

SPRINGFIELD BOARD OF EDUCATION
Springfield, New Jersey
REGULAR MEETING MARCH 23, 2009

The Springfield Board of Education is committed to providing high quality, efficient educational programs through which all students achieve the New Jersey Core Curriculum Contents Standards. Every effort is made to ensure that the district's certificated and support personnel are among the best in their fields.

The staff and Board of Education are dedicated to maintaining excellence in the delivery of child-centered educational programs. Very simply stated, in Springfield...SCHOOLS ARE FOR KIDS!

A Regular Meeting of the Board of Education of the Township of Springfield in the County of Union, New Jersey, was held at the Jonathan Dayton High School Instructional Media Center-First Floor on Monday, March 23, 2009 at 7:06 P.M.

President's Statement: Pursuant to the New Jersey Open Public Meetings Act, Public Law 1975, Chapter 231, the Board Secretary caused notice of the meeting to be given to the public and the press on April 21, 2008.

1. CALL TO ORDER

The meeting was called to order by Board President, Mr. Anthony Delia

Present: Miss Linda Duke, Mr. Donato Circelli, Mr. Andrew Fekete, Dr. David Hollander, Mr. Irwin Sablosky, Mrs. Jacqueline Shanes, Mr. Jeff Strumpf, Mrs. Patricia Venezia, Mr. Anthony Delia

Also

Present: Mr. Michael Davino, Superintendent
Mrs. Hillary Corburn, Assistant Superintendent
Mr. Matthew A. Clarke, Business Administrator/Board Secretary
Mrs. Ellyn Atherton, Director of Human Resources
Mr. Thomas Johnston, Board Attorney

2. CLOSED SESSION (7:06-7:57 PM)

Moved by Miss Duke, seconded by Mrs. Shanes, to suspend the rules of the order of business of the Regular Meeting and adjourn to closed conference session for the reasons contained in the following resolution:

RESOLUTION:

“WHEREAS the Board of Education must discuss subjects concerning matters protected by Attorney/Client privilege and negotiations which are not appropriate subjects to be discussed in a public meeting and which are within the exemptions permitted to be discussed and acted upon in private session pursuant to P.L. 1975 Chapter 231, it is therefore

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

Closed Conference Items

1. Matters protected by Attorney/Client privilege
2. Negotiations

Yeas: Unanimous by all Members present.

MOTION CARRIED

3. RECONVENE

Moved by Miss Duke, seconded by Mrs. Venezia, approval to reconvene the Regular Meeting of the Board of Education.

Yeas: Unanimous by all Members present.

MOTION CARRIED

4. PLEDGE OF ALLEGIANCE

5. COMMUNICATIONS

1. A reminder to Board Members that the School Ethics Disclosure statements are due.

6. MINUTES

Moved by Miss Duke and seconded by Mrs. Venezia, to approve the following minutes:

Regular Meeting

- March 9, 2009

Yeas: Unanimous by all Members present.

MOTION CARRIED

7. MINUTES

Moved by Miss Duke and seconded by Mrs. Venezia, to approve the following minutes:

Special Meeting

- March 16, 2009

Yeas: Mr. Donato Circelli, Miss Linda Duke, Mr. Andrew Fekete, Mr. Irwin Sablosky, Mrs. Jacqueline Shanes, Mr. Jeff Strumpf, Mrs. Patricia Venezia, Mr. Anthony Delia

Abstention: Dr. David Hollander

8. SUPERINTENDENT’S REPORT

1. Student and staff recognition

a. American Council of Education – Foreign Language Awareness Contest
FMG Foreign Language Teacher - Bonnie Borton

FMG Students -

Jeffrey Lau

Richard Strobel

Michael Wang

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9. PUBLIC SESSION (8:13 PM)

There were no comments or questions from the public at this time.

10. BILL LIST

Moved by Mr. Sablosky, seconded by Miss Duke, to approve computer checks numbered 021530 through 021739 and wire transfer 800053 in the amount of \$3,342,732.17.

Yeas: Unanimous by all Members present.

MOTION CARRIED

11. PERSONNEL APPOINTMENTS

Moved by Mrs. Shanes, seconded by Mr. Sablosky, at the recommendation of the Superintendent, approval of the appointment of personnel on the attachment. (Attachment A)

Yeas: Unanimous by all Members present.

MOTION CARRIED

12. PROFESSIONAL DEVELOPMENT TRAVEL

Moved by Mrs. Shanes, seconded by Mr. Sablosky, at the recommendation of the Superintendent, approval of the attached personnel travel for Professional Development. (Attachment C)

Yeas: Unanimous by all Members present.

MOTION CARRIED

13. SPECIAL SERVICES PLACEMENT AND RELATED SERVICES

Moved by Mrs. Shanes, seconded by Mr. Sablosky, at the recommendation of the Superintendent, that the Board of Education approve the attached Special Education request for Related Services/Placements for the 2008 - 2009 school year. (Attachment D)

Yeas: Unanimous by all Members present.

MOTION CARRIED

14. TUITION AID GRANTS

Moved by Mrs. Shanes, seconded by Mr. Sablosky, the recommendation of the Superintendent, I move approval of the attached personnel for following courses as being eligible for Tuition Grant reimbursement and applicable for advancement on the guide. (Attachment F)

Yeas: Unanimous by all Members present.

MOTION CARRIED

15. DONATION

Moved by Mrs. Shanes, seconded by Mr. Sablosky, approval to accept the following donation to be utilized in the Springfield School District for the purpose of:

| <u>Company/Organization</u> | <u>Purpose</u> | <u>Worth (less than \$500/more than \$500)</u> |
|-----------------------------|----------------|--|
| William Knorr | Donation | Less than \$500 |

(Vulcan Commercial Stove – approx. value \$400.00)

Yeas: Unanimous by all Members present.

MOTION CARRIED

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16. OVERNIGHT FIELD TRIP

Moved by Mrs. Shanes, seconded by Mr. Sablosky, at the recommendation of the Superintendent, approval of the following overnight field trip –

- JSA – Spring State Workshop – Parsippany, NJ
(April 25 – April 26, 2009)

Yeas: Unanimous by all Members present.

MOTION CARRIED

17. SUPERVISORS NEGOTIATIONS

Moved by Mrs. Shanes, seconded by Mr. Sablosky, to authorize the Board President and Business Administrator/Board Secretary to sign an agreement between the Springfield Supervisors Association and Board of Education for the period of July 1, 2009 to June 30, 2010.

Yeas: Miss Linda Duke, Mr. Andrew Fekete, Mr. Irwin Sablosky, Mrs. Jacqueline Shanes, Mrs. Patricia Venezia, Mr. Anthony Delia

Abstention: Mr. Donato Circelli, Dr. David Hollander, Mr. Jeff Strumpf

18. 2nd AND FINAL READING POLICY

Moved by Miss Duke and seconded by Mrs. Venezia to approve the second and final reading of the following policies (Attachment F):

- Policy #6171.4 - Special Education
- Policy #4133/9250 - Travel Expense Reimbursement

Yeas: Unanimous by all Members present.

MOTION CARRIED

19. 1ST READING POLICY #4112

Moved by Miss Duke and seconded by Mrs. Venezia to approve the first reading of the following policies (Attachment G):

- Policy #4112.8/4212.8 - Nepotism

Yeas: Unanimous by all Members present.

MOTION CARRIED

20. WILLIAM SCOTSMAN FINAL PAYMENT #11

Moved by Mr. Circelli, seconded by Mrs. Venezia, approval of the Certificate for Final Payment #11 in the amount of \$67,500.00 to Williams Scotsman Inc. for project number 2002012 (contract 2). (Attachment H)

Yeas: Unanimous by all Members present.

MOTION CARRIED

21. 2nd PUBLIC SESSION (8:18 PM)

There were no comments from the public at this time.

22. NEW BUSINESS

- a. The Dayton production of *Footloose* was enjoyed by all who attended.

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23. DENIAL OF SEA GRIEVANCE

Moved by Miss Duke, seconded by Mr. Sablosky, to approve that the Board of Education deny the grievance submitted by the Springfield Education Association on March 6, 2009.

Yeas: Miss Linda Duke, Mr. Andrew Fekete, Dr. David Hollander, Mr. Irwin Sablosky, Mrs. Jacqueline Shanes, Mrs. Patricia Venezia, Mr. Anthony Delia
Abstention: Mr. Donato Circelli, Mr. Jeff Strumpf MOTION CARRIED

24. OLD BUSINESS

- a. *Taste of the Town* is next Monday, March 30th, at the Holiday Inn beginning at 6:30 PM
- b. The 2009-10 Proposed Tentative Budget Public Hearing is next Tuesday, March 31st at 7:00 PM in the IMC at JDHS

25. CLOSED SESSION (8:23 – 9:09 PM)

Moved by Miss Duke, seconded by Mrs. Venezia, to suspend the rules of the order of business of the Regular Meeting and adjourn to closed conference session for the reasons contained in the following resolution:

RESOLUTION:

“WHEREAS the Board of Education must discuss subjects concerning matters protected by Attorney/Client privilege which are not appropriate subjects to be discussed in a public meeting and which are within the exemptions permitted to be discussed and acted upon in private session pursuant to P.L. 1975 Chapter 231, it is therefore

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

Closed Conference Items

1. Matters protected by Attorney/Client privilege

Yeas: Unanimous by all Members present. MOTION CARRIED

26. RECONVENE

Moved by Miss Duke, seconded by Mrs. Venezia, approval to reconvene the Regular Meeting of the Board of Education.

Yeas: Unanimous by all Members present. MOTION CARRIED

DRAFT COPY SUBJECT TO REVISIONS BY BOARD

27. MINUTES

Moved by Miss Duke, seconded by Mrs. Shanes, to approve the following minutes
Executive Meeting - March 9, 2009

Yeas: Unanimous by all Members present.

MOTION CARRIED

28. ADJOURNMENT (9:13 PM)

Moved by Miss Duke, seconded by Mrs. Shanes, to adjourn the meeting at 9:13 PM.

Yeas: Unanimous by all Members present.

MOTION CARRIED

Upcoming Meetings:

1. Public Hearing on the 2009-10 Tentative Budget – March 31, 2009 at 7:00 PM in the IMC at JDHS
2. Regular Meeting – April 20, 2009 at 7:30 PM in the IMC at JDHS

Matthew A. Clarke
Business Administrator/Board Secretary

**Springfield Public Schools
Personnel**

Attachment (B)

| Last Name <i>Certificated</i> | First Name | Position | Location | Guide/Step | Salary | Replacement/ Renewal/New | Additional Information | Effective Date |
|---|-------------------|-------------------|-----------------|-------------------|---------------|-------------------------------------|-----------------------------------|-----------------------|
| Louis | Lynn | NJASK Prep | JCS | * | \$31.83/hour | ---- | revised date | 3/23/09-5/1/09 |
| Schulz | Kristen | NJASK Prep | JCS | * | \$31.83/hour | ---- | revised date | 3/23/09-5/1/09 |
| Finan | Laura | NJASK Prep | JCS | * | \$31.83/hour | ---- | revised date | 3/23/09-5/1/09 |
| Levering | Kimberly | NJASK Prep | JCS | * | \$31.83/hour | ---- | revised date | 3/23/09-5/1/09 |
| Salomon | Rebecca | NJASK Prep | TLS | * | \$31.83/hour | ---- | revised date | 3/23/09-5/1/09 |
| Pilo | Tiffany | NJASK Prep | TLS | * | \$31.83/hour | ---- | revised date | 3/23/09-5/1/09 |
| Black | Patricia | NJASK Prep | TLS/JCS | * | \$31.83/hour | ---- | revised date | 3/23/09-5/1/09 |
| Salow | Barry | NJASK Prep | TLS/JCS | * | \$31.83/hour | ---- | revised date | 3/23/09-5/1/09 |
| Loew | Bonnie | Guidance | FMG | ---- | ---- | ---- | Leave | 6/10/09-11/23/09 |
| Levandoski | Michaela | LDTC | District | ---- | ---- | ---- | resignation | April 3, 2009 |
| Runne | Lauren | Special Education | FMG | * | \$ 3,009.06 | ---- | Extra Class (3) | 2/2/09-6/30/09 |

| Last Name <i>Non-Certificated</i> | First Name | Position | Location | Guide/Step | Salary | Renewal/New | Additional Information | Effective Date |
|---|-------------------|-----------------------|-----------------|-------------------|---------------|--------------------|-----------------------------------|-----------------------|
| Gelband | Glen | Vol Asst Tennis Coach | JDHS | ---- | ---- | ---- | ---- | 3/24/09-6/30/09 |

| Last Name | First Name | Position | Location | Guide/Step | Salary | Replacement/ Renewal/New | Additional Information | Effective Date |
|-----------------------------------|-------------------|--------------------|-----------------|-------------------|---------------|-------------------------------------|-----------------------------------|-----------------------|
| <i>Substitute/Home instructor</i> | | | | | | | | |
| Baker | Wayne | Substitute Teacher | District | **** | **** | New | ---- | 3/24/09-6/30/09 |
| Brodsky | Stacy | Substitute Teacher | District | **** | **** | New | ---- | 3/24/09-6/30/09 |
| Huang | Yu-Mei | Substitute Teacher | District | **** | **** | New | ---- | 3/24/09-6/30/09 |
| Martin | Nicole | Substitute Teacher | District | **** | **** | New | ---- | 3/24/09-6/30/09 |
| Rees | Sheila | Substitute Teacher | District | **** | **** | New | ---- | 3/24/09-6/30/09 |
| Rosenberg | Michael | Substitute Teacher | District | **** | **** | New | ---- | 3/24/09-6/30/09 |
| Teixeira | Nicole | Substitute Teacher | District | **** | **** | New | ---- | 3/24/09-6/30/09 |
| Fish | Lori | Substitute Aide | District | **** | **** | New | ---- | 3/24/09-6/30/09 |
| Johnson | Kenneth | Substitute Aide | District | **** | **** | New | ---- | 3/24/09-6/30/09 |

| Last Name | First Name | Position | Location | Guide/Step | Salary | Renewal/New | Information | Effective Date |
|--|-------------------|-----------------|-----------------|-------------------|---------------|--------------------|--------------------|-----------------------|
| <i>Before and After School Program</i> | | | | | | | | |

* In accordance with the Negotiated Contract between the Springfield BOE and the Springfield Education Association (July 1, 2007 - June 30, 2010)

**** Special Salaries, Compensation and Fees 2008 - 2009

**Workshop Requests
2008 - 2009**

Attachment (C)

| Lname | Fname | Description | Date | Amount | Location |
|-----------------------|-----------|---|----------------|--------|----------|
| | | | | | |
| | | | | | |
| Ahrens | Allison | I & RS Strategies (snow day 3/2) | 3/30/09 | 105.00 | Dist |
| Bierly | Lisa | I & RS Strategies (snow day 3/2) | 3/30/09 | 105.00 | JC |
| Blanchard-Salmon | Karen | I & RS Strategies (snow day 3/2) | 3/30/09 | 105.00 | JC |
| Cicalese | Karen | Dealing w/difficult people & situations | 4/22 & 5/18/09 | 317.00 | JD |
| Cresci | Elizabeth | Dealing w/difficult people & situations | 4/22/09 | 63.00 | JD |
| Florio | Christina | Adobe Creative Suites Users | 5/15/09 | 235.00 | Dist |
| Goerge | Joseph | Rutgers Football Clinic | 4/3/09 | 55.00 | JD |
| Hung | Susie | Strategies in Crisis Intervention | 4/17/09 | 3.50 | EVW |
| Loew | Bonnie | Bullying in Schools | 3/27/09 | N/C | FMG |
| Loew | Bonnie | I & RS Strategies (snow day 3/2) | 3/30/09 | 105.00 | FMG |
| Loew | Bonnie | Mental Health in Schools | 4/3/09 | 130.00 | FMG |
| LoSchiavo | Debra | Dealing w/difficult people & situations | 4/22 & 5/18/09 | 270.00 | JD |
| Marshall | Kelly | I & RS Strategies (snow day 3/2) | 3/30/09 | 107.20 | TLS |
| Martin | Bob | Rutgers Football Clinic | 4/3/09 | 55.00 | JD |
| Masterson | Sarah | I & RS Strategies (snow day 3/2) | 3/30/09 | 105.00 | EVW |
| Olive | Virginia | Bullying in Schools | 3/27/09 | N/C | FMG |
| Olive | Virginia | Mental Health in Schools | 4/3/09 | 130.00 | FMG |
| Rennie | Dave | I & RS Strategies (snow day 3/2) | 3/30/09 | 105.00 | JC |
| Rousso | Regine | Best Practices In Transition Planning | 4/29/09 | 23.00 | Dist |
| Yorkowitz | Allan | Follett Spring Book Look | 3/30/09 | N/C | JC |
| Zambolla | Marnie | I & RS Strategies (snow day 3/2) | 3/30/09 | 105.00 | JC |
| Zambolla | Marnie | NJSCA Spring Conference - Kean | 4/17/09 | 15.00 | JC |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| March 23, 2009 | | | | | |

**Special Education Request
Related Services/OOD Placements**

Attachment (D)

| 1. RELATED SERVICES REQUEST | | | | | |
|--|------------------------------|----------------|-------------------------|-----------------|----------------|
| <u>Vendor</u> | <u>Related Service</u> | <u>Rate</u> | <u>Hours/days/weeks</u> | <u>Term</u> | <u>Student</u> |
| Marina Muchnik Springfield, NJ | Speech/Language Evaluations | \$375 | Per IEP | 08 - 09 SY | various |
| Morris-Union Jointure Commission New Providence, NJ | Behavior Management Services | \$195/Hr. | Per IEP | 08 - 09 SY | |
| 2. OUT OF DISTRICT PLACEMENT REQUEST | | | | | |
| <u>School/Placement</u> | <u>Student</u> | <u>Tuition</u> | <u>Term</u> | <u>Comments</u> | |

**TUITION GRANTS
SUMMER/FALL
2009-2010**

Attachment (E)

| | | |
|------------------------|---|--|
| Eileen Berglund | Research Methods in Health Evaluation in Health | Graduate Graduate |
| Lisa Bierly | Brain Based Teaching & Learning Differentiated Instruction Wellness: Creating Health & Balance The Cooperative Classroom: Kagan's Instructional Practices The Kinesthetic Classroom: Teaching And Learning Through Movement | Graduate Graduate Graduate Graduate Graduate Graduate |
| Karen Blanchard-Salmon | Brain Based Teaching & Learning Differentiated Instruction Wellness: Creating Health & Balance The Cooperative Classroom: Kagan's Instructional Practices The Kinesthetic Classroom: Teaching And Learning Through Movement | Graduate Graduate Graduate Graduate Graduate |
| Julia Buban | Cooperative Discipline Dealing with AD/HD Type Behavior In the Classroom | Graduate Graduate |
| Judy Cariani | Multicultural Counseling Appraisal & Assessment Counselor Abnormal Psychology | Graduate Graduate Graduate |
| Lauren Chang | Brain Based Teaching & Learning Wellness: Creating Health & Balance | Graduate Graduate |
| Josephine Cioffi | Italian Literature of the 15 th Century The Italian Renaissance Profiles & Problems Topics in Italian Literature and Culture Literature, Culture & Gastronomy Of Italy | Graduate Graduate |

**TUITION GRANTS
SUMMER/FALL
2009-2010**

Attachment (E)

| | | |
|-------------------|--|--|
| Sandra Diez | Current Theories of Second Language Acquisition | Graduate |
| Beth Elmo | Multiple Intelligences Strategies: Kagan's Structures | Graduate |
| | Wellness: Creating Health & Balance | Graduate |
| | Dealing with AD/HD-Type Behavior in the Classroom | Graduate |
| Michelle Finelli | Curriculum Design: Theory and Practice | Graduate |
| Ron Foster | Brain Based Teaching & Learning | Graduate |
| | Differentiated Instruction | Graduate |
| | Wellness: Creating Health & Balance | Graduate |
| | The Cooperative Classroom: Kagan's Instructional Practices | Graduate |
| | The Kinesthetic Classroom: Teaching And Learning Through Movement | Graduate |
| Norman Francis | School Law: State of NJ/Constitutional Law | ADMIN |
| | Qualitative Research Seminar in Administration | ADMIN |
| | Comparative Study of Int'l Educational Systems | ADMIN |
| Kathy Frankhouser | Brain Based Teaching & Learning | Graduate |
| | Differentiated Instruction | Graduate |
| | Wellness: Creating Health & Balance | Graduate |
| | Cooperative Discipline | Graduate |
| | The Kinesthetic Classroom: Teaching And Learning Through Movement | Graduate |
| | The Cooperative Classroom: Kagan's Instructional Practices | Graduate |
| | <i>Teaching & Learning Through Multiple Intelligences</i> | <u>Graduate for credit only</u> |

**TUITION GRANTS
SUMMER/FALL
2009-2010**

Attachment (E)

| | | |
|-------------------|--|--------------------------|
| April Friedman | Multiple Intelligences Strategies: Kagan's Structures | Graduate |
| Robyn Goerge | Diagnostic-Prescriptive Teaching in Basic Skills | Graduate |
| | Advanced Seminar in Reading Specialization I and II | Graduate |
| Megan Griffin | Motivation: the Art & Science of Inspiring Classroom Success | Graduate |
| | The Kinesthetic Classroom: Teaching And Learning Through Movement | Graduate |
| | Wellness: Creating Health & Balance In the Classroom | Graduate |
| Steven Griffiths | The Cooperative Classroom: Kagan's Instructional Practices | Graduate |
| | The Kinesthetic Classroom: Teaching And Learning Through Movement | Graduate |
| Dolores Handy | <u>MARYGROVE</u> Teaching Students to Get Along | Graduate |
| | Including Students with Special Needs | Graduate |
| | Assertive Discipline and Beyond | Graduate |
| | Designing Curriculum & Instruction With the Learner in Mind | Graduate |
| Robert Hildebrand | <u>MARYGROVE</u> Teaching Students to Get Along | Graduate |
| | Including Students with Special Needs | Graduate |
| | Assertive Discipline and Beyond | Graduate |
| | Designing Curriculum & Instruction With the Learner in Mind | Graduate |
| Scott Keele | Supervision of Instruction Curriculum & Instruction | ADMIN Graduate |

**TUITION GRANTS
SUMMER/FALL
2009-2010**

| | | |
|--------------------------|--|--|
| Helene Leonard | School Finance | Attachment (E) |
| | Fundamentals of Supervision: Elementary & Secondary | ADMIN ADMIN |
| Michael Malgieri | Curriculum Development and Evaluation: Theory and Practice | Graduate |
| Sarah Milochik | American Literary Renaissance | Graduate |
| Kimberly Noto | Jewelry – Metal Clay Level I | Graduate |
| | Intro to Stone Carving | Graduate |
| | Collage – Text and Image | Graduate |
| | Theater Techniques for the Classroom | Graduate |
| <i>Dana Pizzo</i> | <i>Methods of Research</i> | <i>Graduate for credit only</i> |
| Rebecca Salomon | Mode of Inquiry and Classroom Research | Graduate |
| | Brain-Based Teaching & Learning | Graduate |
| | Styles of Teaching: Personalities In the Classroom | Graduate |
| Susan Satter | <u>MARYGROVE</u> | |
| | Teaching Students to Get Along | Graduate |
| | Including Students with Special Needs | Graduate |
| | Assertive Discipline and Beyond | Graduate |
| | Designing Curriculum & Instruction With the Learner in Mind | Graduate |
| Roxanne Silbert-Graham | Brain-Based Teaching & Learning | Graduate |
| | Increased Student Responsibility & Self Discipline in Learning Communities | Graduate |
| | Teaching & Learning Through Multiple Intelligences | Graduate |

**TUITION GRANTS
SUMMER/FALL
2009-2010**

Attachment (E)

| | | |
|-----------------|--|----------|
| Maria Sista | Psychology Internship II | Graduate |
| Melanie Weiss | The Kinesthetic Classroom: Teaching And Learning Through Movement | Graduate |
| | Motivation: The Art and the Science Of Inspiring Classroom Success | Graduate |
| | Wellness: Creating Health and Balance In the Classroom | Graduate |
| | | |
| Marnie Zambolla | Impact of Alcohol/Tobacco/Drug Abuse Across the Lifespan | Graduate |
| | Coordinating Alcohol, Tobacco, and Drug Abuse Programs & Services Families | Graduate |
| Jacqueline Zika | Advanced Seminar Research in Counselor Education I | Graduate |
| | School Counseling | Graduate |
| | Multicultural Counseling | Graduate |
| | Theory and Practice of Group Counseling | Graduate |
| | Career Counseling & Development | Graduate |
| | | |

SPRINGFIELD PUBLIC SCHOOLS
Springfield, New Jersey 07081

POLICY: SPECIAL EDUCATION

In compliance with State Department of Education interpretation of the administrative code on special education, the board adopts the following revision/amendment of its existing policies on providing educational and related services to pupils identified as having educationally disabling conditions as defined in federal and state law.

A. Exemption of educationally disabled pupils from the high school graduation requirements according to N.J.A.C. 6A:14-4.11 through -4.12

A disabled pupil must meet all state and local high school graduation requirements in order to receive a state-endorsed high school diploma unless exempted in his/her IEP. When a pupil has been exempted from any graduation requirement, his/her IEP shall address alternate requirements to be met. By the year specified in code, the Board shall ensure that all pupils with disabilities participate in statewide assessments with appropriate accommodations or modifications, as determined by the pupil's IEP. If the nature of the pupil's disability is so severe that the pupil is not receiving instruction in any of the knowledge and skills measured by the statewide assessment and the pupil cannot complete any of the questions on the assessment in a subject area with or without accommodations, the pupil shall participate in a locally determined assessment of pupil progress.

Students with disabilities are included in statewide and districtwide assessment programs, with appropriate accommodations, where necessary according to N.J.A.C. 6A:14-4.10 All students with disabilities will participate in statewide assessments or the applicable Alternate Proficiency Assessment in grades 3, 4, 5, 6, 7, 8, and 11 in accordance with their assigned grade level.

By June 30 of a disabled pupil's last year in the elementary program, the pupil's case manager, parent/guardian and teacher(s) shall meet to review the instructional guide and basic plan of the pupil's IEP in view of the transition to the secondary program. Input from appropriate staff from the secondary school shall be part of the review.

The basic plan of the IEP for the pupil entering the secondary program will address all the elements required in the administrative code, including specifically addressing graduation requirements. Required reviews of the IEP shall continue to address graduation requirements.

A disabled pupil who has not been exempted from the proficiencies or has performed below the state minimum level of pupil proficiency on one or more areas of the state-mandated high school proficiency test may participate in the special review assessment (SRA).

Educationally disabled pupils meeting the standards for graduation according to N.J.A.C. 6A:14-4.12 shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.

B. Prevention of needless public labeling of educationally disabled pupils

The Board directs that the names and other personally identifiable data concerning educationally disabled children shall be kept confidential and shall not be included in the public acts and public records of this district. Such names and data shall be reduced to code for inclusion in the public record. A special confidential file shall be maintained listing the names of educationally disabled pupils on whose behalf the Board of Education must take public action. Motions concerning disabled pupils made at public meetings shall be anonymous and referred to this confidential file. This file shall be maintained in accordance with N.J.A.C. 6A:32-7.1.

Further, the Board, administrators, faculty and other personnel shall avoid unnecessary and needless public labeling of such pupils. This shall include the avoidance of public address announcements so designating pupils, any open identification of classrooms with signs so designating, or any item of open or general circulation, such as photographs, audio/videotapes, etc., that so designates an individual pupil or class. Pupil records shall be maintained in accordance with N.J.A.C. 6A:32-7.4.

C. Compilation, maintenance, access to and confidentiality of pupil records according to N.J.A.C. 6A:32-7.4 through -7.6.

To ensure proper accessibility and confidentiality, the records of educationally disabled pupils shall be gathered, updated, maintained, stored, transferred, made accessible and finally disposed of in accordance with the district policy 5125 on pupil records in general. To assure the security of special education records:

1. Provision shall be made for access and security of computer-stored records of educationally disabled pupils;
2. Clerical and secretarial tasks related to such records shall be performed only under the supervision of appropriately certified staff.

As with all pupil records, access shall be guaranteed to persons authorized according to N.J.A.C. 6A:32-7.5 within 10 days of the request, but prior to any review or hearing conducted in accordance with State Board of Education regulations.

For the district's general policy and regulation on pupil records see 5125, which deals with all requirements common to disabled and general pupil records including enumeration and description of records, provisions for access, notice to parents/guardians of their rights in regard to the child's records, etc.

D. Identification, location and evaluation of potentially educationally disabled pupils, according to N.J.A.C. 6A:14-3.3

The Chief School Administrator shall prepare written procedures for identifying those pupils ages three through 21, including pupils attending nonpublic schools, who reside within the district and may be educationally disabled, who are not receiving special education and/or related services as required.

Homeless students are located, identified and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. 111431 et. seq.

Procedures shall include provision for the referral of pupils who may be experiencing physical, sensory, emotional, communication, cognitive or social difficulties. In order to ensure program placement by a disabled child's third birthday, a written request for initial evaluation shall be forwarded to the district at least 120 days prior to the preschooler attaining age three.

The Board shall ensure that all preschool pupils with disabilities shall have their IEPs implemented no later than their third birthdays. To provide a smooth transition between a child's preschool program and his/her school age program (public or private), particular attention shall be paid to articulation between those programs. *If a child's third birthday occurs during the summer, the child's IEP team shall determine the date when services under the IEP will begin.*

These procedures and arrangements shall be adopted by the Board after review and possible revision. The procedures shall include criteria by which to identify the potentially disabled, and require the participation of staff, parents/guardians and appropriate agencies.

Evaluation and Determination of Eligibility

The evaluation process to determine a pupil's eligibility for educational and related services beyond those available within the regular public school program shall be conducted in strict compliance with the provisions of N.J.A.C. 6A:14-2.3, 2.5, 3.4 and 3.5 dealing with:

1. Parental notice, notification, consent and involvement, including determination of the parents/guardians' dominant language and necessary accommodations if the language is other than English or if the parents/guardians are deaf;
2. An initial evaluation that consists of a multi-disciplinary assessment in all areas of suspected disability and a written report of the results of each assessment;
3. Determination that a pupil is eligible for special education and related services when he/she has been identified as having one or more of the thirteen categories of disability described in the administrative code, and the disability adversely affects the pupil's educational performance.

The Chief School Administrator shall oversee development of detailed procedures to govern the evaluation process, and shall implement them after they have been reviewed and adopted by the board.

The board shall ensure that a variety of assessment tools and strategies shall be applied to gather information to develop and monitor the IEP, including cooperation and input from the parents/guardians. Relevant information shall also be related to enabling the pupil to be involved in and progress in the general education curriculum or, for preschool children with disabilities to participate in appropriate activities.

E. Provision of full educational opportunity to educationally disabled pupils

The Board of Education is responsible for providing education for all children resident in the district. All reasonable efforts will be made to resolve an enrolled child's learning and adjustment difficulties prior to his/her referral to the child study team for screening and/or evaluation. When a pupil is found eligible for special education and related services and the Board of Education cannot provide required instruction and related services from its own resources and facilities, the Board will seek appropriate placement outside the district, and will assume such costs of that placement as are required by law.

The goal of the Board's special education program is to provide full educational opportunity to all educationally disabled resident pupils ages three through 21, *including students with disabilities who have been suspended or expelled from school*, as those terms are defined in federal and state law. The Board will make available to parents/guardians of educationally disabled children below the age of three information regarding services available through other state, county and local agencies.

The Chief School Administrator shall ensure that the district's special education programs comply with the law in every respect, including fiscal regulations and reports. *All personnel serving students with disabilities will be highly qualified and appropriately certified and licensed. The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's I.E.P.*

The Chief School Administrator shall also ensure that the district plan for special education is in compliance with administrative code and the approved state plan for special education, according to N.J.A.C. 6A:14-4.1. This plan shall consist of policies, procedures, assurances, a comprehensive system of personnel development, data collection and an application that describes the use of IDEA Part B funds. The Chief School Administrator shall ensure that the plan is implemented in this district and shall supervise its operation so that it will accomplish its stated goals and objectives.

F. Participation of and consultation with the parents of educationally disabled pupils toward the goal of providing full educational opportunity to all educationally disabled pupils ages three through 21

In order to achieve the district's goal of providing full educational opportunity to all educationally disabled pupils in accordance with the administrative code, parent/guardian participation shall be sought in every successive stage of the special education decisional process, pursuant to N.J.A.C. 6A:14-2.3 and 2.4.

All notifications shall be made and all necessary conferences conducted in the language used for communication by the parent/guardian and the pupil unless it is not feasible to do so, in which case the provisions of administrative code shall be followed.

Written notice to parents/guardians and/or adult pupils shall be provided as follows:

1. The Board shall provide written notice no later than 15 calendar days after making a determination;
2. The Board shall provide written notice at least 15 calendar days prior to the implementation of a proposed action so that the parents/guardians and/or adult pupil may consider the proposal.

The Chief School Administrator shall develop and present to the Board for review and adoption procedures for:

1. Giving notice to parents/guardians when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the pupil, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians of their right to appeal and their rights in regard to low-cost legal counsel and fees;
2. Seeking consent of parents/guardians to the actions in 1, when such consent is required;
3. Seeking parent/guardian participation in conferences and determinations as specified in 1, and in evaluation of the success of the educational plan for their child. When necessary, conference schedules shall be altered to accommodate working parents/guardians;
4. Mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties.
5. Particularly, parental consent shall be obtained prior to implementation of the initial IEP resulting from evaluation; prior to reevaluation except in the circumstances outlined in code; and prior to the release of pupil records according to N.J.A.C. 6:3-6.

Procedures set out in the administrative code (*N.J.A.C. 6A:14-2.1 et seq.*) shall be followed when parent/guardian cooperation and/or participation cannot be obtained. When necessary, a surrogate parent shall be appointed to ensure the protection of a pupil's rights when the parents/guardians cannot be identified or located or the child is a ward of the State of New Jersey. The district shall select and train such surrogate parents in compliance with the administrative code.

No more than 90 calendar days after parental consent has been received shall be allowed for the evaluation, determination of eligibility and, if the pupil is eligible, the development and implementation of the IEP.

G. Provision of special services to enable educationally disabled pupils to participate in regular educational programs to the maximum extent appropriate

The Board of Education will provide the kind and quality of those special education-related services prescribed in the IEP to enable educationally disabled pupils to participate in regular educational programs to the maximum extent appropriate. Such education-related services shall include transportation, ensuring that hearing aids worn by deaf and/or hard of hearing children in school are functioning properly, etc. *Instructional materials will be provided to blind or print disabled students as required by their individual I.E.P.s.*

When instruction in health, industrial arts, fine arts, music, home economics, and other education programs is provided to groups consisting solely of pupils with disabilities, the size of the groups and age range shall conform to the requirements for special class programs described in the administrative code.

When pupils with disabilities participate in physical education, intramural and interscholastic sports, non-academic and extracurricular activities in groups consisting solely of pupils with disabilities, the age range and group size shall be based on the nature of the activity, needs of the pupils participating in the activity and the level of supervision required.

The evaluation process to determine a pupil's eligibility for educational and related services beyond those available within the regular public school program shall be conducted in strict compliance with the provisions of the administrative code.

H. Determination of eligibility according to N.J.A.C. 6A:14-2.3(i)1 and 3.5 through -3.6

Eligibility for special education and related services shall be determined collaboratively by the parents/guardians; a teacher who is knowledgeable about the pupil's educational performance or district's programs; the pupil, where appropriate; at least one child study team member who participated in the evaluation; the case manager; other appropriate individuals at the discretion of the parent or district; and for an initial eligibility meeting, certified school personnel referring the pupil as potentially disabled, or the school principal or designee if they choose to participate.

A pupil shall be determined eligible and classified for special education and related services when it is determined that the pupil has one or more of the disabilities defined in the administrative code. A pupil shall be determined eligible for speech-language services when he/she exhibits a speech or language disorder as outlined in the administrative code.

I. The individualized education program for each educationally disabled pupil shall be developed in accordance with the provisions of the administrative code, at N.J.A.C. 6A:14-2.3(i) and N.J.A.C.6A:14-3.6 and 3.7.

The Board shall ensure that an IEP is in effect for every pupil in the district who is receiving special education and related services.

A written individualized education program shall be developed and implemented for each classified pupil and, in accordance with New Jersey law, a review shall be conducted by the appropriate staff members annually or more often, if necessary, to evaluate the disabled pupil's progress and to revise the individualized education program.

Meetings shall be conducted to determine eligibility and to develop, review and revise a pupil's individualized education program. Such meetings shall be scheduled at a mutually agreed upon time and place, and notice of the meetings shall indicate the purpose, time, location and participants. If the parents/guardians cannot attend the meetings, the Chief School Administrator/designee shall attempt to ensure parental participation, including the use of individual or conference telephone calls. Documentation shall be maintained of all attempts to secure parent/guardian participation.

Parents/guardians shall receive a copy of the pupil's IEP and of any revisions made to it.

All communication with parents/guardians, including written notice, notifications and required meetings, shall be conducted in the language used for communication by the parent/guardian and pupil unless it is not feasible to do so. This shall include providing foreign language interpreters or translators and sign language interpreters for the deaf at no cost to the parents.

The IEP shall be developed and monitored with the cooperation and input of parents/guardians. In addition to educational programming, the IEP shall provide for necessary disciplinary action and specify graduation requirements when appropriate. Any accommodations and/or modifications for the administration of statewide assessments shall be specified in the IEP.

1. No more than 90 calendar days after parental consent has been received shall be allowed for the evaluation, determination of eligibility and, if the pupil is eligible, the development and implementation of the IEP. The IEP shall be implemented as soon as possible following the IEP meeting.
2. The Board of Education will provide the kind and quality of those special education-related services prescribed in the IEP to enable educationally disabled pupils to participate in regular educational programs to the maximum extent appropriate. Such education-related services shall include transportation, ensuring that hearing aids worn by deaf and/or hard of hearing children in school are functioning properly, etc.

J. Protection of pupils rights in regard to evaluation and reevaluation procedures according to N.J.A.C. 6A:14-3.4 and 3.8

Procedures shall provide all due process protection for the rights of the pupil and his/her parents/guardians whether the pupil is already enrolled in the schools or has been located through the process for identification in the section D of this policy.

In order to achieve the district's goal of providing full educational opportunity to all educationally disabled pupils in accordance with the administrative code, parent/guardian participation shall be sought in every successive stage of the special education decisional

process. All notifications shall be made and all necessary conferences conducted in the language used for communication by the parent/guardian and the pupil unless it is not feasible to do so, in which case the provisions of administrative code shall be followed. The Chief School Administrator shall develop and present to the Board for review and adoption procedures for:

1. Giving notice to parents/guardians and adult pupils in accordance with N.J.A.C. 6A:14-2.3 when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the pupil, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians and adult pupils of their right to review all educational records with respect to the identification, evaluation and educational placement of the pupil; to appeal these by requesting a due process hearing; and their rights in regard to free and low cost legal services and legal fees;
2. An independent evaluation at the request of the parent/guardian or adult pupil in accordance with N.J.A.C. 6A:14-2.5(c). Such independent evaluation shall be at no cost to the parent/guardian if it is conducted in compliance with administrative code, unless the district Board of Education initiates a due process hearing to show that its evaluation is appropriate and a final determination to that effect is made following the hearing. The IEP team shall consider any independent evaluation submitted to it when making decisions regarding special education and/or related services;
3. Mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties. A due process hearing may be initiated by the Board of Education, a parent/guardian or adult pupil;
4. Ensuring what all evaluation procedures, including but not limited to observations, tests and interviews used to determine eligibility and placement of disabled pupils, shall comply with the requirements of N.J.A.C. 6A:14-3.4, 3.5 and 3.7.

K. Placement of educationally disabled pupils in the least restrictive environment according to N.J.A.C. 6A:14-4.2

Educational placement decisions made for each disabled pupil shall always be, insofar as possible, in the least restrictive environment commensurate with the pupil's educational needs. This means that to the maximum extent appropriate, educationally disabled pupils shall be educated with children who are not educationally disabled. These decisions should be designed to produce a positive effect on the pupil and to ensure the quality of services which he/she requires *as close to the student's home as possible*.

The Chief School Administrator shall encourage positive attitudes toward the educationally disabled in all district pupils and personnel.

Special classes, separate schooling or other removal of educationally disabled pupils from the regular educational environment shall occur only when the nature or severity of the disability is

such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

In order to ensure a continuum of alternative placements, when the Board cannot provide required instruction and related services from its own resources and facilities, it will seek appropriate placement outside the district and will assume such costs of that placement as are required by law.

Placement of a disabled pupil in the least restrictive environment shall be determined annually. Placement shall be provided in appropriate educational settings as close to home as possible. When the IEP does not describe specific restrictions, the pupil shall be educated in the school he/she would attend if not disabled.

- L. Establishment and implementation of procedural safeguards according to N.J.A.C. 6A:14-2.3 through -2.4 and N.J.A.C. 1:6A

The Board of Education directs the Chief School Administrator to establish and implement the required procedural safeguards.

Procedural safeguards shall include:

1. Giving notice to parents/guardians per N.J.A.C. 6A:14-2.3 when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the pupil, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians of their right to appeal and their rights in regard to legal fees;
2. Seeking consent of parents/guardians to the actions in 1, when such consent is required;
3. Seeking parent/guardian participation in conferences and determinations as specified in 1, and in evaluation of the success of the educational plan for their child. When necessary, conference schedules shall be altered to accommodate working parents/guardians;
4. Mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties.

The Chief School Administrator shall ensure that the district's special education programs comply with the law in every respect, including fiscal regulations and reports.

These procedures shall provide all due process protection for the rights of the pupil and his/her parents/guardians. Procedures shall be conducted in strict compliance with the provisions of the administrative code dealing with parental notification, consent and involvement, including determination of the parents/guardians' dominant language and necessary accommodations if the language is other than English or if the parents/guardians are deaf.

To implement achievement of the Board's goal for provision of special education, the Chief School Administrator shall oversee development of a written plan for special education conforming to the state plan for the educationally disabled. The plan shall consist of policies, procedures, assurances; a comprehensive system of personnel development; data collection and an application that describes the use of IDEA Part B funds.

- M. Complying with other aspects of the district program for special education and/or requirements of N.J.A.C. 6A:14

Written Plan

To implement achievement of the Board's goal for provision of special education, the Chief School Administrator shall oversee development of a written plan for special education conforming to the state plan for the educationally disabled. After the plan has been approved by the Board of Education and the County Superintendent, the Chief School Administrator shall implement it in this district and supervise its operation so that it will accomplish its stated goals and objectives. The plan, any alterations to it, and an evaluation of its effectiveness will be shared annually with the community.

Discipline

In general, educationally disabled pupils are subject to the same disciplinary constraints and sanctions as nondisabled pupils. However, before disciplinary action is taken against an educationally disabled pupil, consideration must be given to whether the behavior is caused by the disabling condition, whether the program that is being provided meets the pupil's needs, whether a component of the pupil's IEP covers the behavior, or whether the pupil is an immediate danger to himself/herself or others.

A disabled pupil may be removed for disciplinary reasons from his/her current educational placement to an interim alternative educational setting, another setting, or a suspension without the provision of educational services for up to 10 consecutive or cumulative school days in a school year. Such suspensions are subject to the same district Board of Education procedures as nondisabled pupils. However, at the time of removal, the principal shall forward written notification and description of the reasons for such action to the case manager.

Procedures for imposing and implementing disciplinary sanctions on educationally disabled pupils, including removal to an interim alternative educational setting, suspension for more than 10 school days in a school year, or expulsion, shall be in strict compliance with the provisions of state and federal law and the administrative code.

Early Intervention

The Chief School Administrator or designee shall gather and make available to parents/guardians of disabled children below the age of three information regarding ameliorative services and

programs provided by other state, county and local agencies. The procedures for such dissemination shall be reviewed and adopted by the board.

Preschool Disabled Program

The Chief School Administrator shall develop and propose for Board adoption programs and related services for pupils ages three through five who have been identified and classified as preschool disabled. Such programs and services shall be in strict accordance with New Jersey administrative code.

Placement in Nonpublic Schools

The Board shall provide a genuine opportunity for the equitable participation of pupils with disabilities who have been enrolled in nonpublic schools by their parents/guardians, in accordance with federal law and regulations. *All students with disabilities who are placed in private schools by the district Board of Education are provided special education and related services with the consent of parents/guardians and at no cost to their parents according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.*

Pupils shall receive programs and services as specified in N.J.A.C. 6A:14-6.1.

Limited English Proficient

Pupils with limited English proficiency may have educationally disabling conditions that must be addressed in order to provide them the full educational opportunity that is the goal of the district for every child.

Evaluation procedures shall be selected so that the pupil's cultural background and language abilities are taken into consideration unless it is clearly unfeasible to do so; and shall accurately reflect the pupil's ability rather than the impairment. All actions under Parent/Guardian Notification, Consent and Participation are to be conducted in the parents/guardians' dominant language, unless that is clearly impossible. In that case, care shall be taken that the facts and procedures are made intelligible to the parents/guardians.

Cooperation with Other Agencies

The Chief School Administrator shall investigate the possibilities of working with organizations and agencies providing services for the disabled, and shall present feasible programs and relationships to the board for consideration.

Evaluation of Program

At least annually, the Board shall review in a public meeting evidence of progress toward achievement of the special education plan as a whole, the success of identification procedures specifically, and the effectiveness of implementation of IEPs.

Eligibility for State and Federal Funds

The Chief School Administrator shall ensure that all requirements for receiving, using and accounting for state and federal funds shall be fulfilled in an accurate and timely manner.

Procurement, control, use and disposition of equipment and supplies purchased with state/federal funds shall be in full compliance with law.

Access

In addition to educational programs, the Board directs that the Chief School Administrator take into consideration physical access to district facilities for disabled pupils, staff and the community in determining location of programs or planning new facilities per state and federal law.

Legal References:

N.J.S.A. 10:5-1 et seq. Law Against Discrimination
N.J.S.A. 18A:46-1 et seq. Classes and Facilities for Handicapped Children
N.J.S.A. 18A:46A-1 et seq. Auxiliary Services
N.J.A.C. 5:23-7 Barrier free subcode of the uniform construction code
N.J.A.C. 6A:7-1.7 Equality in school and classroom practices
N.J.A.C. 6A:8-1.2 Scope
N.J.A.C. 6A:8-1.3 Definitions
N.J.A.C. 6A:8-3.1 Curriculum and instruction
N.J.A.C. 6A:8-4.1 et seq. Implementation of the Statewide Assessment System
N.J.A.C. 6A:8-5.1 et seq. Implementation of Graduation Requirements
N.J.A.C. 6A:9-1.1 et seq. Professional Licensure and Standards
N.J.A.C. 6A:14-1.1 et seq. Special Education
N.J.A.C. 6A:15-1.4 Bilingual programs for limited English proficient students
N.J.A.C. 6A:23-1.1 et seq. Finance and Business Services
N.J.A.C. 6A:26-6.1 et seq. Planning and Construction Standards for School Facilities
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
N.J.A.C. 6A:32-7.1 et seq. Student Records
N.J.A.C. 6A:32-8.3 School attendance
N.J.A.C. 6A:32-12.1 Reporting requirements
N.J.A.C. 6A:32-14.1 Review of mandated programs and services

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

20 U.S.C.A. 1400 et seq. - 1990 Individuals With Disabilities Education Act,
P.L. 101-476 (formerly Education for All Handicapped Children Act--Part B)

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

34 CFR 76.1 et seq. - General Administrative Regulation EDGAR

34 CFR 77.1 et seq. - General Administrative Regulation EDGAR

34 CFR 300 - Assistance to States for the Education of Children with Disabilities
(IDEA Regulations)

Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402 (1985)

Honig v. Doe, 484 U.S. 305 (1988)

Oberti v. Board of Education of Clementon School District, 995 F.2d 1204,
1216-17 (C. A.3 1993)

Cedar Rapids Community School District v. Garrett F., 526 U.S. 66 (1999)

Manual for the Evaluation of Local School Districts

Cross References:

1120 Board of education meetings

4112.2 Certification

4131/4131.1 Staff development; inservice education/visitations/conferences

5114 Suspension and expulsion

5120 Assessment of individual needs

5125 Pupil records

5131 Conduct/discipline

5200 Nonpublic school pupils

6121 Nondiscrimination/affirmative action

6145 Extracurricular activities

6151 Class size

6164.2 Guidance services

6164.4 Child study team

9322 Public and executive sessions

Approved: June 30, 1997

Revised: March 23, 2009

**SPRINGFIELD PUBLIC SCHOOLS
Springfield New Jersey 07081**

POLICY: TRAVEL EXPENSE REIMBURSEMENT

Board members receive no payment for their services. With board approval, they may be reimbursed for out-of-pocket expenses incurred on board business.

Travel and Related Expenses

Travel reimbursement will be paid only upon compliance with the Board's policy provisions and approval requirements. Board members and employees shall only be reimbursed for work-related travel that is directly related to and within the scope of the Board member and employees' current work responsibilities. Board members and employees shall only be reimbursed for travel that:

- A. promotes the delivery of instruction or furthers the efficient operation of the school district,
- B. is *educationally necessary* and fiscally prudent, and
- C. is directly related to and within the scope of the Board member's current responsibilities *and for school district employees, the school district's professional development plan.*

All employee travel must have prior approval of the Superintendent and/or Business Administrator and a majority of the full voting membership of the Board. Such approval must include the name of the event, the event cost, and the purpose of the trip.

All Board members must have approval of the majority of the full voting membership of the Board.

Such approval must include the name of the event, the event cost, and the purpose of the trip.

As described in this policy, school district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and for the travel event. School district travel expenditures include costs for all required training and all travel authorized in existing school district employee contracts and school board policies. This includes, but is not limited to, required professional development and other staff training, required training for new school board members, and attendance at specific conferences authorized in existing employee contracts.

Travel Payments

Travel payments will be paid only upon compliance with the school board's policy provisions and approval requirements. The school board will not ratify or approve payments or reimbursements for travel after completion of the travel event. All Board members and employees shall adhere to the following specifications to be considered for reimbursement:

A. Reimbursement may not exceed State travel reimbursement guidelines as established by the Department of Treasury in NJOMB circular letter 06-02 (found at <http://www.state.nj.us/infobank/circular/cir0602b.htm>), including but not limited to the types of travel, methods of transportation, mileage allowance, meal allowance, overnight travel and supporting documentation.

B. Reimbursement must also be in compliance with OMB Circular A-87 (found at http://www.whitehouse.gov/omb/circulars/a087/a87_2004.html). No reimbursement will be issued without submission of written documentation such as receipts, checks and vouchers detailing the amount of each expenditure. Such documentation must be submitted within thirty (30) days to the district business office.

C. *Travel expenditures must be in compliance with state travel payment guidelines as established by the Department of the Treasury and with guidelines established by the federal Office of Management and Budget; except that those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards. The board of education shall comply with the applicable restrictions and requirements set forth in the State and federal guidelines including, but not limited to, types of travel, methods of transportation, mileage allowance, subsistence allowance, and submission of supporting documentation including receipts, checks or vouchers.*

D. Shall provide, when requested by the Board of Education, a brief report that includes, as appropriate, but may not be limited to, a description of the primary purpose for the travel, and a summary of the goals and key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district. This report will be submitted to the Board Secretary or an appropriate party designated by the Board.

E. Pursuant to N.J.A.C. 6A:23A-5.8 concerning out-of state and high-cost travel events, out-of-state travel shall be limited to the fewest number of board members or employees needed to present the content at the conclusion of the event. Lodging may only be provided if the event occurs on two or more consecutive days and where home-to-event commute exceeds 50 miles. Prior written approval of the executive county superintendent may be required when the travel event has a total cost that exceeds \$5000.

In addition to the requirements above, *employee travel, to be reimbursable*, must be directly related to the employee's professional development. No district employee shall be reimbursed for travel and related expenses without prior written approval of the Chief School Administrator, and prior approval by a majority of the full voting membership of the board.

Prior Approval Required

Board members shall only be reimbursed for travel and related expenses that have received prior approval by a majority of the full voting membership of the board, and is in compliance with N.J.S.A. 18A:12-24 and 24.1 of the School Ethics Act.

- A. *Specifically, a Board member must recuse himself from voting on travel if the Board member, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his objectivity or independence of judgment.*
- B. *Also, a Board member shall not: act in his official capacity in any matter in which he or a member of his immediate family has a personal involvement that is or creates some benefit to the school official or member of his immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his independence of judgment in the execution of his official duties.*
- C. *For employees, the Board requires that travel occur only upon prior written approval of the Chief School Administrator and prior approval by a majority of the full voting membership of the Board.*
- D. *For Board members, travel may occur only upon prior approval by a majority of the full voting membership of the board and that the travel be in compliance with section 4 of P.L.1991, c.393 (C.18A:12-24) and section 5 of P.L.2001, c.178 (C.18A:12-24.1).*

Regular Business Travel Authorization and Approval

Regular business travel, such as NJDOE meetings and association events, is authorized by the board not to exceed \$1,500 per employee, pursuant to N.J.A.C. 6A:23A-7.3(b). Approval by the superintendent or designee is required, including justification for the travel. Regular business travel is authorized for regularly scheduled in-state professional development activities for which the registration fee does not exceed \$150 per employee or Board member.

School District Travel Advances are Banned

An employee of the school board, a school Board member, or organization, shall not receive an amount for travel and travel-related expenses in advance of the travel, pursuant to N.J.S.A.18A:19-1 et seq.

Annual Maximum Travel Expenditure Amount

The Board shall:

- A. Allot in its annual budget a maximum travel expenditure amount and annually review its policy to assure that it properly reflects the amount budgeted.*
- B. Vote to authorize each reimbursement; specifying the way in which it promotes the delivery of instruction or furthers the efficient operation of the school district, within the maximum annual amount.*
- C. Annually in the pre-budget year, establish by school Board resolution, a maximum travel expenditure amount for the budget year, which the school district shall not exceed in that budget year. The school Board resolution shall also include the maximum amount established for the pre-budget year and the amount spent to date.*
- D. Provide that the maximum school district travel expenditure amount shall include all travel in accordance with this policy supported by local and State funds.*

Additional Detailed Accounting Requirements which Demonstrate Compliance

In order to demonstrate compliance with this policy, documentation of all reimbursed travel expenses shall be maintained on file. This record may include receipts, checks and vouchers submitted in connection with any reimbursement. The district shall maintain separate accounting for school district travel expenditures as necessary, to ensure compliance with the school district's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the board's policy and this section, and shall provide auditable information.

To minimize travel expenditures, school boards and staff will take the following steps:

- A. "Retreats" will be held at school district facilities, if available. A retreat is a meeting of school district employees and school Board members, held away from the normal work environment, at which organizational goals and objectives are discussed.*

- B. A school district shall not bear costs for car rentals, limousine services, and chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendee accommodations at the travel event.*
- C. One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in Department of the Treasury guidelines*
- D. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the following:*
- 1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the federal per diem rates as established in the federal register for the current year;*
 - 2. Lodging expenses may exceed the federal per diem rates if the hotel is the site of the convention, conference, seminar or meeting and the going rate of the hotel is in excess of the federal per diem rates. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;*
 - 3. Receipts are required for hotel expenses. Meal expenses under the federal per diem allowance limits do not require receipts;*
 - 4. In any case in which the total per diem reimbursement is greater than the federal per diem rate, except when the going rate for lodging at the site of the convention or meeting exceeds federal per diem rates, the costs will be considered to be excessive and shall not be paid by school district funds;*
 - 5. School districts shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and*
 - 6. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or school board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.*
 - 7. Air and rail tickets shall be purchased via the internet, if possible, using online travel services.*

Blanket or general pre-approval for travel is not authorized and will not be permitted by the board. Specifically, approval shall be itemized by event, event

total cost, a number of employees and school board members attending the event. However a school board may also approve, at any time prior to the event, travel for multiple months as long as the school Board approval, as detailed in school board minutes, itemizes the approval by event, total cost, number of employees and school Board members attending the event.

Types of Expenditures Not Eligible for Reimbursement

Unnecessary and excessive travel expenditures as listed in N.J.A.C. 6A:23A:7.8 are prohibited. Prohibited types of expenditures include: travel by spouses and other relatives; costs for unnecessary employee attendance (for example employees who merely coordinate other attendees' accommodations at the travel event); charges for laundry, valet service and entertainment; district payment for alcoholic beverages; excessive tipping and gratuities; airfare without documentation of at least three (3) price quotes; and souvenirs. Travel expenses, subsistence expenses and incidental travel expenses shall only be allowable when consistent with N.J.A.C. 6A:23A-7.

Penalties

The board by this policy informs its members and staff that the penalties for violating this policy based on state law includes:

- A. By law, any district board of education that violates its established maximum travel expenditure, or that otherwise is not in compliance with the travel limitations set forth in this section may be subject to sanctions by the commissioner as authorized pursuant to N.J.S.A.18A:4-23 and N.J.S.A.18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.*
- B. A person who approves any travel in violation of the school district's policy or this section shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.*
- C. An employee or member of the board of education who travels in violation of the school district's policy or this section shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.*

Implementation

The Chief School Administrator shall develop regulations to implement this policy. The Board shall adopt regulations on all aspects of the Travel Expense Reimbursement Policy.

Legal References:

N.J.S.A. 18A:2-1 Power to effectuate action
N.J.S.A. 18A:4-23 Supervision of schools; enforcement of rules
N.J.S.A. 18A:4-24 Determining efficiency of schools; report to state board
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-4 Compensation of members
N.J.S.A. 18A:12-24 School Ethics Act
N.J.S.A. 18A:12-24.1 Code of Ethics
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:10A-8.3 Travel and Related Expense Reimbursement (Abbott Districts)
N.J.A.C. 6A:23B-1.1 et. seq. Travel and Related Expenses Reimbursement (Non-Abbott Districts)

P.L. 2005, c.132 Appropriations Act

In the Matter of Anthony Esgro, Luis Perez, Clifford Meeks and Frank
Speziali, Glassboro Board of Education, CO7-97, March 30, 1998

Cross References:

3571 Financial reports
9200 Orientation and training of board members
9270 Conflict of interest

Approved: November 21, 2005
Revised: June 25, 2007
Revised: March 23, 2009

4112.8/4212.8

SPRINGFIELD PUBLIC SCHOOLS
Springfield New Jersey 07081

POLICY: NEPOTISM

Persons who are *relatives* (spouse, civil union partner, domestic partner, parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, and half brother or half sister) of a school official (Board member or administrator) may *not* be employed in this school district.

When a *relative* of a school official is a *previously hired* member of the bargaining unit, that school official shall not discuss or vote on the proposed collective bargaining agreement with that unit, nor participate in any way in negotiations or as a member of the negotiating team. Nor shall that Board member be present with the Board in closed session when negotiation strategies are being discussed.

When a school official or *relative* is a member of the same statewide union, that school official shall not participate in any way in negotiations, prior to the Board's attaining a tentative memorandum of agreement with the bargaining unit. Once the tentative memorandum of agreement is established, a school official with an out-of-district same statewide union affiliation may fully participate in the process, absent other conflicts. Prior to that time, the school official shall not be a member of the negotiating team and shall not be present with the Board in closed session when negotiation strategies are being discussed. The Board member may vote on the collective bargaining agreement.

A Board member should not vote on any action (contract of employment or purchase) of the Board which will directly affect a *relative*.

Per diem employees such as substitutes or student employees are exempt from this policy.

N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-2 Inconsistent interests or office prohibited
N.J.S.A. 18A:12-21 et seq. School Ethics Act
N.J.S.A. 18A:16-1 Officers and employees in general
N.J.A.C. 6:2-1.1 et seq. Appeals
N.J.A.C. 6:3-9.1 et seq. School Ethics Commission

In re Bayless, 1974 S.L.D. 603, State Board rev'g 1974 S.L.D. 595

Smiecinski v. Hanover Bd. of Ed., 1975 S.L.D. 478

Scola v. Ringwood Bd. of Ed., 1978 S.L.D. 413

Salerno v. Old Bridge Board of Ed., 1984 S.L.D. (April 28)

Larsen v. Woodbridge Board of Ed., 1985 S.L.D. (March 18)

Scannella v. Scudillo, School Ethics Decision, Complaint No. C-14-93, (February 3, 1994)

School Ethics Commission, Advisory Opinion, A01-93

School Ethics Commission, Advisory Opinion, A10-93

School Ethics Commission, Advisory Opinion, A021-93

School Ethics Commission, Advisory Opinion, A07-94

School Ethics Commission, Advisory Opinion, A33-95

Cross References:

4111 Recruitment, selection and hiring

4119.21 Conflict of interest

9270 Conflict of interest

Adopted: August 28, 1989

Revised: June 30, 1997

Revised: November 19, 2003

Revised: November 19, 2007

Revised:

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF TWO PAGES

TO OWNER SPRINGFIELD BOE

PROJECT Walton Elementary

APPLICATION NO: 11 Final

139 MOUNTAIN AVE

Balance of Contract & Retainage ☐

SPRINGFIELD, NJ 07081

PERIOD TO: 2/28/09

FROM CONTRACTOR:

VIA ARCHITECT:

WILLIAMS SCOTSMAN INC

ARCHITECT'S

1900 OLD CUTHBERT RD

PROJECT NO: PN2001051

CHERRY HILL, NJ 08034

CONTRACT Modular Classrooms

CONTRACT DATE:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with Contract

Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM:

\$5,975,655.00

2. NET CHANGE ORDERS

\$82,519.49

3. CONTRACT SUM TO DATE:

\$6,058,174.49

4. TOTAL COMPLETED AND STORED TO DATE

\$6,058,174.49

5. RETAINAGE

a. 2% of completed work

b. 2% of stored material

Total RETAINAGE

6. TOTAL EARNED LESS RETAINAGE

\$6,058,174.49

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT

\$5,990,674.49

8. CURRENT PAYMENT DUE

\$67,500.00

9. BALANCE TO FINISH, PLUS RETAINAGE

\$0.00

| CHANGE ORDER SUMMARY | | ADDITIONS | DEDUCTIONS |
|--|--------|-----------|------------|
| Total changes approved in previous months by Owner | | 15,019.49 | |
| Total approved this Month | | 67,500.00 | |
| | TOTALS | 82,519.49 | |
| Net Change by Change Orders | | 82,519.49 | |

The undersigned Contractor certifies that to the best of the Contractor's knowledge

information and belief the Work covered by this Application for Payment has been

completed in accordance with the Contract Documents, that all amount have been

paid by the Contractor for the Work for which previous Certificates for Payment were

issued and payment received from the Owner, and that current payment shown

herein is now due.

contractor WILLIAMS SCOTSMAN, INC

By:

Date:

State of: New Jersey

County of: Camden

Subscribed and sworn to before me this 5th day of March 2009

Notary Public:

My Commission expires: January 8, 2008

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the

data comprising the above application, the Architect certifies to the Owner that to the

best of the Architect's knowledge, information and belief the Work has progressed as

indicated, the quality of Work is in accordance with the Contract Documents, and

the Contractor is entitled to payment of the AMOUNT CERTIFIED

AMOUNT CERTIFIED \$

ARCHITECT:

By:

Date:

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract

Contractor Name:

Williams Scotsman, Inc

Project:

Walton Elementary School

CONTINUATION SHEET

Contin.Sheet

A/A DOCUMENT G703

PAGE TWO OF TWO PAGES

A/A Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing

Contractor's signed Certification is attached.

In tabulation below, amounts are stated to the nearest dollar.

Use Column 1 on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER:9

APPLICATION DATE:8/24/05

PERIOD TO:10/31/05

ARCHITECT'S PROJECT NO.:PN2001051

| A ITEM NO: | B DESCRIPTION OF WORK | C SCHEDULED VALUE | D WORK COMPLETED | | F MATERIALS PRESENTLY STORED (NOT IN D OR E) | G TOTAL COMPLETED AND STORED TO DATE (D+E+F) | H % (G+C) | I BALANCE TO FINISH (C-G) | J RETAINAGE |
|------------------|-------------------------------|-------------------------|---------------------------------------|-------------|---|---|-----------------|------------------------------------|----------------|
| | | | FROM PREVIOUS APPLICATION (D+E) | THIS PERIOD | | | | | |
| 1 | BONDS | \$51,963 | \$51,963.00 | | | \$51,963.00 | 100% | | |
| 2 | FIELD OFFICE | \$3,600 | \$3,600.00 | | | \$3,600.00 | 100% | | |
| 3 | PROJECT MGMT | \$135,000 | \$135,000.00 | | | \$135,000.00 | 100% | | |
| 4 | MODULAR BLDG | \$2,309,035 | \$2,309,035.00 | | | \$2,309,035.00 | 100% | | |
| 5 | DELIVERY | \$167,750 | \$167,750.00 | | | \$167,750.00 | 100% | | |
| 6 | CRANE | \$65,000 | \$65,000.00 | | | \$65,000.00 | 100% | | |
| 7 | PLUMBING Material | \$54,469 | \$54,469.00 | | | \$54,469.00 | 100% | | |
| 8 | PLUMBING Labor | \$101,156 | \$101,156.00 | | | \$101,156.00 | 100% | | |
| 9 | Electrical Material | \$285,000 | \$285,000.00 | | | \$285,000.00 | 100% | | |
| 10 | ELECTRICAL Labor | \$246,250 | \$246,250 | | | \$246,250.00 | 100% | | |
| 11 | FIRE ALARM Material | \$49,300 | \$49,300 | | | \$49,300.00 | 100% | | |
| 12 | FIRE ALARM Labor | \$24,950 | \$24,950 | | | \$24,950.00 | 100% | | |
| 13 | ELEVATOR Material | \$42,000 | \$42,000 | | | \$42,000.00 | 100% | | |
| 14 | ELEVATOR Labor | \$20,500 | \$20,500 | | | \$20,500.00 | 100% | | |
| 15 | EPDM ROOFING Material | \$58,000 | \$58,000 | | | \$58,000.00 | 100% | | |
| 16 | EPDM ROOFING Labor | \$52,725 | \$52,725 | | | \$52,725.00 | 100% | | |
| 17 | SPRINKLER SYSTEM Material | \$110,000 | \$110,000 | | | \$110,000.00 | 100% | | |
| 18 | SPRINKLER SYSTEM Labor | \$121,250 | \$121,250 | | | \$121,250.00 | 100% | | |
| 19 | TAPE/SPACKLE Labor | \$65,000 | \$65,000 | | | \$65,000.00 | 100% | | |
| 20 | TAPE/SPACKLE Material | \$28,450 | \$28,450 | | | \$28,450.00 | 100% | | |
| 21 | PAINTING Labor | \$47,000 | \$47,000 | | | \$47,000.00 | 100% | | |
| 22 | PAINTING Material | \$30,500 | \$30,500 | | | \$30,500.00 | 100% | | |
| 23 | HVAC Labor | \$578,900 | \$578,900 | | | \$578,900.00 | 100% | | |
| 24 | HVAC Material | \$299,950 | \$299,950 | | | \$299,950.00 | 100% | | |
| 25 | STAIRS Labor | \$35,000 | \$35,000 | | | \$35,000.00 | 100% | | |
| 26 | STAIRS Material | \$43,050 | \$43,050 | | | \$43,050.00 | 100% | | |
| 27 | STUCCO Labor | \$100,300 | \$100,300 | | | \$100,300.00 | 100% | | |
| 28 | STUCCO Material | \$75,300 | \$75,300 | | | \$75,300.00 | 100% | | |
| 29 | CEILINGS Labor | \$65,500 | \$65,500 | | | \$65,500.00 | 100% | | |
| 30 | CEILINGS Material | \$47,000 | \$47,000 | | | \$47,000.00 | 100% | | |
| 31 | CASEWORK Material | \$73,000 | \$73,000 | | | \$73,000.00 | 100% | | |
| 32 | CASEWORK Labor | \$48,250 | \$48,250 | | | \$48,250.00 | 100% | | |
| 33 | BATHROOM ACCESSORIES Labor | \$42,000 | \$42,000 | | | \$42,000.00 | 100% | | |
| 34 | BATHROOM ACCESSORIES Material | \$23,200 | \$23,200 | | | \$23,200.00 | 100% | | |
| 35 | CERAMIC TILE Material | \$10,000 | \$10,000.00 | | | \$10,000.00 | 100% | | |
| 36 | CERAMIC TILE Labor | \$5,700 | \$5,700.00 | | | \$5,700.00 | 100% | | |
| 37 | VCT FLOORING Labor | \$47,800 | \$47,800.00 | | | \$47,800.00 | 100% | | |

