

MORRIS SCHOOL DISTRICT
MORRISTOWN HIGH SCHOOL, LEARNING COMMONS

REGULAR BUSINESS MEETING	September 09, 2019 – 6:30 P.M
CALL TO ORDER STATEMENT ROLL CALL	OPEN PUBLIC MEETING Mrs. Nancy Bangiola Mrs. Meredith Davidson Dr. Peter Gallerstein Ms. Linda K. Murphy Mr. Vij Pawar Ms. Lisa Pollak Mr. Leonard Posey Mrs. Ann Rhines Ms. Melissa Spiotta Ms. Lucia Galdi
MORRIS PLAINS REPRESENTATIVE	
STUDENT REPRESENTATIVES	Ms. Katherine Baskin
EXECUTIVE SESSION	6:30 P.M.
OPEN SESSION	7:30 P.M.
PLEDGE OF ALLEGIANCE	
SUPERINTENDENT’S REPORT	2020 Opening & Continuing District Priorities
PRESIDENT’S REPORT	
PUBLIC COMMENT	1 Hour (3 minutes per person)
COMMITTEE REPORTS	
BUSINESS AGENDA Communications	All correspondence to the board must be addressed through the board secretary. Copies are available in the Board Secretary’s Office
Minutes	
Policy	
Educational Matters	
Pupil Service	
Human Resources	
Business Matters	
NEW BUSINESS BROUGHT BEFORE THE BOARD	
EXECUTIVE SESSION	
ADJOURNMENT	

EXECUTIVE SESSION

Motion #1 AUTHORIZING EXECUTIVE SESSION

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Morris School District Board of Education to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive Session," without the public being permitted to attend, and

WHEREAS, the Board has determined that three (3) issues are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance and shall be discussed during an Executive Session to be held on September 09, 2019 at 6:30 P.M, and

WHEREAS, the nine (9) exceptions to open public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box which will be marked when the issues to be privately discussed fall within that exception, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written:

☒ "(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion." The nature of the matter, described as specifically as possible without undermining the need for confidentiality are: Student Matters

☐ "(2) Any matter in which the release of information would impair a right to receive funds from the federal government." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

☐ "(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

☐ "(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body." The collective bargaining contract(s) discussed are between (1) the Board and the Morris School District Administrators Association.

☐ "(5) Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

"(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

"(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer." The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are and the nature of the discussion, described as specifically as possible without undermining the need for confidentiality is:

"(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting." Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478 (1991), the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are:

"(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

WHEREAS, the length of the Executive Session is estimated to be sixty (60) minutes after which the public meeting of the Board shall (select one) reconvene and immediately adjourn or reconvene and proceed with business where formal action will be taken.

NOW, THEREFORE, BE IT RESOLVED that the Morris School District Board of Education will go into Executive Session for only the above stated reasons; and

BE IT FURTHER RESOLVED that the Board hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure.

MINUTES

Motion #1 that upon the recommendation of the Superintendent, the Board of Education, approve executive session minutes from the regular business meeting of:

August 26, 2019

Motion #2 that upon the recommendation of the Superintendent, the Board of Education, approve minutes from the regular business meeting of:

August 26, 2019

POLICY

DISTRICT GOALS

Motion #1 that upon the recommendation of the Superintendent, the Board of Education approve the 2019-2020 District Goals and Continuing District Priorities:

<p>2019-2020 Annual Focus District Priority</p>	<p>PreK Expansion</p>	<p>The Morris School District will continue to develop a PreK Expansion plan over the next four years that will eventually extend a free, two-year preschool education to 90% of the district’s PreK children in order to provide equitable and inclusive educational opportunities for a greater number of families in our community.</p>
<p>2019-2020 Annual Focus District Priority</p>	<p>Communication & Community Relations Action Plan Implementation</p>	<p>The Morris School District will begin strategic implementation of the Communications and Community Relations Action Plan in order to create and maintain a responsive system that supports and encourages open, two-way communications with all stakeholders to foster trusting partnerships in our mission to deliver exceptional programs.</p>
<p>2019-2020 Continued District Priority (from 2018-2019)</p>	<p>Equity & Inclusion Action Plan</p>	<p>The Morris School District will <i>continue</i> implementing the <i>Equity and Inclusion Action Plan</i> in order to create a more equitable, inclusive learning community that will promote lifelong success for each student.</p>
<p>2019-2020 Continued District Priority (from 2018-2019)</p>	<p>Learner Positioning System & S.E.L.</p>	<p>The Morris School District will <i>continue</i> to infuse social - emotional learning into district curriculum, professional development, and counseling practices, and will also include it in the synthesis of multiple forms of achievement data, in order to empower students to marshal the metacognitive skills necessary to develop a positive, future-looking self-narrative.</p>
<p>2019-2020 Continued District Priority (from 2018-2019)</p>	<p>Health, Wellness & Safety</p>	<p>The Morris School District will continue to implement safety and security actions as well as wellness strategies for students, teachers, and parents in order to ensure a comprehensively healthy community in which each student is empowered to maximize his/her potential.</p>

SECOND READING

Motion #2 that upon the recommendation of the Superintendent, the Board of Education approve for second reading the following new/revised bylaws/policies/regulations:

7440 [School District Security](#)

5600 [Student Discipline/Code of Conduct](#)

2610 [Educational Program Evaluation](#)

4219 [Commercial Driver's License Controlled Substance and Alcohol Testing](#)

DISTRICT PRIORITY:

These policy updates support the district goal Health, Wellness, and Safety, “The Morris School District will implement safety and security actions as well as wellness strategies for students, teachers, and parents in order to ensure a comprehensively healthy community in which each student is empowered to maximize his/her potential”.

7440 SCHOOL DISTRICT SECURITY (M)

The Board of Education believes the buildings and facilities of the school district represent a substantial community investment. The Board directs the development and implementation of a plan for school district security to protect the school community's investment in the school buildings and facilities.

The school district security program will include: maintenance of facilities that are secure against unwelcome intrusion; protection against fire hazards and faulty equipment; and compliance with safe practices in the use of electrical, plumbing, heating, and other school building equipment. The Board directs close cooperation of district officials with law enforcement, fire officials, and other emergency agencies.

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

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

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

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

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

Revised: 19 March 2018, 9 Sept 2019 Adopted: 12 January 2009



STUDENT DISCIPLINE/CODE OF CONDUCT (M)

5600 STUDENT DISCIPLINE/CODE OF CONDUCT (M)

The Board of Education adopts this Student Discipline/Code of Conduct Policy to establish standards, policies, and procedures for positive student development and student behavioral expectations on school grounds and, as appropriate, for conduct away from school grounds. Every student enrolled in this district shall observe promulgated rules and regulations and the discipline imposed for infraction of those rules.

The Superintendent of Schools will establish a process for the annual review and update of the district's Student Discipline/Code of Conduct Policy and Regulation that may involve a committee of parents, students, and community members that represent, where possible, the composition of the district's schools and community. The Superintendent will report to the Board the process used for the annual review of this Policy and Regulation and will recommend to the Board updates, if any, to the Student Discipline/Code of Conduct Policy and Regulation.

The Student Discipline/Code of Conduct Policy and Regulation shall be disseminated annually to all school staff, students, and parents. The Board of Education shall provide to all employees annual training on the Student Discipline/Code of Conduct Policy and Regulation, which shall include training on the prevention, intervention, and remediation of student conduct that violates the district's Policy and Regulation. Information on the Student Discipline/Code of Conduct Policy and Regulation shall be incorporated into the orientation for new employees.

The Board provides for the district's Student Discipline/Code of Conduct's equitable application. Student discipline and the Code of Student Conduct will be applied without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical or sensory disability; or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5.-1 et seq.

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. §1400 et seq., the Individuals with Disabilities Education Improvement Act and accommodation plans under 29 U.S.C. §§ 794 and 705(20), the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.

The Student Discipline/Code of Conduct is established for the purposes outlined in N.J.A.C. 6A:16-7.1(b). Policy and Regulation 5600 include a description of student responsibilities that include expectations for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 12.1; a description of behaviors that will



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result in suspension or expulsion, pursuant to N.J.S.A. 18A:37-2; and a description of student rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

The Board of Education approves the use of comprehensive behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports include, but are not limited to, positive reinforcement for good conduct and academic success including the programs that honor and reward student conduct and academic achievement; supportive intervention and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the behavior's nature, the students' developmental ages and the students' histories of problem behaviors and performance; and for students with disabilities, the behavior interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

Policy and Regulation 5600 include a description of school responses to violations of behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

Students are required to be in compliance with Policy 5200 – Attendance pursuant to N.J.A.C. 6A:16-7.6 and Policy and Regulation 5512 – Harassment, Intimidation, and Bullying pursuant to N.J.A.C. 6A:16-7.7.

The Building Principal shall maintain a current list of community-based health and social service provider agencies available to support a student and the student's family, as appropriate, and a list of legal resources available to serve the community.

The Building Principal or designee shall have the authority to assign discipline to students. School authorities also have the right to impose a consequence on a student for conduct away from school grounds that is consistent with the district's Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.5. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences pursuant to N.J.A.C. 6A:16-7.5 shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.4. School authorities shall respond to harassment, intimidation, or bullying that occurs off



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school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.

Consequences and appropriate remedial action for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are listed in Policy 5512 – Harassment, Intimidation, and Bullying.

Consequences for a student who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student’s history of problem behaviors and performance, and shall be consistent with this Policy and the school district’s Student Discipline/Code of Conduct Policy pursuant to N.J.A.C. 6A:16-7.1. Remedial measures for one or more acts of harassment, intimidation, or bullying shall be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Consequences and remedial measures to address acts or incidents of dating violence at school shall be consistent with the school district’s Student Discipline/Code of Conduct Policy. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are included in Policy and Regulation 5519 – Dating Violence at School and shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and aggressor have been involved. Consequences for acts or incidents of dating violence at school may range from admonishment to suspension or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the aggressor based on the severity of the act or incident. Remedial measures/interventions for acts or incidents of dating violence at school may include, but are not limited to: parent conferences, student counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

The Board of Education may deny participation in extra-curricular activities, school functions, sports, graduation exercises, or other privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment, in accordance with N.J.A.C. 6A:16-7.1(d).



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Any student to be disciplined shall be provided the due process procedures for students and their families as set forth in Policy and Regulation 5600 and N.J.A.C. 6A:16-7.2 through 7.4.

In accordance with the provisions of N.J.A.C. 6A:16-7.9, when a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information, Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a) and N.J.A.C. 6A:32-7.5.

The Superintendent may be required to submit a report annually to the New Jersey Department of Education on student conduct, including all student suspensions and expulsions, and the implementation of the Student Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education. The Superintendent shall report to the Commissioner of Education each incident of violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses, pursuant to N.J.A.C. 6A:16-4.3, in the school district utilizing the Student Safety Data System (SSDS), pursuant to N.J.A.C. 6A:16-5.3.

N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;

18A:37-1 et seq.; 18A:37-13.1 et seq.

N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Adopted: 12 February 2015 , Revised 13 September 2019



2610 EDUCATIONAL PROGRAM EVALUATION (M)

The Board of Education directs the Superintendent to develop and implement a systematic plan for the continuous evaluation of the educational program against the educational goals established by this Board. The Superintendent shall employ such tests and methods **that will ensure decision making is data driven and a variety of sources of data are used to analyze and monitor student achievement and progress, as well as evaluate school programs.** Wherever possible, the assessment program shall follow evaluation procedures set forth in the course guides.

The Superintendent shall maintain a calendar of assessment activities and shall make periodic evaluation reports to the Board that may be used to evaluate the progress of students and the effectiveness of staff members. **The Superintendent shall use multiple (more than two) sources of data to monitor student achievement and the progress of students. The Superintendent shall also use multiple (more than two) sources of data to evaluate the effectiveness of programs, initiatives, and strategies.**

The Board will annually make available to the public the collective progress of students toward the goals of the district.

The Board will annually, prior to the end of the school year and in conjunction with appropriate members of the administrative staff, conduct a review of the educational progress of the district, assess district and student needs, and establish long range and short range objectives for the educational program. The Board's annual report will be submitted to the Commissioner of Education as required.

The Superintendent shall annually recommend improvements in the educational program based on the Board's evaluation of the district's program. The Board reserves the right to employ experts from outside the school district to serve in the evaluation process.

N.J.S.A. 18A:7A-11

N.J.A.C. 6A:8-4.1 et seq.

N.J.A.C. 6A:19-2.6 [vocational districts]

Adopted: 28 November, 2016; 12 January, 2009, 13 September 2019



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

4219 COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE TESTING (M)

The Board of Education is committed to a safe, efficient and alcohol and drug-free workplace, that protects the district's pupils -- as well as the health and safety of its employees and the general public. The Board requires all employees of the Board performing any safety-sensitive function to be free of drugs and alcohol and will test those employees who operate a commercial motor vehicle in accordance with 49 C.F.R. 382 et seq. and 49 C.F.R. 40 et seq. **For the purpose of this Policy "employee" means a person required to have a Commercial Driver's License (CDL) in the performance of their job responsibilities.** Safety-sensitive functions as defined by 49 C.F.R. 382.107 means any time from the time an employee begins to work or is required to be in readiness to work until the time the employee is relieved from work and all responsibility for performing work. Safety-sensitive function shall include:

1. All time at the terminal, facility other property, or on any public property waiting to be dispatched unless relieved from duty;
2. All time inspecting equipment **as required by Federal law or otherwise inspecting, servicing, or conditioning any commercial motor vehicle, at any time;**
3. All time spent at the driving controls of a commercial motor vehicle in operation;
4. All time other than driving time in or upon the commercial motor vehicle except time spent resting in an area defined as a sleeping berth;
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle or in giving or receiving receipts for shipments loaded and unloaded; and
6. **All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.**
- 7.

The Omnibus Transportation Employee Testing Act of 1991 requires all operators of commercial motor vehicles subject to the CDL requirements to be tested for controlled



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

substances and alcohol. Federal regulations of the U. S. Department of Transportation require that any employee using a CDL be required to submit to alcohol and controlled substance testing in accordance with 49 CFR 40.

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

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

Violations

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

Prohibited Substances

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



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

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

"Controlled substances" means those substances identified in 49 CFR. 40.85.

"CCF" means the Federal Drug Testing Custody and Control Form.

"Designated Employer Representative" DER is an employee of the district authorized to take immediate action (s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The (DER) shall receive test results and other communications for the employer, consistent with the requirements of this Policy and 49 CFR40. Service agents cannot act as a DER.

"FMCSA" means Federal Motor Carrier Safety Administration.

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

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

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

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

"Service agent" is any person or entity, other than an employee of the Board, who provides services specified under 49 CFR 40 to the Board.

"Substance Abuse Professional (SAP)" is a person who evaluates employees who have violated a Federal or State drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing and aftercare. An individual permitted to act as a SAP must possess the credentials as outlined in 49 CFR. 40 281.

"Work Site" means any motor vehicle, office, building, yard or other location at which the driver is to perform work **or any other school district property or at any school district event.**



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

Categories of Testing

For the purpose of this Policy, the occurrence of the following circumstances/instances shall require an employee to submit to a controlled substance and alcohol screening:

1. Pre-Employment Testing

An individual who has applied for and has been selected to operate a Board vehicle shall, before beginning employment with the Board, submit to a controlled substance screening in conjunction with any required physical examination as per Policy 4160. Such screening shall be conducted in accordance with the procedures set forth in this Policy and 49 CFR. 40. No individual receiving a positive confirmed test result will be employed by the Board.

An employer is not required to administer a controlled substances test required by 49 CFR 382.301(a) if

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

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



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

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

An employee who has applied for and has been selected to operate a Board vehicle or any existing employee transferring into a new position requiring the employee to operate a Board vehicle, shall submit a written consent authorizing the Board to obtain the following information from other employers who have employed the employee during any period during the two years before the date of the employee's application or transfer into the new position. The written consent from the employee will permit the (DER) to obtain the following information from previous Division of Transportation DOT-regulated employers:

- a. Alcohol tests with a result of 0.04 or higher alcohol concentration;
- b. Verified positive drug tests;
- c. Refusals to be tested (including verified adulterated or substituted drug test results);
- d. Other violations of DOT agency drug and alcohol testing regulations; and
- e. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return-to-duty requirements (including follow-up tests). If this information is not available from the previous employer, the DER must seek to obtain this information from the employee.



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

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

2. Random Testing

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

The minimum annual percentage rate for random alcohol testing shall be 10% of the average number of positions. The minimum annual percentage rate for random controlled substances testing shall be 25% of the average number of positions. The minimum annual percentage rates may be adjusted as determined by the FMCSA Administrator in accordance with 49 CFR 382.305.

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

3. Post-Accident Testing

The involvement by an employee in a motor vehicle collision while operating a Board vehicle when such accident results in property damage or personal injury, may trigger a post-accident drug and alcohol test.

As soon as practical following an occurrence, the DER will require post-accident alcohol screening for each of the surviving drivers:

- a. Who was performing safety-sensitive functions with respect to a vehicle, if the accident involves the loss of human life; or



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

- b. Who receives a citation within eight hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
 - (1) Bodily injury to any person, who, as a result of the injury immediately receives medical treatment away from the scene of the accident; or
 - (2) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.
- c. If the alcohol test is not administered within two hours following the accident, the DER will prepare and maintain on file a record stating the reasons the test was not promptly administered. If the alcohol test is not administered within eight hours following the accident, the DER shall cease attempts to administer the alcohol test and shall prepare and maintain the same record. Records shall be submitted to the FMCSA upon request.

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

- a. Who was performing safety-sensitive functions with respect to a vehicle, if the accident involves the loss of human life; or
- b. Who receives a citation within thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
 - (1) Bodily injury to any person, who, as a result of the injury immediately receives medical treatment away from the scene of the accident; or
 - (2) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

- c. If the controlled substance test is not administered within thirty-two hours following the accident, the DER shall cease attempts to administer the controlled substance test and shall prepare and maintain on file a record stating the reasons the test was not promptly administered. Records shall be submitted to the FMCSA upon request.

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

4. Reasonable Suspicion Testing

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

Reasonable suspicion alcohol testing is authorized only if the required observations are made during, just preceding, or just after the period of the work day the employee is required to be in compliance with the testing requirements of 49 CFR. 382 et seq.

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

If the alcohol test is not administered within two hours following the determination a reasonable suspicion test is required, the DER will prepare



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

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

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

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

5. Return to Duty Testing

The district is not required to return an employee to a safety-sensitive position upon receipt of a confirmed drug and/or alcohol test. The DER may recommend to the Superintendent of Schools the employee's employment be terminated depending on the circumstances.

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

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



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

The SAP will determine a written follow-up testing plan for any employee who has been permitted to return to work and has successfully complied with the SAP's recommendations for education and/or treatment. Such employees are subject to a minimum of six (6) unannounced, follow-up drug screening and alcohol tests over the following twelve (12) months. The testing shall not exceed forty-eight (48) additional months. Alcohol follow-up testing shall be performed only when the employee is performing safety-sensitive functions or immediately prior to performing or immediately after performing safety-sensitive functions. All follow-up testing will be completed in accordance with 49 CFR. 40.307. The SAP will comply with all reporting requirements of 49 CFR 40.311.

The Board shall make the ultimate determination to return or not return an employee to a safety-sensitive position subject to any collective bargaining agreements, if any, or other legal requirements.

Medical Review Officer (MRO) Notifications

The Board shall employ or contract with a medical review officer (MRO) who is a licensed physician (M.D. or D.O.) and shall designate the Medical Review Officer as the individual responsible for receiving laboratory results generated by the testing program. The MRO shall have knowledge of controlled substances abuse disorders and have appropriate medical training to interpret and evaluate the employee's confirmed drug test results together with his/her medical history and other biomedical data. The Medical Review Officer will perform all functions and responsibilities as required in 49 CFR 49.121.

Employer Notification

The Medical Review Officer may report controlled substances test results to the DER by any means of communication; however, a signed, written notification must be forwarded within three business days of the completion of the Medical Review Officer's evaluation. The Medical Review Officer must report all drug test results to the employer. The MRO may use a signed or stamped and dated legible photocopy of Copy 2 of the CCF report test results or a written report that must include, at a minimum, the information required in 49 CFR 40.163.

Split Specimen Tests



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

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

Designated Collection Facility

The Board shall designate the facility to be used for the collection of the specimen; provided, however, that the designated facility shall possess all required licenses and permits. The collection site will take place in a facility meeting the requirements of 49 CFR 40 Subpart D. The DER will ensure the collection site meets the security requirements of 49 CFR. 40.43.

Designated Screening Laboratory

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

Specimens

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

Refusal to Submit

An employee will be deemed as refusing to take a drug test as described in with 49 CFR 40.191. As per 49 CFR 40.191, an employee refuses to take a drug test if he/she:

1. Fails to appear for any test (except a pre-employment test) within a reasonable time, as determined by the DER, consistent with applicable DOT agency regulations, after being directed to do so by the DER;
2. Fails to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

commences for a pre-employment test is not deemed to have refused to test;

3. Fails to provide a urine specimen for any drug test required by this policy. An employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
4. Fails to permit the observation or monitoring of providing a specimen. In the case of a directly observed or monitored collection in a drug test;
5. Fails to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
6. Fails or declines to take an additional drug test the DER of collector has directed the employee to take;
7. Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER under 49 CFR40.193(d). In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;
8. Fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process), fails to wash hands after being directed to do so by the collector(
- 9.
9. **Fails to follow the collection observer(s) instructions of which could be used to interfere with the collection process;**
10. **Possesses or wears a prosthetic or other device that could be used to interfere with the collection process; or**
11. **Admits to the collector or MRO he/she has adulterated or substituted the specimen.**



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

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

If an employee refuses to participate in a part of the testing process, the collector or MRO, must terminate the portion of the testing process, document the refusal on the CCF (including in the case of the collector, printing the employee's name on Copy 2 of the CCF), immediately notify the DER by any means (e.g., telephone or secure fax machine) that ensures that the refusal notification is immediately received. A referral physician (e.g., physician evaluating a "shy bladder" condition or a claim of a legitimate medical explanation in a validity testing situation), must notify the MRO, who in turn will notify the DER. In addition, the collector must note the refusal in the "Remarks" line (Step 2), and sign and date the CCF. The MRO must note the refusal by checking the "Refusal to Test because" box (Step 6) on Copy 2 of the CCF, and add the reason on the "Remarks" line. The MRO must then sign and date the CCF. When the employee refuses to take a non-DOT test or to sign a non-DOT form, the employee has not refused to take a DOT test. There are no consequences under DOT agency regulations for refusing to take a non-DOT test.

Record of Negative Screening

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

Prescription Drugs

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

Consequences to Employees Engaging in Prohibited Conduct

An employee whose screening produces a positive result for a prohibited substance who is permitted to return to work:

1. Shall not be permitted to perform safety-sensitive functions;



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

2. Shall be advised by the DER of resources available to them in evaluating and resolving problems associated with the misuse of alcohol or the use of controlled substances;
3. Shall be evaluated by a (SAP) substance abuse professional who shall determine what assistance, if any, is needed to resolve problems with alcohol or controlled substance use;
4. Undergo, before returning to duty, a return to duty alcohol test indicating a breath level of less than 0.02 if the conduct involved alcohol or a controlled substance test with a verified negative result;
5. If assistance was required, the employee must be evaluated by a (SAP) substance abuse professional to determine that the employee has followed the rehabilitation program prescribed;
6. Be subject to unannounced follow up alcohol and/or controlled substance abuse testing; and
7. Be subject to the disciplinary Policy and Regulations of the Board.

Return-to-Work Agreement

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

Maintenance and Retention of Records

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

1. Records Related to the Collection Process:
 - a. Collection logbooks (if used);
 - b. Documents related to the random selection process;
 - c. Calibration documentation for Evidential Breath Testing Devices (EBT's);



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

- d. Documentation of Breath Alcohol Technician (BAT) training;
 - e. Documentation of reasoning for reasonable suspicion testing;
 - f. Documentation of reasoning for post-accident testing;
 - g. Documents verifying a medical explanation for the inability to provide adequate breath or urine for testing; and
 - h. Consolidated annual calendar year summaries.
2. Records related to the Employee 's test results:
 - a. Employer's copy of the alcohol test form, including results;
 - b. Employer's copy of the controlled substance test chain of custody and control form;
 - c. Documents sent to the employer by the (MRO) Medical Review Officer;
 - d. Documentation of any employee's refusal to submit to a required alcohol or controlled substance test; and
 - e. Documents provided by a employee to dispute results of test.
 3. Documentation of any other Violations of Controlled Substance Use or Alcohol Misuse Policy
 4. Records Related to Evaluations and Training:
 - a. Records pertaining to the Substance Abuse Professional's (SAP's) determination of an employee 's need for assistance;
 - b. Records concerning an employee r's compliance with the SAP's recommendations, and records related to education and training;
 - c. Materials on drug and alcohol awareness, including a copy of the employer's policy on drug use and alcohol misuse;



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

- d. Documentation of compliance with the requirement to provide employee with educational material, including an employee's signed receipt of materials;
 - e. Documentation of supervisor training; and
 - f. Certification that training conducted under this Policy complies with all requirements of the Policy
5. Records Related to Drug Testing
- a. Agreements with collection site facilities, laboratories, Medical Review Officers (MRO's) and consortia;
 - b. Names and positions of officials and their role in the employer's alcohol and controlled substance testing program;
 - c. Monthly statistical summaries of urinalysis; and
 - d. The employer's drug testing policy and procedures.
6. Required Period of Retention:

Document to be maintained	Period required to be maintained
Alcohol test results indicating a breath alcohol concentration of 0.02 or greater	5 Years
Verified positive controlled substance test results	5 Years
Documentation of refusals to submit to required alcohol or controlled substance tests	5 Years
Calibration documentation	5 Years
Records related to the	5 Years



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

administration of alcohol and controlled substances testing program including records of all driver violations.	
Driver evaluations and referrals	5 Years
A copy of each annual calendar year summary	5 Years
Records obtained from previous employers concerning alcohol and drug testing.	3 Years
Records related to the alcohol and controlled substances collection process (except calibration of evidential breath testing devices)	2 Years
Records related to negative and canceled controlled substance test results	1 Year
Alcohol test results indicating a breath alcohol concentration less than 0.02	1 Year
Records related to the education and training of breath alcohol technicians, screening test technicians, supervisors, and drivers shall be maintained by the employer while the individual performs the functions which require the training and for two years after ceasing to perform those functions	Indefinite time period



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

Other specific types of records shall be maintained in accordance with 49 CFR 382.401.

7. Location of Records

All required records shall be maintained in accordance with Policy 8320. Records shall be made available for inspection at the Board Offices within two business days after a request has been made by an authorized representative of the FMCSA

8. Annual Calendar Year Summary

The DER shall prepare and maintain an annual calendar year summary of the results of its alcohol and substance abuse testing programs. The summary shall be completed no later than March 15 of each year covering the previous calendar year. The DER upon request of the FMCSA will provide the annual summary to that agency in the required format.

9. Employee Information Program

The Board will provide an employee information program. The DER will be responsible for implementing the program and shall insure that each employee receives information in the manner specified below:

- a. By receiving a copy of this Policy and any subsequent revisions.
- b. The DER will provide written notice to employees of the following information:
 - (1) The identity of the person designated by the employer to answer employee questions about the materials;
 - (2) Which employee are subject to the alcohol misuse and controlled substance requirements;
 - (3) Explanation of what constitutes a safety-sensitive function, so as to make clear what period of the work day the employee is required to be in compliance;



COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCES AND ALCOHOL USE

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

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

Adopted: 12 January 2009, Revised 26 August 2019



EDUCATIONAL MATTERS

PROJECT LEAD THE WAY TRAINING

Motion #1 that, upon the recommendation of the Superintendent, the Board of Education approve the following:

Program:	Project Lead the Way Training
Description:	PLTW Core Training: Computer Science A and Cybersecurity
Dates:	July, 2019 - May, 2020
Funding Source:	PLTW grant and local funds

EXPLANATION:

Project Lead the Way requires core training and professional learning for instructors as courses get added. For the 2019-20 school year, we've added two more courses to the PLTW Pathway at the High School (Computer Science A and Cybersecurity).

DISTRICT PRIORITY:

In support of the MSD Enduring Beliefs, Commitments & Aspirations: The MSD will develop curricular programs, instructional practice and seamless technology integration so each student will academically and emotionally ascend through our schools.

COMMUNITY SCHOOL 2019-2020

Motion #2 that, upon the recommendation of the Superintendent, the Board of Education approve the following courses for the Community School programs:

Yoga:

Children experience the many facets of a yoga practice; centering, breath work, poses, sun salutation, and relaxation. We throw in a little cardio, with games and songs, just to keep things upbeat. Namaste.

Magic:

Do you love magic? Then come join us as we reveal a magician's secret every week. Magic tricks will include professional tricks that you get to take home, as well as everyday objects like cards, coins, rope and paper. Each trick will be performed and explained. At the last class, you will put on a magic show that will amaze and delight your friends and family.

Chess:

Learn chess fundamentals including how to set up a board, how the pieces move, and how the game develops. Students play chess matches each week and are paired by skill level.

Go Green:

Recycled Racers: Students recycle items that would ordinarily be discarded by turning them into toys, sculptures, and household objects. Students will use recycled materials to engineer their own toy cars, then compete in a Recycled Racer Rally. Developed by the Boston Museum of Science, this

workshop emphasizes the Engineering Design Process throughout the activities, encouraging creative problem-solving and innovation.

EXPLANATION:

Courses to be offered through AlphaBest Explorations. Salaries to be paid by collected Tuitions.

2019-2020 CARL D. PERKINS GRANT

Motion #3 that, upon the recommendation of the Superintendent, the Board of Education approve submission and accept the funds of the Carl D. Perkins grant for the 2019-2020 school year in the amount of \$37,742.

EXPLANATION

The Federal Perkins Grant provides qualified school districts funding for Career-Technology-Education programs and clusters approved by the state. The Morris School District offers CTE approved programs in ***Television and Broadcasting*** and ***CAD/Architectural Design*** at Morristown High School. These programs are approved CTE programs by the state of New Jersey and funded from the Federal Perkins Grant.

PUPIL SERVICES

SPECIAL OLYMPICS PROJECT PLAY UNIFIED GRANT PROGRAM

Motion #1 that, upon the recommendation of the Superintendent, the Board of Education approve the acceptance of a grant not to exceed \$7,700 for the Special Olympics Project Play Unified Grant Program. This one year grant is offered to launch Unified Fitness at two K-2 schools during recess.

EXPLANATION

Project Play Unified will be reimbursing the Morris School District for the cost of advisors. They will also be providing universally designed fitness equipment and t-shirts for all Unified sports.

IDEA AMENDMENT APPLICATION

Motion #2 that, upon the recommendation of the Superintendent, the Board of Education approve submission of the IDEA amendment application for the FY 2020 and accepts the grant modifications for these funds in the amount of \$1,602,033.

EXPLANATION

The FY 2020 application is being amended to reallocate unspent funds for Assistive Technology.

HUMAN RESOURCES

ESTABLISH POSITION(S) 2019-2020

Motion #1 that, upon the recommendation of the Superintendent, the Board of Education establish the following position(s) for the 2019-2020 school year:

- (1) 1.0 ESL Teacher, FMS
- (1) 0.5 Preschool Consortium School Nurse , LLC

RESIGNATION(S)/TERMINATION(S)/RETIREMENT(S) 2019-2020

Motion #2 that, upon the recommendation of the Superintendent, the Board of Education approve the resignation(s), termination(s) and/or retirement(s) of the following staff according to the effective date and reason shown:

DeVito, Lori 0.5 ABS, AH	September 2, 2019 Resignation
Hormaza-Moreno, Katherine 1.0 Security Monitor, MHS	August 31, 2019 Resignation
Tizio, Carmen 0.5 Bus Driver, Transportation	September 5, 2019 Resignation

APPOINTMENT(S) 2019-2020 */**

Motion #3 that, upon the recommendation of the Superintendent, the Board of Education approve the appointment of the following to the position/s stated at the annual salary rates and effective date/s shown, and further that the Board of Education approve the submission to the County Superintendent applications for emergency hiring, pending approval of all Human Resource documents and/or requirements and each applicant's attestation that s/he has not been convicted of any disqualifying crime pursuant to the provisions of N.J.S.A. 18a6-7.1 et seq.; 18:39-17 et seq.; 18A:6-4.13 et seq.:

			<u>In place of:</u>
Fischman, Lisa 1.0 Supervisor of Inst., FMS	\$108,000	09/01/19-06/30/20 <i>(Revised date)</i>	Gold, M. Reassigned
Gaustello, Deanne 1.0 Pre-School Principal, LLC	\$120,000	09/01/19-06/30/20 <i>(Revised date)</i>	Andre, K. Retired
Hazen, Erin 1.0 Special Ed., FMS	\$74,062 Doc, Step 10 <i>(Revised Salary)</i>	09/01/19-06/30/20	Bischoff, K. Leave Replacement
Jamieson, Daniel 1.0 LDT-C, PS	\$79,037 MA, Step 15	10/21/19-06/30/20 <i>(Revised date)</i>	Heywood, D. Reassigned
Johnson, Bridgette 0.3 Bus Aide, Trans.	\$6,750 \$15/hr, 2.5 hrs/day, 180 days	09/01/19-06/30/20	Rogers, G. Resigned

Smith, Taylor 1.0 Science, FMS	\$57,907 MA, Step 3 <i>(Revised Salary)</i>	09/01/19-06/30/20	Albanese, S. Leave Replacement
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- * Pending probationary period
- ** Pending completion of paperwork

SUBSTITUTE APPOINTMENTS 2019-2020

Motion #4 that, upon the recommendation of the Superintendent, the Board of Education approve the following name(s) be added to the list of substitutes, and approve all Morris School District Substitute Teachers to also provide service as Teacher Assistant, ABS, and Lunchroom Playground Aide as assigned for the 2019-2020 school year, and further that the Board of Education approve submission to the County Superintendent application for emergency hiring and each applicant's attestation that s/he has not been convicted of any disqualifying crime pursuant to the provisions of N.J.S.A 18A:6-7.1 et seq., 18A:6-4.13 et seq.:

LR/PG Aide

Johnson, Bridget (eff. 9/1/19 - \$15 pr/hr)

TRANSFER(S), CHANGE(S) OF ASSIGNMENT, TITLE AND OR/ SALARY 2019-2020

Motion #5 that, upon the recommendation of the Superintendent, the Board of Education approve the change(s) of assignment and/or salary for the following certified and non-certificated staff:

Employee	Former Assignment	New Assignment	Effective	Salary
Roberson, Shirley	0.5 Bus Aide, Transportation	N/A	09/01/19	\$6,948 \$15.44/hr, 2.5 hrs/day, 180 days

LEAVE(S) OF ABSENCE 2018-2019

Motion #6 that, upon the recommendation of the Superintendent, the Board of Education approve a leave of absence to the following staff members under the conditions stated and effective dates shown:

Botsakos, Sara 1.0 Mathematics, MHS	01/06/20-02/23/20 * - Maternity 02/24/20-05/25/20 ** - FMLA 05/26/20-06/30/20 ***- Childrearing
Jimenez, Elizabeth 1.0 Spanish Teacher, FMS	09/01/19-09/23/19 * - Maternity 09/24/19-12/16/19 ** - FMLA

Padrazas, Edward
1.0 Custodian, B&G

09/01/19-06/30/20 **- FMLA
(Intermittent)

Sullivan, Elizabeth
1.0 Science, FMS

09/01/19-09/30/19 * - Maternity
10/01/19-01/01/20 **- FMLA
01/02/20-04/20/20 *** - Childrearing

* Accumulated sick leave may be used up to a period of eight weeks (four weeks before and four weeks after the birth of the baby) – with pay/with benefits.

** Without pay/with benefits

*** Without pay/without benefits

CHANGE OF LEVEL OF PROFESSIONAL PREPARATION 2019-2020

Motion #7 that, upon the recommendation of the Superintendent, the Board of Education approve a change of salary for the following certificated staff members that have successfully satisfied the requirements for a change of level of professional preparation:

Employee	School/Dept.	19-20 Level	19-20 Salary	19-20 Level	19-20 Salary
Gallagher, David	1.0 Music, MHS	BA, Step 7	\$58,332	MA, Step 7	\$61,932

INVOLUNTARY TRANSFERS 2019-2020

Motion #8 that upon the recommendation of the Superintendent, the Board of Education approve compensation in the amount of \$100 to each of the following staff members due to involuntary transfer for the 2019-2020 school year:

Staff Member	2018-2019 Assignment	2019-2020 Assignment
Hitchcock, Rebecca	1.0 .Speech, TJ/WD	1.0 Speech., WD/LLC

COMMUNITY SCHOOL 2019-2020

Motion # 9 that, upon the recommendation of the Superintendent, the Board of Education approve the following Sunrise/Sunset staff:

Denny-William, Tracey	Assistant	\$13.00/hr
Webb, Shehkai	Aide	\$10.00/hr

EXPLANATION: Salaries to be paid out of collected tuition.

Motion #10 that, upon the recommendation of the Superintendent, the Board of Education approve the following Sunrise/Sunset substitute staff:

Pooler, Jamie	Assistant	\$13.00/hr
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EXPLANATION: Salaries to be paid out of collected tuition.

EXTRA PAY 2019-2020

Motion #11 that, upon the recommendation of the Superintendent, the Board of Education approve the following extra-pay positions for the 2019-2020 school year:

MORRISTOWN HIGH SCHOOL ATHLETICS					
POSITION	STAFF MEMBER	YR EXP.	SALARY	INC	TOTAL SALARY
ATHLETICS – MHS					
Fencing					
Head Coach	Awad, Christopher	12	\$6,856		\$6,856
Lacrosse					
Assistant Coach – Girls	Mager, Evan	8	\$6,347		\$6,347

FRELINGHUYSEN MIDDLE SCHOOL ATHLETICS					
POSITION	STAFF MEMBER	YR EXP.	SALARY	INC	TOTAL SALARY
ATHLETICS – FMS					
Soccer					
Assistant Coach – Boys	Scheerer, Harrison	2	\$1,673		\$1,673

MORRISTOWN HIGH SCHOOL - CO-CURRICULAR					
POSITION	STAFF MEMBER	YR EXP.	SALARY	INC	TOTAL SALARY
CO-CURRICULAR – MHS					
Academic Decathlon Advisor	Emma, David	16	\$4,522	4	\$6,002
Drill Team Coach	Garavaglia, Alanna	1	\$4,419		\$4,419

EXTRA PAY REVISION 2019-2020

Motion #12 that, upon the recommendation of the Superintendent, the Board of Education approve the following extra-pay positions (**revisions in bold**) for the 2019-2020 school year:

MORRISTOWN HIGH SCHOOL - CO-CURRICULAR					
POSITION	STAFF MEMBER	YR EXP.	SALARY	INC	TOTAL SALARY
CO-CURRICULAR – MHS					
Music Marching Band					
Instrumental Woodwind Clinician	Sauer, Ryan (resigned)	4	\$1,357		\$1,357

HOME PROGRAMMING SPECIAL EDUCATION 2019-2020

Motion #13 that, upon the recommendation of the Superintendent, the Board of Education approve all certificated and non-certificated staff who hold appropriate teaching credentials to provide home programming as assigned for the 2019-2020 school year.

EXPLANATION: Upon submission of a timesheet, staff members will be paid as per Contract language.

LUNCH MONITORS - MHS 2019-2020

Motion #14 that, upon the recommendation of the Superintendent, the Board of Education approve the following Morristown High School staff to provide supervision during lunch as deemed necessary and approved by the Principal for the 2019-2020 school year.

Not to exceed 7 staff members per day (50 minutes each)

Bodnarchuk, John
Campbell, Michael
DiGiacchino, Gregory
Drewery, Gordon
Fletcher, Jonathan
Kiernan, Brian
Lee, Rodney
McBride, Sean
Power, John
Rooney, Kevin
Serra, Michael

Not to exceed 3 staff members per day (30 minutes each)

Davis, Edgar
Goss, Kyle
Hall, Kathleen
Losada, Castor
Meza, Luz
Vagnini, Julie
Velasquez, Angela

EXPLANATION: Upon the submission of approved timesheets, the staff will be compensated per contract language.

SUPERINTENDENT'S GOALS

Motion #15 that the Board of Education acknowledge the full achievement by Mackey Pendergrast, Superintendent of Schools of the following Qualitative Goal as on file in the office of Human Resources and the Business Administrator, and the full merit criterion has been met and payment is approved for the same in the amounts listed below:

Qualitative Goal #1 (2.5%)

College Outreach and College Counseling Program

EXPLANATION:

The above Qualitative goal was approved at the Board of Education on September 17, 2018 Business Matters Motion #16 and subsequently approved by the Executive County Superintendent of Schools on September 24, 2018. Criterion achievement and related bonus level will be submitted to the Executive County Superintendent of Schools for approval before payment is made.

SUPERINTENDENT'S GOALS

Motion #16 that the Board of Education acknowledge the full achievement by Mackey Pendergrast, Superintendent of Schools of the following Qualitative Goal as on file in the office of Human Resources and the Business Administrator, and the full merit criterion has been met and payment is approved for the same in the amounts listed below:

Qualitative Goal #2 (2.5%)

Communications Action Plan

EXPLANATION:

The above Qualitative goal was approved at the Board of Education on September 17, 2018 Business Matters Motion #16 and subsequently approved by the Executive County Superintendent of Schools on September 24, 2018. Criterion achievement and related bonus level will be submitted to the Executive County Superintendent of Schools for approval before payment is made.

***HUMAN RESOURCES/CURRICULUM
COHORTS 2019-2020***

Motion #17 that, upon the recommendation of the Superintendent, the Board of Education approve the appointment of the following staff to the position of Cohort staff:

Program:	9th Grade Learning Experience
Description:	Transition program for incoming freshmen
Dates:	September, 2019 - June, 2020
Funding Source:	Local
Rate/Hours:	\$1,000

Bosworth, Connor
Botsakos, Sara
Bouchard, Judson
Caruso, Michael
Componile, Joseph
Componile, Bernadette
Cora, Angel
Disch, Kaitlynn
Drewery, Gordon
Emma, Dave
Flynn, Casey
Hargrave, Dave
Hull, Christopher
Hall, Kathy
Jordan, Robert

Kolker, Erin
Martinez, David
Matro, Brian
McGrover, Jessica
O'Rourke, Kaitlin
Petrucci, Debora
Spencer, Debra
Wilpert, Marya
Villane, Kristen

PROJECT LEAD THE WAY TRAINING

Motion #18 that, upon the recommendation of the Superintendent, the Board of Education approve the following:

Program: Project Lead the Way Training
Description: PLTW Core Training: Computer Science A
Dates: July, 2019 - May, 2020
Funding Source: PLTW grant and Local funds
Rate: As per contract language (\$25.00 hour)

Johnson, Tiffany

ESEA PAYROLL 2019-2020 - Revised

Motion #19 that, upon the recommendation of the Superintendent, the Board of Education approve the following ESEA payroll for the 2019-2020 school year:

Title IA

Name	Position / Account Number	Full Salary	Grant Salary	%
Michel, Hailee	Intervention Teacher/ 20-231-100-101-14-00	\$ 70,177	\$ 32,758	46.68%
Katterman, Lisa	Intervention Teacher/ 20-231-100-101-14-00	\$ 103,662	\$ 35,846	34.58%
Giuliano, Irena	Intervention Teacher/ 20-231-100-101-14-00	\$ 74,607	\$ 36,960	49.54%
Williams, Christine	Intervention Teacher/ 20-231-100-101-14-00	\$ 81,252	\$ 40,626	50.00%
Lo Verde, Melanie	Intervention Teacher/ 20-231-100-101-14-00	\$ 62,147	\$ 35,840	57.67%
Richardson, Nicole	Intervention Teacher/ 20-231-100-101-14-00	\$ 101,582	\$ 31,358	30.87%
Black, Adene	Intervention Teacher/ 20-231-100-101-14-00	\$ 101,172	\$ 31,358	30.99%
Mager, Evan	Intervention Teacher/ 20-231-100-101-14-00	\$ 65,747	\$ 65,747	100.00%
Hall, Vicki	Intervention Teacher/ 20-231-100-101-14-00	\$ 103,662	\$ 28,838	27.82%

Adler, Kathleen	Intervention Teacher/ 20-231-100-101-14-00	\$ 61,932	\$ 41,494	67.00%
Koval, Christy	Intervention Teacher/ 20-231-100-101-14-CL	\$ 30,105	\$ 30,105	100.00%

EXPLANATION: The salary revision in bold represents a change in staff allocated to the Title IA grant.

PRESCHOOL EDUCATION AID (PEA) GRANT PAYROLL 2019-2020 - Revised

Motion #20 that, upon the recommendation of the Superintendent, the Board of Education approve the following PEA payroll for the 2019-2020 school year:

Position / Account #	Name	Full Salary	PEA Grant Salary	Local Funds Salary
Teacher 20-218-100-101-19-00	Manobianca, Amy	\$ 65,747	\$ 44,050	\$ 21,697
	Ford, Jennifer	\$ 62,147	\$ 41,638	\$ 20,509
	Carolan, Nicole	\$ 57,907	\$ 38,798	\$ 19,109
	Jackson, Avelyn	\$ 59,902	\$ 40,134	\$ 19,768
	Young, Kristina	\$ 58,887	\$ 39,454	\$ 19,433
	Perez, Stefanie	\$ 53,544	\$ 35,875	\$ 17,669
	Di Domenico, Sherry	\$ 85,122	\$ 57,031	\$ 28,091
	TOTAL TEACHERS	\$ 443,256	\$ 296,980	\$ 146,276
Teacher Assistants 20-218-100-106-19-00	Mazza, Maria	\$ 41,029	\$ 27,489	\$ 13,540
	Ryan, Diane	\$ 43,277	\$ 28,996	\$ 14,281
	Celis, Maria	\$ 39,229	\$ 26,283	\$ 12,946
	Price, Kristen	\$ 38,176	\$ 25,578	\$ 12,598
	Terhune, Wendy	\$ 36,269	\$ 24,300	\$ 11,969
	Permisson, Gabriela	\$ 12,191	\$ 8,168	\$ 4,023
	McCormack, Margaret	\$ 12,521	\$ 8,389	\$ 4,132
	Correa, Rosario	\$ 43,277	\$ 20,402	\$ 22,875
	TOTAL TEACHER ASSTS.	\$ 265,969	\$ 169,605	\$ 96,364
Master Teacher 20-218-200-102-19-00	Cobilich, Barbara	\$ 72,392	\$ 72,392	\$ 0.00
Principal 20-218-200-103-19-00 11-000-240-103-14-00	Andre, Karen	\$ 153,569	\$ 13,655	\$ 139,914
	Gaustello, Deanne	\$ 120,000	\$ 21,460	\$ 98,540
PIRT Coordinator 20-218-200-102-19-00	Mocko, Jennifer	\$ 101,582	\$ 101,582	\$ 0.00
Community Parent Involvement Specialist 20-218-200-173-19-00	Mendonca, Carolina	\$ 76,822	\$ 76,822	\$0.00

Bus Drivers	Rosa, Brenda	\$ 27,000	\$ 13,365	\$ 13,635
20-218-200-110-19-00	Byron, Adrienne	\$ 33,750	\$ 16,875	\$ 16,875
11-000-270-160-13-00	Muhammad, Veronica	\$ 27,000	\$ 13,365	\$ 13,635
	Huerta, Mario	\$ 27,000	\$ 13,365	\$ 13,635
	Buckley, Natalia	\$ 27,000	\$ 13,365	\$ 13,635
	Cardoza, Melissa	\$ 27,000	\$ 13,365	\$ 13,635
	TOTAL BUS DRIVERS	\$ 168,750	\$ 83,700	\$ 85,050

EXPLANATION: The salary revision in bold represents a change in staff allocated to the Title IA grant.

BUSINESS MATTERS

BILLS LIST 2019-2020

Motion #1 that upon the recommendation of the Superintendent, the Board of Education approve the attached 2019-2020 bills list for the period ending:

**August 31, 2019 (payroll)
September 09, 2019**

BIOSECURITY PLAN

Motion #2 that upon the recommendation of the Superintendent, the Board of Education approve the 2019-2020 BioSecurity Plan for Food Service.

EXPLANATION

There is no change to the BioSecurity Plan other than updated contact information. (On file in the Business Administrator's Office)

PAYMENTS

Motion #3 that upon the recommendation of the Superintendent, the Board of Education approve Payment #1 to M & M Construction Company, Inc. in the amount of \$63,700.00 for work done on the Morristown High School Broadcast Studio through July 31, 2019.

Motion #4 that upon the recommendation of the Superintendent, the Board of Education approve Payment #2 to M & M Construction Company, Inc. in the amount of \$150,920.00 for work done on the Morristown High School Broadcast Studio through August 31, 2019.

Motion #5 that upon the recommendation of the Superintendent, the Board of Education approve Payment #1 to M & M Construction Company, Inc. in the amount of \$106,085.00 for work done on the Frelinghuysen Middle School Softball Field through July 31, 2019.

SALE OF SURPLUS PROPERTY

Motion #6 WHEREAS the following property is not needed for school purposes; there exists a need for all available space at the various schools; and, the NJ Public School Contracts Law, 18A: 18A-45, requires a resolution authorizing the disposition of surplus property,

NOW, THEREFORE BE IT RESOLVED by the Morris School District Board of Education authorizes the Business Administrator to dispose of this surplus property. The items that are in saleable condition will be listed on the online auction site www.GovDeals.com. The sale is being conducted pursuant to Local Finance Notice 2008-9. The terms and conditions of the agreement entered into with GovDeals are available on the vendor's website and available in the Morris School district's Business Office. Items not sold within 14 days of listing may be removed from district premises at no cost to the district. Items listed as salvage will be removed from school property.

Description	Qty	Age	Asset Tag #	Location	Comment
Chromebook	125	4+ years	N/A	MHS	Outdated, no longer in use
Netbook - Latitude	36	10 years	N/A	MHS	Outdated, no longer in use
Dell Projector	1	5+ Years	N/A	MHS	Outdated, no longer in use
Dell Laptop	3	5 years	N/A	MHS	Outdated, no longer in use
Open Air Refrigerator	1	10 years	014654	MHS	No longer in working condition
iPad Cart	1	8 years	N/A	FMS	Outdated, no longer in use
RISO Copier	1	10 years	012477	SX	No longer in use
Savin 8075 Copier	1	12 years	012450	FMS	Outdated, no longer in use
Savin 8075 Copier	1	12 years	012451	WD	Outdated, no longer in use
Savin 8075 Copier	1	12 years	012448	Board Office Technology	Outdated, no longer in use
Savin 8045 Copier	1	13 years	012437	Board Office Superintendent	Outdated, no longer in use
Savin 9080sp Copier	1	8 years	014812	AH	Outdated, no longer in use
Savin 9080sp Copier	1	8 years	014888	SX	Outdated, no longer in use
Savin 9060sp Copier	1	7 years	014931	Transportation	Outdated, no longer in use
Savin 9050sp Copier	1	10 years	012606	TJ	Outdated, no longer in use

PROFESSIONAL SERVICES 2019-2020

Motion #7 WHEREAS, there exists a need for professional services for 2019-2020 and funds are available for these purposes.

WHEREAS, the Public School Contracts Law (Chapter 114, Laws of 1977) requires that the Resolution authorizing the award of contracts for professional services without competitive bids be publicly adopted,

NOW THEREFORE BE IT RESOLVED by the Morris School District Board of Education that the following be engaged for professional services as described and in an amount not to exceed as follows:

Essex Regional Educational Services Commission	Social Assessment Educational Evaluation Psychological Evaluation Psychological Evaluation with projective testing Speech Evaluation Bilingual Evaluation	\$385/assessment \$385/evaluation \$385/evaluation \$450/evaluation \$385/evaluation \$500/evaluation
Hand over Hand, LLC	BCBA Supervision Behavior Therapy	\$150/hour \$80/hour

PROFESSIONAL SERVICES 2019-2020 - Revised

Motion #8 WHEREAS, there exists a need for professional services for 2019-2020 and funds are available for these purposes.

WHEREAS, the Public School Contracts Law (Chapter 114, Laws of 1977) requires that the Resolution authorizing the award of contracts for professional services without competitive bids be publicly adopted,

NOW THEREFORE BE IT RESOLVED by the Morris School District Board of Education that the following be engaged for professional services as described and in an amount not to exceed as follows:

Daytop Village of New Jersey	Home Instruction	\$130/day
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EXPLANATION: Rate approved at 6/24/2019 BOE meeting, motion #45. New motion reflects increased rate.

TRAVEL & REIMBURSEMENT

Motion #9 that upon the recommendation of the Superintendent, the Board of Education approve the following resolution:

WHEREAS, employees are attending conferences, conventions, staff training seminars or workshops as depicted on attachment: and

WHEREAS, the attendance at stated functions was previously approved by the chief school administrator as work related and within the scope of the work responsibilities of the attendees; and

WHEREAS, the attendance at the functions was approved as critical to the instructional needs of the school district or furthering the efficient operation of the school district; and

WHEREAS, the travel and related expenses particular to attendance at these functions are in compliance with the state travel payment guidelines established by the Department of Treasury and with guidelines established by the Federal Office of Management and Budget; be it

RESOLVED, that the board approves the travel and related expenses particular to attendance at these functions