which Statewide assessments are administered, using the AMO targets.

## E. Public Reporting – N.J.A.C. 6A:8-4.5

1. In accordance with the requirements of N.J.A.C. 6A:8-4.5, the NJDOE shall report annually to the New Jersey State Board of Education and the public on the progress of all students and student subgroups in meeting the NJSLS as measured by the Statewide assessment system by publishing and distributing the NJDOE's annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 5.
2. After each test administration, the NJDOE shall report to the Board on the performance of all students and of student subgroups.

## F. Parental Notification

Parents shall be informed of the school district assessment system and of any special tests that are to be administered to their children.

Adopted:



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Additional/Compensatory Special Education  
and Related Services

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[See POLICY ALERT No. 226]

## R 2460.30 ADDITIONAL/COMPENSATORY SPECIAL EDUCATION AND RELATED SERVICES

The Board of Education shall provide additional or compensatory special education and related services to students with disabilities beyond the age of twenty-one pursuant to N.J.S.A. 18A:46-6.3.

As used in N.J.A.C. 18A:46-6.3(h) and this Regulation, “parent” means the natural or adoptive parent, the legal guardian, resource family parent when willing to so serve, a surrogate parent, or a person acting in the place of a parent, such as a grandparent or stepparent with whom the student lives, or a person legally responsible for the student’s welfare. “Parent” shall also include an adult student who has attained the age of eighteen, who is not under legal guardianship, and who is entitled to receive special education and related services.

### A. Additional Special Education and Related Services

1. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
  - a. In the 2021-2022 school year, provide special education and related services contained in an Individualized Education Program (IEP) to a student with disabilities who attains the age of twenty-one during the 2020-2021 school year, provided the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2021-2022 school year.



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Additional/Compensatory Special Education  
and Related Services

- (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.a. and A.1. shall not be eligible to receive such education and services beyond June 30, 2022, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.
2. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
  - a. In the 2022-2023 school year, provide special education and related services contained in an IEP to a student with disabilities who attains the age of twenty-one during the 2021-2022 school year, provided the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2022-2023 school year.
    - (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.b. and A.2. shall not be eligible to receive such education and services beyond June 30, 2023, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.
3. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:





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Additional/Compensatory Special Education  
and Related Services

- a. In the 2023-2024 school year, provide special education and related services contained in an IEP to a student with disabilities who attains the age of twenty-one during the 2022-2023 school year, provided that the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2023-2024 school year.

- (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.c. and A.3. shall not be eligible to receive such education and services beyond June 30, 2024, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.

## B. Rights, Privileges, and Remedies

1. A student receiving special education and related services, including transition services, pursuant to N.J.S.A. 18A:46-6.3 and this Regulation shall be afforded the same rights, privileges, and remedies provided to students with disabilities pursuant to State law, New Jersey State Board of Education regulations concerning special education, and the Federal "Individuals with Disabilities Education Act," (IDEA) 20 USC §1400 et seq.
2. Any disputes that arise with respect to the provision or nature of services provided to a student with disabilities in the additional year as provided in accordance with N.J.S.A. 18A:46-6.3.a., b. and c., and A. above may be addressed as determined by the parent of the student with disabilities, by either:
  - a. Mediation;
  - b. A written request for a complaint investigation submitted to the Director of the Office of Special Education Policy and Dispute Resolution in the New Jersey Department of Education; or



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and Related Services

- c. A special education due process hearing pursuant to IDEA, N.J.S.A. 18A:46, or administrative code.

## C. Funding

1. The special education and related services, including transition services, provided to students with disabilities pursuant to the provisions of N.J.S.A. 18A:46-6.3 and this Regulation, to the extent permitted by Federal law, be paid for from the monies received by the State or a school district under the Federal “Coronavirus Aid, Relief, and Economic Security (CARES) Act,” Pub.L.116-136, the Federal “Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, 2021,” Pub.L.116-260, the Federal “American Rescue Plan (ARP) Act,” Pub.L.117-2, or any other Federal funding provided to address the impact of the coronavirus pandemic on elementary and secondary schools as it becomes available.
2. To the extent the Federal funds described in N.J.S.A. 18A:46-6.3.e.(1) and C.1. above do not cover the costs borne by the school district to provide the special education and related services, including transition services, to students with disabilities pursuant to the provisions of N.J.S.A. 18A:46-6.3 and this Regulation, the State of New Jersey shall appropriate funds as necessary from the Property Tax Relief Fund to reimburse the school district for these costs.
3. The special education and related services funded pursuant to the provisions of N.J.S.A. 18A:46-6.3.e. may include, but are not limited to, the additional staff, programs, and facilities deemed necessary by the school district to provide the special education and related services, including transition services, required under N.J.S.A. 18A:46-6.

Adopted:



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Bias Hate Crimes and Bias-Related Acts

Jan 22

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[See POLICY ALERT No. 226]

## 8465 BIAS HATE CRIMES AND BIAS-RELATED ACTS

The Board of Education is committed to providing a safe and healthy environment for all children in the school district. **Bias Hate** crimes and bias-related acts involving students can lead to further violence and retaliation. **Bias Hate** crimes and bias-related acts, by their nature are confrontational, inflame tensions, and promote social hostility and will not be tolerated by the school district. ~~The~~ **S**school district employees will work closely with local law enforcement and the county prosecutor's office to report or eliminate the commission of **bias hate** crimes and bias-related acts.

### Definitions

A "**bias hate crime**" **means** is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race;; color;; **religion; gender;** disability;; ~~religion;~~ sexual orientation;; **gender identity or expression; national origin;** or ethnicity.

A "bias-related act" **means** is an act directed at a person, group of persons, private property, or public property that is motivated in whole or in part by racial;; gender;; disability;; religion; ~~or~~ sexual orientation;; **gender identity or expression; national origin;** or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense.

All **bias hate** crimes are also bias-related acts, but not all bias-related acts will constitute a **bias hate** crime.

### Required Actions

**School employees shall immediately notify the Principal and the Superintendent or designee when in the** ~~Whenever any school employee in the~~ course of ~~their his/her~~ employment **they** develops reason to believe ~~that (1) a bias hate crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e). on school property, or has been or is about to be committed by any student, whether on or off school property, and whether or not such offense was or is about to be committed during operating~~



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## Bias Hate Crimes and Bias-Related Acts

~~school hours, or (2) a student enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during operating school hours, the school employee shall immediately notify the Building Principal and Superintendent, who in turn,~~

**The Superintendent or designee shall promptly notify the \_\_\_\_\_ local pPolice dDepartment and the bBias iInvestigation oOfficer for the county prosecutor's office when a bias crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e)1.**

**The Principal and the Superintendent or designee shall immediately notify the \_\_\_\_\_ local pPolice dDepartment and the bias investigation officer for the county prosecutor's office immediately where if there is reason to believe that a bias hate crime or bias-related act that involves an act of violence has been or is about to be physically committed against a student, or there is otherwise reason to believe that a life has been or will be threatened in accordance with N.J.A.C. 6A:16-6.3(e)2.**

~~Whenever any school employee in the course of his/her employment has reason to believe that a bias related act has been committed or is about to be committed on school property, or has been or is about to be committed by any student, whether on or off school property and whether or not such bias related act was or is to be committed during operating school hours, the school employee should immediately notify the Building Principal and Superintendent, who in turn should promptly notify the \_\_\_\_\_ Police Department.~~

~~In deciding whether to refer the matter of a bias related act to the \_\_\_\_\_ Police Department or the county prosecutor's office, the Building Principal and the Superintendent, should consider the nature and seriousness of the conduct and the risk that the conduct posed to the health, safety and well being of any student, school employee or member of the general public. The Building Principal and Superintendent should also consider the possibility that the suspected bias related act could escalate or result in some form of retaliation which might occur within or outside school property.~~



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**Bias Hate Crimes and Bias-Related Acts**

It is understood a referral to the \_\_\_\_\_ **local pPolice dDepartment** or county prosecutor's office **pursuant to the Memorandum of Agreement between Education and Law Enforcement Officials** is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge.

Unless the \_\_\_\_\_ **local pPolice dDepartment** or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected **bias hate** crime or bias-related act occurring on school **grounds property** and may take such actions as necessary and appropriate to redress and remediate any such acts.

School officials will secure and preserve any such graffiti or other evidence of a suspected **bias hate** crime or bias-related act pending the arrival of the \_\_\_\_\_ **local pPolice dDepartment** or the county prosecutor's office. The school officials, **where when** feasible, will cover or conceal such evidence until the arrival of the \_\_\_\_\_ **local pPolice dDepartment** or county prosecutor's office.

N.J.S.A. 2C:16-1

N.J.A.C. 6A:16-6.1 ~~et seq.~~; **6A:16-6.2**; 6A:16-6.3(e)

State Memorandum of Agreement approved by the Department of Law & Public Safety and the Department of Education

Adopted:



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**Bias Hate Crimes and Bias-Related Acts**

Jan 22

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[See POLICY ALERT No. 226]

## R 8465 **BIAS HATE CRIMES AND BIAS-RELATED ACTS**

### A. Definitions

1. A **bias hate** crime **means** is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race;; color;; **religion**; gender;; disability;; ~~religion~~, sexual orientation;; **gender identity or expression**; **national origin**; or ethnicity.
2. A bias-related act **means** is an act directed at a person, group of persons, private property, or public property that is motivated in whole or in part by racial;; gender;; disability;; religion;; sexual orientation;; **gender identity or expression**; **national origin**; or ethnic prejudice. A bias-related act need not involve **conduct** ~~an~~ act that constitutes a criminal offense.
3. All **bias hate** crimes are also bias-related acts, but not all bias-related acts will constitute a **bias hate** crime.

### B. Procedure For Reporting **Bias Hate Crimes and Bias-Related Acts**

1. A school employee **shall immediately** ~~will~~ notify the ~~Building~~ Principal **and the Superintendent or designee when** ~~whenever the school employee,~~ in the course of **their** ~~his/her~~ employment, **they** develops reason to believe that:
  - a. A **bias hate** crime **or a bias-related act** has been committed or is about to be committed on school **grounds** ~~property~~; ~~or~~
  - b. A **bias hate** crime **or a bias-related act** has been or is about to be committed by ~~any~~ student, ~~whether~~ on or off school **grounds, property** and whether ~~or not~~ such offense was or is ~~about~~ to be committed during operating school hours; or
  - c. ~~That A~~ student enrolled in the school has been or is about to become the victim of a **bias hate** crime **or bias-related act**, ~~whether committed on or off school grounds, property or during operating~~ school hours.



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**Bias Hate Crimes and Bias-Related Acts**

2. The ~~Superintendent or designee Building Principal~~ shall promptly will notify the Superintendent, the \_\_\_\_\_ local pPolice dDepartment and the bBias iInvestigation oOfficer for the county prosecutor's office **when a bias crime or bias-related act has been committed or is about to be committed on school grounds, or has been or is about to be committed by a student on or off school grounds, and whether such offense was or is to be committed during operating school hours, or a student enrolled in the school has been or is about to become the victim of a bias crime or bias-related act on or off school grounds, or during operating school hours.**
3. The ~~Principal and the Superintendent~~ or designee shall immediately notify the \_\_\_\_\_ local pPolice dDepartment and the **bias investigation officer for the** county prosecutor's office immediately where if there is reason to believe that a ~~bias hate crime or bias-related act~~ that involves an act of violence has been or is about to be physically committed against a student, or there is otherwise reason to believe that a life has been or will be threatened.

## ~~C. Procedure For Reporting Bias Incidents~~

1. ~~A school employee should immediately notify the Building Principal whenever the school employee, in the course of his/her employment, develops reason to believe that:~~
  - a. ~~A bias related act has been committed or is about to be committed on school property; or~~
  - b. ~~A bias related act has been or is about to be committed by any student, whether on or off school property and whether or not such bias related act was or is to be committed during school hours.~~
2. ~~The Building Principal will notify the Superintendent and the \_\_\_\_\_ Police Department.~~



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## Bias Hate Crimes and Bias-Related Acts

3. ~~In deciding whether to refer the matter of a bias related act to the~~  
Police Department or the county  
~~prosecutor's office, the Building Principal and the Superintendent,~~  
~~should consider:~~
  - a. ~~The nature and seriousness of the conduct; and~~
  - b. ~~The risk that the conduct posed to the health, safety and well-being of any student, school employee or member of the general public.~~
4. ~~The Building Principal will consult with the Superintendent and should consider:~~
  - a. ~~That the police department or the county prosecutor's office may possess, or have access to, other information that could put the suspected bias related act in proper context, which could shed light on the motivation for the act or some other unsolved hate crime; and~~
  - b. ~~The possibility that the suspected incident could escalate or result in some form of retaliation that might occur within or outside school property.~~

### CD. Nature of Referral

1. The mandatory referral for suspected or committed **bias hate crimes and the presumptive referral for suspected or committed bias-related acts as described in N.J.A.C. 6A:16-6.3(e) and this the R**egulation is only a request to the law enforcement agencies to conduct an investigation and is nothing more than the transmittal of information which may be pertinent to any such law enforcement investigation.
2. ~~Any referral in accordance with this regulation is not an accusation or formal charge.~~
3. ~~Any referral pursuant to this regulation is predicated on the basis of reasonable suspicion, which is less than probable cause, less than the proof sufficient to sustain an adjudication of delinquency or a finding of guilt in a court of law and less than the proof sufficient to justify the imposition of school discipline.~~





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**Bias Hate Crimes and Bias-Related Acts**

4. ~~All doubts by school officials should be resolved in favor of referring a matter to the \_\_\_\_\_ Police Department or the county prosecutor's office.~~

## **DE.** Concurrent Jurisdiction

1. Unless the \_\_\_\_\_ **local pPolice dDepartment** or the county prosecutor's office request otherwise, ~~the school officials district~~ may continue to investigate a suspected **bias hate** crime or bias-related act occurring on school **grounds property** and may take such actions as necessary and appropriate to redress and remediate any such acts.
2. ~~The Sschool~~ officials will **immediately** discontinue **any ongoing school the in-school** investigation if the \_\_\_\_\_ **local pPolice dDepartment** or the county prosecutor's office believe the school investigation could jeopardize an on-going law enforcement investigation or otherwise endanger the public safety.
  - a. **Upon notice provided in D.2. above, school officials will take no further action without providing notice to and receiving the assent of the local police department or the county prosecutor's office.**

## **EF.** Preservation of Evidence

1. School officials will secure and preserve any such graffiti or other evidence of a suspected **bias hate** crime or bias-related act pending the arrival of the \_\_\_\_\_ **local pPolice dDepartment** or the county prosecutor's office.
2. The school officials, when feasible, will cover or conceal such evidence until the arrival of the \_\_\_\_\_ **local pPolice dDepartment** or county prosecutor's office in a manner designed to minimize the harm and continued exposure to students by such evidence, ~~but that will not permanently damage or destroy such evidence or otherwise limit its utility in an ongoing investigation or prosecution.~~



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**Bias ~~Hate~~ Crimes and Bias-Related Acts**

3. ~~The \_\_\_\_\_ Police Department and/or the county prosecutor's office will photograph or otherwise document the location and content of any such graffiti or other bias-based evidence as soon as possible, so that the graffiti or other evidence may be removed or eliminated at the school district's earliest opportunity.~~

Issued:



5131 STUDENT RANDOM DRUG TESTING  
5131 Student Random Drug Testing

The Board hereby authorizes the Administration, at the public expense, to conduct random drug testing, of all students, in grades nine through twelve, engaged in extracurricular activities and all students authorized to park on school premises. This policy is separate and distinct from any other drug testing conducted by the board of education, including the required medical examination of students suspected of being under the influence of alcohol or other drugs. This policy is being adopted to deter alcohol and drug use and to provide for early detection of alcohol or drug use problems so that referral may be made for evaluation, treatment or other assistance.

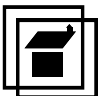
Students who are in grades nine through twelve who do not participate in extracurricular activities or park on school premises may be included within the random drug testing pool at the request of their parent or guardian, who must submit a written request and consent for testing form each school year. The consent will be valid for the entire remaining school year unless consent is revoked by the parent or adult student.

The random testing under this policy shall be conducted by the school physician, school nurse or a physician, laboratory or health care facility designated by the Board of Education (“approved outside agency”) as required by N.J.A.C. 6A:16-4.4(c)(3). All aspects of the Program, including the taking of specimens, will be conducted so as to safeguard any and all the personal and/or privacy rights of the Participant to the maximum extent possible.

Eligibility shall apply to the entire academic year. Administrative Regulations (R24335131) cover procedures for conducting these tests and appropriate recourse regarding the results. Design of the program should be consistent with the Board’s objectives, which are as follows:

- (1) to promote health and safety;
- (2) to deter drug and alcohol use, thereby countering peer pressure which many encourage indulgence;
- (3) to encourage students who use alcohol and drugs to participate in rehabilitative programs; and
- (4) encourage and invite voluntary testing.

Definitions: Drugs - All controlled substances designated and prohibited as stated in SHSD Substance Abuse Policy No. 5530 and New Jersey statutes: N.J.S.A. 23:21-2, N.J.S.A. 2A17025.9, N.J.S.A. 2C:35-2.



Alcoholic Beverages – Includes beer, wine, distilled liquors, and any other liquid containing alcohol.

Medications – All medications, including over the counter drugs, must be properly registered with the school nurse. N.J.S.A. 18A4012.4. Failure to do so will result in disciplinary action.

Extra Curricular Activities – Any non-credit voluntary activity in which a student participates.

March 26, 2018



## R 5131 STUDENT RANDOM DRUG TESTING

### **Testing Coordinator**

The Assistant Principal or administrative designee will coordinate and supervise the testing program at the respective schools.

### **Eligibility for Testing**

Somerset Hills School District students in grades 9-12, participating in athletics, extra-curricular activities not required by the Board of Education for graduation and/or those students possessing an on-campus parking permit will be eligible for random drug testing, as well as those students whose parent has voluntarily consented to random testing for the student (the "Testing Pool").

Students become eligible upon submission of a consent form, signed by both the student and their parent/guardian. Student athletes must submit a consent form on or before on the first day they participate in a practice. Students involved in extracurricular activities must submit a consent form by no later than their attendance at a second meeting and students with parking permits for on-campus parking must submit a consent form before the first day of parking.

Students remain eligible for random drug testing from the date the consent form is turned in throughout the remainder of the school year whether or not they have been previously tested or are currently participating in athletics or extra-curricular activity at the time they might be randomly selected for a drug test. In the event that a student eligible for random alcohol and drug testing ceases to participate or withdraws from an athletic team, extra-curricular activity, and/or student parking, he or she has the opportunity to submit to the Assistant Principal or administrative designee an Activity Drop Form. In order for a student's withdrawal to be effective and thereby remove him or her from the Testing Pool, the student's Activity Drop Form must be signed by both the student and a parent/guardian. The Activity Drop Form shall remain in effect for a minimum of one calendar year, with a built in fifteen (15) day grace period for reconsideration.

The District will, as a goal, aim to test no less than 10% but no more than 35% of the total number of students in the Testing Pool annually.

### **For what Substances will Students be tested?**



In administering the Program, the District will test for the presence of certain substances that may include, but are not limited to, the following substances or their metabolites: alcohol, marijuana (THC), opiates, cocaine, methamphetamines, anabolic steroids and phencyclidine (a/k/a PCP), MDMA (a/k/a Ecstasy), and/or any other substance defined as a "controlled substance" by either New Jersey or Federal law.

### **Selection of Students for Testing**

A confidential testing schedule will be created by the administrations of the school prior to the initiation of the Program to ensure that testing of eligible students is conducted in a manner that is random. Testing will only occur on student contact days during the academic year.

Selection of eligible students for testing will be conducted in a purely and entirely random basis, which will be carried out as follows:

1. The Testing Coordinator or designee will assign a number to each student eligible for testing.
2. The Testing Coordinator or designee will receive a list of numbers to be tested. These numbers will be a set number of students, based on the number of eligible students in the testing pool, who are randomly selected through a computer program designed for this purpose.
3. The Assistant Principal or administrative designee will notify the individual(s) selected for testing (the "Participant") (in person) and escort the Participant to the designated "Testing Site".
4. The Testing Site will be at the Participant's respective school in an area that has a secured bathroom which will maximize privacy of the Participant.
5. Alternate student selections will be made in the event of student absence.
6. The names and/or any other personally identifiable information of the Participants will remain confidential.

### **Administering the Test**

The testing shall be conducted by the school physician, school nurse or a physician, laboratory or health care facility designated by the Board of Education ("approved



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outside agency”). All aspects of the Program, including the taking of specimens, will be conducted so as to safeguard any and all the personal and/or privacy rights of the Participant to the maximum extent possible. The Policy treats a Participant's test result as a confidential health record pursuant to both federal and state regulations. 42 C.F.R. 2.1 and 2.2; N.J.A.C. 6A: 16-1.5. As such, any information obtained by the Program which would identify the Participant as a drug or alcohol user may be disclosed only for those purposes and under those conditions permitted by federal regulations in accordance with 42 C.F.R. - Part II. No testing record of any Participant will be used to initiate or substantiate any criminal charges against a Participant or to conduct any investigation of him or her, and the District will not share Participants' individual test results with law enforcement authorities.

Any information transmitted to an approved outside collection agency for testing or processing will not contain any personally identifiable information of the Participant. The approved outside collection agency will oversee the collection of specimens in accordance with federal Substance Abuse and Mental Health Services Administration (SAMHSA) standards.

The approved outside agency will collect specimens from the selected students and forward the specimens to a licensed laboratory for testing. Any information transmitted from an approved outside collection agency to a licensed laboratory for testing or processing will not contain any personally identifiable information of the Participant. The agency **may will** conduct an initial on-site test on the specimen before sending the specimen to the laboratory.

The Participant shall complete a specimen control form that bears an assigned identification number. This identification number shall be the means for identifying the specimens by all laboratory personnel. Only the designated school personnel shall know the assigned number for each Participant.

The Participant shall submit a saliva, urine and/or breath specimen according the Somerset Hills School District Random Alcohol and Drug Testing Written Consent Form.

Specimens will be kept by the testing facility for at least ninety (90) days pending a request for retesting of a specimen, if any.

Any Participant unable to produce an adequate specimen during the collection period will be recalled for testing.



Any attempt by a Participant to tamper with the specimen collection process will deem and constitute the specimen as positive.

All efforts will be made to minimize the instructional impact of testing and to maintain the confidentiality and privacy rights of Participants. All urine testing will be conducted in a closed-door restroom without direct observation by adult monitors.

### Notification of Testing & Testing Results

1. Students participating in District athletic programs, extra-curricular activities not required by the Board for graduation, volunteers to the random drug testing program, or students who possess a District parking permit for on-campus parking are required to complete the Somerset Hills School District Random Drug Testing Program Consent Form (the "Consent Form").
2. The parent(s) or guardian(s) of students selected for testing will be notified (via phone call or message) **by building administration** on the day of testing.
3. Where a Participant tests **positive non-negative in the initial on-site test**, the Participant's parent(s) or guardian(s) will be contacted directly by a Medical Review Officer (MRO) to conduct a consultation. The consultation will address the reasons for the **positive non-negative** test and a decision will be made by the MRO regarding the legitimacy, validity, or accuracy of a **positive non-negative** test. The MRO will determine if that substance has been taken pursuant to a legal prescription. **Confirming tests will be performed in the laboratory for all non-negative results of initial on-site tests.**
4. Results of student tests confirmed by the MRO will be provided to the Superintendent or designee within twenty-four (24) hours of the MRO's consultation with the Participant and his or her parent(s) or guardian(s).
5. Participant test results will be kept in confidential files separate and apart from his or her other educational records and shall be disclosed only to those personnel who have a need to be informed regarding the result of the test in order to implement or to oversee implementation of the Program or the consequences for violating the Policy. Student drug testing information resulting from the Program will not be turned over to any law enforcement authorities except under circumstances in which the District is legally compelled to surrender or disclose such test results. N.J.A.C. 6A:16-3.2





6. The District respects the privacy of its students and shall maintain confidentiality regarding any alcohol and drug testing for this Program. The results will only be released to designated district personnel. All records and subsequent actions shall be kept in a file separate from the student's regular file. The district Personnel will not release records of drug and alcohol tests or any resulting action to anyone other than the student and/or his/her parent/guardian, except under circumstances in which the District is legally compelled to surrender or disclose this information, without written authorization from the student and/or his/her parent/guardian. In accordance with 42 C.F.R. - Part II.

## **Consequences**

Consequences will result from the following:

1. A confirmed positive alcohol or drug test;
2. Refusal to participate in testing when selected; and/or
3. Tampering with the specimen collection process.
4. Students will be ineligible for participation in a district athletics program, District extra-curricular activity or parking on-campus unless they complete the Somerset Hills School District Random Alcohol and Drug Testing Program Consent Form.

## **When a Random Alcohol or Drug Test is Positive:**

### **1. FIRST INFRACTION**

~~The assistant principal will contact the parents to remove the student from school and make arrangements for the mandatory medical examination pursuant to the statute, N.J.S.A. 18A:40A-12.~~

Student will be removed from participation on the team/activity for a minimum of 30 calendar days and parking for 30 calendar days. Prior to their return of privileges, students will:

- Complete a drug/alcohol evaluation by appropriately certified or licensed professionals to make a positive determination of a student's need for programs and services that extend beyond the general school program, as necessary.



- Submit a drug and alcohol test free of alcohol and/or any controlled dangerous substance.
- Meet with the Student Assistance Counselor once a week for 30 calendar days.

A signed information release form must be available to the student assistance counselor.

Students must complete the evaluation and recommended program as required or will be considered to be non-compliant with this policy and ineligible to continue participation in athletics, extracurricular activities, and/or parking. Students who are in violation of this policy, while out of season, or not currently participating in an extracurricular activity, will be required to submit a drug and alcohol test free of alcohol and/or any controlled dangerous substance prior to beginning the next activity or sport season.

## 2. SECOND INFRACTION

~~The assistant principal will contact the parents to remove the student from school and make arrangements for the mandatory medical examination pursuant to the statute, N.J.S.A. 18A:40A-12.~~

Student will be removed from participation on the team/activity for a minimum of 60 calendar days and parking for the remainder of the school year. Prior to their return to activities or athletics, students will:

- Complete a drug/alcohol evaluation by appropriately certified or licensed professionals to make a positive determination of a student's need for programs and services that extend beyond the general school program, as necessary.
- Submit a drug and alcohol test free of alcohol and/or any controlled dangerous substance.
- Meet with the Student Assistance Counselor once a week for 60 calendar days.

A signed information release form must be available to the student assistance counselor. The parent(s) is/are responsible for the cost of the evaluation, any recommended program, or any further required drug tests. Students with documented financial hardship will be provided assistance through the Student Assistance Counselor.

Students must complete the evaluation and recommended program as required or will be considered to be non-compliant with this policy and ineligible to continue participation in



athletics and/or extracurricular activities. Students who are in violation of this policy, while out of season, or not currently participating in an extracurricular activity, will be required to submit a drug and alcohol test free of alcohol and/or any controlled dangerous substance prior to beginning the next activity or sport season.

### 3. THIRD AND SUBSEQUENT INFRACTIONS

At the discretion of the principal, permanent removal from all athletic and extra-curricular activities may be imposed.

Complete a drug/alcohol evaluation by appropriately certified or licensed professionals to make a positive determination of a student's need for programs and services that extend beyond the general school program, as necessary.

The student will be subjected to required periodic drug testing.

Meet with the Student Assistance Counselor weekly for a period of three months.

#### **Appeal Procedure**

In the case of a positive result, a second sample will be collected during the testing period before the student leaves the testing area. If a Participant (or his/her parent(s) or guardian(s)) requests an appeal, this sample will be sent to a **second** laboratory selected by the District to serve as a **an additional** confirming test. The request must be made within 24 hours of receiving the results of the drug test. The testing lab will be responsible for maintaining the chain of custody of the second sample.

Any participant unable to produce an adequate second specimen during the collection period will be provided with fluids. In the event a second sample cannot be produced within three hours, the participant recognizes that their appeal cannot be processed and that results from the first specimen will be considered conclusive.

Adopted: 26 March 2018

Revised: 27 February 2019

Revised: 25 September 2019

Revised: 17 November 2021



# REGULATION

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**BOARD OF EDUCATION**

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# POLICY GUIDE

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Safety Plan For Healthcare Settings In

School Buildings – COVID-19

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[See POLICY ALERT No. 225]

## 1648.14 SAFETY PLAN FOR HEALTHCARE SETTINGS IN SCHOOL BUILDINGS – COVID-19

### A. Purpose and Scope

The Board of Education is committed to providing a safe and healthy workplace for all employees and has adopted this Policy that shall be the school district's COVID-19 Plan (Plan) that includes procedures to minimize the risk of transmission of COVID-19, in accordance with Occupational Safety and Health Act of 1970 (OSHA) COVID-19 Emergency Temporary Standard (ETS) published on June 21, 2021. The ETS, 29 CFR §1910 - Subpart U, applies to all settings where any school district employee or contracted service provider provides healthcare services or health care support services. Public Employees' Occupational Safety and Health (PEOSH), the agency with jurisdiction over public employers in New Jersey, has adopted the ETS in full. However, its applicability for school districts is primarily restricted to the nurse's office and any adjoining clinical areas and not the entire school building.

The Board, administration, and the COVID-19 Safety Coordinator(s) will work collaboratively with all employees in the development, implementation, monitoring, and updating of this Plan.

#### 1. Definitions

- a. "Employee" means any district employee or contracted service provider working in a healthcare setting where people with suspected or confirmed COVID-19 are reasonably expected to be present.

- (1) Therefore, the provisions of the ETS and this Policy only apply to employees or contracted service providers working in a nurse's office or any adjoining clinical areas.



# POLICY GUIDE

## ADMINISTRATION

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### Safety Plan For Healthcare Settings In School Buildings – COVID-19

b. “Healthcare setting” means all settings in the school district where any employee or contracted service provider provides healthcare services or healthcare support services.

(1) Where a healthcare setting is embedded within a non-healthcare setting (i.e. school nurse’s office and any adjoining clinical areas in a school building), the ETS and this Policy only apply to the embedded healthcare setting and not to the remainder of a school building in accordance with 29 CFR §1910.502(a)(3)(i).

c. For the purpose of this Policy, additional definitions shall be those definitions listed in 29 CFR §1910.502(b).

2. The school district has multiple healthcare settings that are substantially similar; therefore; has developed and adopted this single Plan for these substantially similar healthcare settings, with site-specific considerations included in this Plan. The healthcare settings in the school district are listed in Appendix 1.

a. Any school district health care settings that are not substantially similar, the school district shall develop and adopt separate COVID-19 Plans for each healthcare setting and list them in Appendix 1.

#### B. Roles and Responsibilities for School District Employees

1. The school district’s goal in adopting this Policy is to prevent the transmission of COVID-19 in the school district’s healthcare settings. All staff members are responsible for supporting, complying with, and providing recommendations to further improve this Plan.

2. The Superintendent will designate a COVID-19 Safety Coordinator(s) who shall implement and monitor this Plan. The COVID-19 Safety Coordinator(s) shall have the school district’s full support in implementing and monitoring this Plan, and has authority to ensure compliance with all aspects of this Plan.



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Safety Plan For Healthcare Settings In  
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## C. Hazard Assessment and Worker Protections

1. The Superintendent of Schools or designee will conduct a specific hazard assessment of its healthcare settings to determine potential hazards related to COVID-19.
  - a. A hazard assessment will be conducted initially and whenever changes in a healthcare setting in the school district create a new potential risk of employee exposure to COVID-19 (e.g., new work activities in the healthcare setting).
2. The Superintendent has developed and the Board has adopted this Plan that includes the procedures the school district will use to determine an employee's vaccination status as outlined in Appendix 2.
  - a. In the event the Superintendent or designee cannot or does not determine or confirm the vaccination status of an employee, the employee shall be presumed to be unvaccinated.
3. All completed hazard assessment forms and results will be attached to this Plan in Appendix 3 and will be accessible to all employees at each school district facility.
4. The school district will address the hazards identified by the assessment, and have included in this Plan the procedures to minimize the risk of transmission of COVID-19 for each employee. These procedures are included in the following Appendices:
  - a. Patient Screening and Management
    - (1) In healthcare settings in the school district where direct patient care is provided, the school district will include protocols addressing patient screening and management in Appendix 4.



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b. Standard and Transmission-Based Precautions

- (1) The school district will develop and implement procedures to adhere to Standard and Transmission-Based Precautions in accordance with CDC's "Guidelines for Isolation Precautions" which are included in Appendix 5.

5. Personal Protective Equipment (PPE)

- a. The school district will provide and ensure that employees wear approved facemasks or a higher level of respiratory protection.
- b. The school district will include protocols to address PPE for healthcare settings in Appendix 6.

6. Physical Distancing

- a. The school district will ensure that each employee is separated from all other people in the healthcare setting by at least six feet when indoors, unless it can be demonstrated that such physical distance is not feasible for a specific activity.
  - (1) Where maintaining six feet of physical distance is not feasible, the school district will ensure employees are as far apart from other people as possible.
- b. Physical distancing will be implemented, along with the other provisions required by the ETS, as part of a multi-layered infection control approach for all healthcare settings.
- c. The school district will include protocols to address physical distancing for healthcare settings in Appendix 7.





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## 7. Physical Barriers

- a. The school district will install physical barriers at each fixed work location outside of direct patient care areas where each employee is not separated from all other people by at least six feet of distance and spacing cannot be increased, unless it can be demonstrated that it is not feasible to install such physical barriers.
- b. Physical barriers will be implemented, along with the other provisions required by the ETS, as part of a multi-layered infection control approach for all healthcare settings.
- c. The school district will include protocols to address physical barriers for healthcare settings in Appendix 8.

## 8. Cleaning and Disinfecting in the Healthcare Setting

- a. The school district will implement policies and procedures for cleaning, disinfecting, and hand hygiene, along with the other provisions required by the ETS, as part of a multi-layered infection control approach for all healthcare settings.
- b. The school district will include protocols to address cleaning and disinfecting for healthcare settings in Appendix 9.

## 9. Ventilation

- a. The school district will implement procedures for each facility's heating, ventilation, and air conditioning (HVAC) system and include protocols addressing ventilation for healthcare settings in Appendix 10.
- b. Ventilation policies and procedures will be implemented, along with the other provisions required by the ETS, as part of a multi-layered infection control approach.



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Safety Plan For Healthcare Settings In  
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- c. The Superintendent or designee will identify the building manager, HVAC professional, or maintenance employee who can certify that the HVAC system(s) are operating in accordance with the ventilation provisions of the ETS and list the individual(s) in Appendix 10.

## D. Health Screening and Medical Management

### 1. Health Screening

- a. “Screening” means, for the purpose of this Policy, asking questions to determine whether a person is COVID-19 positive or has symptoms of COVID-19.
- b. The school district will include protocols to address health screening for employees in Appendix 11.

### 2. Employee Notification to Employer of COVID-19 Illness or Symptoms

- a. The school district will include protocols to address employee notification to employer of COVID-19 illness or symptoms for employees in Appendix 11.

### 3. Employer Notification to Employees of COVID-19 Exposure in the Healthcare Setting

- a. The school district will include protocols to address employer notification of COVID-19 exposure to employees in Appendix 11.

### 4. Medical Removal from the Healthcare Setting

- a. The school district will include protocols to address medical removal from the healthcare setting for employees in Appendix 11.



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5. Return to Work Criteria

- a. The school district will include protocols to address return to work criteria for employees in Appendix 11.

6. Medical Removal Protection Benefits

- a. The school district will continue to pay employees who have been removed from the healthcare setting under the medical removal provisions of the ETS. When an employee has been removed from the healthcare setting and is not working remotely or in isolation, the school district shall pay and provide benefits in accordance with the Plan addressed in Appendix 12.

E. Vaccinations

1. The school district encourages employees to receive the COVID-19 vaccination as a part of a multi-layered infection control approach. The school district will support COVID-19 vaccination for each employee by providing reasonable time and paid leave to each employee for vaccination and any side effects experienced following vaccination.
2. The school district will include protocols to address vaccination for employees in Appendix 13.

F. Training

1. The school district will implement policies and procedures for employee training, along with the other provisions required by the ETS, as part of a multi-layered infection control approach.
2. The school district will include protocols to address training for employees in Appendix 14.



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## G. Anti-Retaliation

1. The school district will inform each employee that employees have a right to the protections required by the ETS, and that employers are prohibited from discharging or in any manner discriminating against any employee for exercising their right to protections required by the ETS, or for engaging in actions that are required by the ETS.
2. The school district will not discharge or in any manner discriminate against any employee for exercising their right to the protections required by the ETS, or for engaging in actions that are required by the ETS.

## H. Requirements Implemented at No Cost to Employees

1. The school district will comply with the provisions of ETS at no cost to its employees, with the exception of any employee self-monitoring conducted under D. above.

## I. Recordkeeping

1. The school district will retain all versions of this Policy to comply with the ETS while the ETS remains in effect.
2. The school district will establish and maintain a COVID-19 log to record each instance in which an employee is COVID-19 positive, regardless of whether the instance is connected to exposure to COVID-19 at work.
  - a. The COVID-19 log will contain, for each instance, the employee's name, one form of contact information, occupation, location where the employee worked, the date of the employee's last day in the healthcare setting, the date of the positive test for, or diagnosis of, COVID-19, and the date the employee first had one or more COVID-19 symptoms, if any were experienced.



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3. The school district will record the information on the COVID-19 log within twenty-four hours of learning that the employee is COVID-19 positive.
  - a. The school district will maintain the COVID-19 log as a confidential medical record and will not disclose it except as required by the ETS or other Federal law.
  - b. The school district will maintain and preserve the COVID-19 log while the ETS remains in effect.
4. By the end of the next business day after a request, the school district will provide, for examination and copying:
  - a. All versions of this Policy which is the written Plan for all employees;
  - b. The individual COVID-19 log entry for a particular employee to that employee and to anyone having written authorized consent of that employee; and
  - c. A version of the COVID-19 log that removes the names of employees, contact information, and occupation, and only includes, for each employee in the COVID-19 log, the location where the employee worked, the last day that the employee was in the healthcare setting before removal, the date of that employee's positive test for, or diagnosis of, COVID-19, and the date the employee first had one or more COVID-19 symptoms, if any were experienced, to all employees.

## J. Reporting

1. The school district will report to PEOSH:
  - a. Each work-related COVID-19 fatality within eight hours of the school district learning about the fatality;



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- b. Each work-related COVID-19 in-patient hospitalization within twenty-four hours of the school district learning about the in-patient hospitalization.

## K. Monitoring Effectiveness

1. The school district and the COVID-19 Safety Coordinator(s) will work collaboratively with employees to monitor the effectiveness of this Plan so as to ensure ongoing progress and efficacy.
2. The school district will update this Policy as needed to address changes in specific COVID-19 hazards and exposures in the healthcare setting.

This Policy and its Appendices will be made available upon request.

29 CFR §1910.502

Occupational Safety and Health Administration Fact Sheet Subpart U COVID-19

Healthcare Emergency Temporary Standard

Occupational Safety and Health Administration Model Plan

Adopted:



# POLICY GUIDE

## Appendix 1 – Identifying the Healthcare Settings in the School District:

Location of healthcare setting in the school district buildings listed below:

Facility Location	Worksite-Specific COVID-19 Considerations



# POLICY GUIDE

## **Appendix 2 – Vaccination Status Plan:**

[Include and describe the procedures that will be used to determine employees' vaccination status.]





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## **Appendix 3 – Completed Hazard Forms and Results:**

Please see the attached Hazard Assessment Forms and Results below:



# POLICY GUIDE

## **Appendix 4 – Patient Screening and Management:**

[List the procedures for limiting and monitoring points of entry to the setting, screening and triaging for symptoms of COVID-19, and restricting facility access to reduce crowding (e.g., limiting visitors to only those essential for the patient’s physical or emotional well-being and care, restricting visitors to the patient’s room or other designated areas, asking patients to remain outside (if possible) until they are called into the facility for their appointment, etc.).]



# POLICY GUIDE

## **Appendix 5 – Standard and Transmission-Based Precautions:**

[List the standard and transmission-based infection control precautions.]



# POLICY GUIDE

## **Appendix 6 – Personal Protective Equipment (PPE):**

- [1. Describe how employees will be provided facemasks and instruction about when and how they should be worn or used.
2. Identify job tasks, if any, in which the use of a facemask presents a hazard of serious injury or death.
3. Describe the procedures for providing employees PPE in accordance with Standard and Transmission-Based Precautions in healthcare settings in accordance with CDC’s “Guidelines for Isolation Precautions.”
4. Describe employer procedures for providing PPE to employees with exposure to people with suspected or confirmed COVID-19.]



# POLICY GUIDE

## Appendix 7 – Physical Distancing:

- [1. Describe how healthcare setting flows, such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel, will be adjusted to ensure physical distancing.
2. Describe physical healthcare setting changes, such as increased distance between workstations, check-in and checkout stations, etc., that will be implemented to ensure physical distancing.
3. Describe how people in the healthcare setting will be prevented from gathering in groups in common areas and “bottlenecks,” including corridors, meeting rooms, stairways, breakrooms, entrances, exits, and elevators.
4. Describe how aisles, tables, counters, check-in and checkout stations, etc. will be arranged and how the flow will be directed to allow for physical distancing between people.
5. Identify protocols such as telehealth, telework, flexible work hours, staggered shifts, or additional shifts that can be used to reduce the number of employees in the healthcare setting at one time.]



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## **Appendix 8 – Physical Barriers:**

[Describe where and how physical barriers will be installed when physical distancing cannot be consistently maintained and spacing cannot be increased.]



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## **Appendix 9 – Cleaning and Disinfecting:**

- [1. Describe the schedule for cleaning and disinfecting, the persons responsible for conducting cleaning and disinfecting, the products that are used to clean and disinfect the healthcare setting, how the school district will clean patient care areas, resident rooms, and medical devices and equipment, and how the school district will clean and disinfect the healthcare setting if a COVID-19 positive person has been in the healthcare setting within the last twenty-four hours. A copy of cleaning logs to be used shall be attached.
2. Describe how necessary hand washing and/or sanitizer facilities will be provided, supplied, and maintained; and how employees will be allowed to perform hand hygiene to meet this requirement. Describe how hand washing and/or sanitizer facilities will be provided for use by other persons entering the healthcare setting.]



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## Appendix 10 - Ventilation:

**The following individual(s) is responsible for maintaining the HVAC system(s) and can certify that it is operating in accordance with the ventilation provisions of OSHA's COVID-19 ETS.**

*(e.g., Maintenance employee, HVAC service contractor(s))*

<u>Name/Contact Information:</u>	<u>Location:</u>
<u>Name/Contact Information:</u>	<u>Location:</u>

[Describe additional measures to improve building ventilation in accordance with "CDC's Ventilation Guidance".]





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## Appendix 11 – Health Screening and Medical Management for Employees:

- [1. Describe how employees will be screened (e.g., in-person when reporting to work, or by asking employees to self-monitor for COVID-19 symptoms before reporting to work). OSHA’s *Sample Employee COVID-19 Health Screening Questionnaire* may be useful. If the school district chooses to require COVID-19 testing, it must be done at no cost to employees.
2. Describe how employees will communicate with the school district if they are sick or experiencing symptoms while at home or at work.
3. Describe any leave policies (e.g., sick leave, Family Medical Leave Act, or other policies) the school district will implement to promote employees staying at home when they are sick, when household members are sick, or when required by a healthcare provider to isolate or quarantine themselves or a member of their household.
4. Describe how you will notify employees of COVID-19 exposure.
5. Describe district procedures for removing employees from the healthcare setting.
6. Describe district procedures for employees returning to work following removal from the healthcare setting.
  - a. The school district will only allow employees who have been removed from the healthcare setting to return to work in accordance with guidance from a licensed healthcare provider or in accordance with the CDC’s “Isolation Guidance” and “Return to Work Healthcare Guidance.”]



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## Appendix 12 – Medical Removal Protection Benefits:

- [1. Describe district policy for pay and benefits to employees removed from the healthcare setting and not working remotely. Note the following requirements under OSHA’s COVID-19 ETS:
  - Employers must continue to provide the benefits to which the employee is normally entitled and pay the employee the same regular pay the employee would have received had the employee not been absent from work, up to \$1,400 per week per employee. For employers with fewer than 500 employees, the employer must pay the employee up to the \$1,400 per week cap but, beginning in the third week of an employee’s removal, the amount is reduced to only two-thirds of the same regular pay the employee would have received had the employee not been absent from work, up to \$200 per day (\$1000 per week in most cases).
  - The ETS also provides that the employer’s payment obligation is reduced by the amount of compensation the employee receives from any other source, such as a publicly or employer-funded compensation program (e.g., paid sick leave, administrative leave), for earnings lost during the period of removal or any additional source of income the employee receives that is made possible by virtue of the employee’s removal.]



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## **Appendix 13 – Vaccinations:**

[Describe district procedures for providing reasonable time and paid leave for vaccinations and side effects.]



# POLICY GUIDE

## Appendix 14 – Training:

[Describe how training will be conducted (e.g., online education, department meetings and tool talks, discussion with supervisors, and/or other specific methods).

Describe any other healthcare setting-specific training topics.

1. The school district will ensure that each employee receives training, in a language and at a literacy level the employee understands, on the following topics:
  - a. COVID-19, including:
    - (1) How COVID-19 is transmitted (including pre-symptomatic and asymptomatic transmission);
    - (2) The importance of hand hygiene to reduce the risk of spreading COVID-19 infections;
    - (3) Ways to reduce the risk of spreading COVID-19 through proper covering of the nose and mouth;
    - (4) The signs and symptoms of COVID-19;
    - (5) Risk factors for severe illness; and
    - (6) When to seek medical attention.
  - b. The school district's procedures on patient screening and management;
  - c. Tasks and situations in the healthcare setting that could result in COVID-19 infection;
  - d. Healthcare setting-specific procedures to prevent the spread of COVID-19 that are applicable to the employee's duties (e.g., policies on Standard and Transmission-Based Precautions, physical distancing, physical barriers, ventilation, aerosol-generating procedures);
  - e. Employer-specific multi-employer healthcare setting agreements related to infection control policies and procedures, the use of common areas, and the use of shared equipment that affect employees at the healthcare setting;



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- f. The school district's procedures for PPE worn to comply with the ETS, including:
  - (1) When PPE is required for protection against COVID-19;
  - (2) Limitations of PPE for protection against COVID-19;
  - (3) How to properly put on, wear, and take off PPE;
  - (4) How to properly care for, store, clean, maintain, and dispose of PPE; and
  - (5) Any modifications to donning, doffing, cleaning, storage, maintenance, and disposal procedures needed to address COVID-19 when PPE is worn to address healthcare setting hazards other than COVID-19.
- g. Healthcare setting-specific procedures for cleaning and disinfection;
- h. The school district's procedures on health screening and medical management;
- i. Available sick leave policies, any COVID-19-related benefits to which the employee may be entitled under applicable Federal, State, or local laws, and other supportive policies and practices (e.g., telework, flexible hours, etc.);
- j. The identity of school district's Safety Coordinator(s) specified in this Plan; and
- k. The ETS.
  - (1) How the employee can obtain copies of the ETS and any employer-specific policies and procedures developed under the ETS, including this Policy, which is the school district's written Plan.



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2. The school district will ensure that the training is overseen or conducted by a person knowledgeable in the covered subject matter as it relates to the employee's job duties, and that the training provides an opportunity for interactive questions and answers with a person knowledgeable in the covered subject matter as it relates to the employee's job duties.
3. The school district will provide additional training whenever changes occur that affect the employee's risk of contracting COVID-19 at work (e.g., new job tasks), policies or procedures are changed, or there is an indication that the employee has not retained the necessary understanding or skill.]

