SPRINGFIELD BOARD OF EDUCATION
REGULAR PUBLIC MEETING AGENDA
November 16, 2026

VISION STATEMENT

Cultivating, compassionate, and extraordinary learner

MISSION STATEMENT

Springfield Public Schools will challenge every student through meaningful, engaging experiences – empowering all students to flourish and contribute in an evolving world.

A. CALL TO ORDER AND STATEMENT- President Meredith Murphy

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 January 5, 2026 and revised on January 23, 2026, March 1, 2026, March 12, 2026, June 26, 2026, August 10, 2026 and September 29, 2026. The public comment format for this meeting is as follows – attendees wishing to comment during the public sessions will state their name and address. The President of the Board of Education will recognize the attendee at the appropriate time. All of the Board's Policies and Regulations related to public participation in board meetings shall remain in effect, including, but not limited to, the presiding officer's ability to limit each statement made by a participant to a 3-minute duration.

B. ROLL CALL

Vice President Tracey Rinaldi
Mrs. Laura Gamarekian
Mr. Luis Henriques
Mrs. Dana Kelly
Mrs. Kristy Rubin
Mrs. Adriana Silva
Mrs. Hilary Turnbull
Mrs. Jennifer Wishna
President Meredith Murphy

C. CLOSED SESSION

RESOLVED, That the Springfield Board of Education meeting here by convenes to executive session pursuant to P.L. 1975 chapter 231 for discussion of the following subjects:

1. Student Matters

It is anticipated that the executive session will take approximately 30 minutes; the Board may take action during public session. The Board shall return to public session, following executive session, at approximately 7:00 p.m. The minutes of the executive session shall be released to the public when the reason for the executive session no longer exists.

Motion to go into executive session:
Moved:
Seconded:
Time:
Voice Vote: AYE- NAY-

Motion to return to public session:
Moved:
Seconded:
Time:
Voice Vote: AYE- NAY-

D. PLEDGE OF ALLEGIANCE

E. COMMUNICATIONS

F. MINUTES

The Superintendent recommends:

1. To approve the following minutes:

Regular Meeting – October 26, 2026

Approval of the Minutes

Motion to Approve:
Seconded:
Voice Vote: AYE- NAY-

G. SUPERINTENDENT'S REPORT

1. Student Representative Report
2. Staff/ Student Recognitions
3. 25-26 Data Presentation
4. Community Updates
5. HIB Report (The Board will go into closed session at the end of the meeting if specific clarification is needed.)
6. Building Use
7. Fundraiser Requests

Approval of the Superintendent's Report, as presented

Motion to Approve:
Seconded:
Voice Vote: AYE- NAY-

H. PUBLIC SESSION ON AGENDA ITEMS

It is the policy of this Board that inappropriate comments regarding specific individuals should not be made during the public portion of this meeting. Members of the public should be advised that to the extent, they defame any employee of this district or member of this community, the Board disclaims any liability if you are involved in a civil suit for defamation. As a reminder, all of the Board's Policies and Regulations related to public participation in board meetings shall remain in effect, including, but not limited to, the presiding officer's ability to limit each statement made by a participant to a 3-minute duration.

I. BOARD GOVERNANCE, POLICY, AND COMMUNICATIONS COMMITTEE-

Vice President Rinaldi

Items 1 through 9

The Superintendent recommends:

1. Staff Appointments

To approve the following staff appointments revisions:

a. Regine Riviere*, School Counselor Leave Replacement, Itinerant, effective on September 28, 2026 through June 30, 2027 at $68,147 Step 1-MA.
Account Number: 11-120-100-101-01-09

**Original Agenda resolution appeared on the August 31, 2026, Regular Public Meeting, resolution no. 1d*

2. Staff Rescission

To approve the following staff rescission:

a. Emily Klick, Instructional Aide, Itinerant.

3. **Staff Resignation**

To approve the following staff resignation:

a. Sarah Davitt, Executive Secretary, District, effective December 31, 2026.

4. **District Substitutes**

To approve substitutes for the 2026-2027 school year. NJ Certified Teachers- $135/day, Sub Certified- $125/day, Paraprofessionals- $20/hr., Secretary- $20/hr., Custodian- $20/hr., Nurse-$190/day, Bus Driver/CDL Exempt Drivers- $25/hr.

TEACHER

Dolores Muia-Masucci*	NJ Certified Teachers	N-12
Julia Olsen	Sub Certified	N-12
Caitlin Farago*	Sub Certified	N-12

** Pending Criminal History Background Clearance*

5. **Leave of Absence Request**

To approve the following leave of absence and revisions:

Name	Leave Request	Date From	Date To	Rate
#2986	Medical	10/9/2026 – 11/6/2026	10/9/2026 – 12/1/2026	Full salary; accumulated sick days/Unpaid
#0278	Medical		11/19/2026 – 1/3/2027	Full salary; accumulated sick days
#3331	Medical – FMLA	9/10/2026 – 11/10/2026	9/10/2026 – 1/29/2027	Full salary; accumulated sick days/Unpaid
Adrianna Oliveira	Pre-Disability Leave/ FMLA		3/1/2027 – 3/11/2027	Full salary; accumulated sick days
	Post Disability Leave/ FMLA		3/12/2027 – 4/9/2027	Full salary; accumulated sick days
	FMLA/NJFLA		4/10/2027 – 6/30/2027	Unpaid
Renee Mowczan	Post Disability Leave/ FMLA	9/1/2026 – 10/26/2026	9/1/2026 – 12/7/2026	Full salary; accumulated sick days/Unpaid
	NJFLA	10/27/2026 – 1/26/2027	12/8/2026 – 3/2/2027	Unpaid

6. **Change of Assignment/ Transfer**

To approve the following change of assignment/transfer:

Name	From Position	To Position
Suzanne Medina	Instructional Aide 5.95 Hours/ day Rate: $25.42/hr. + $1,250 Annual Stipend) + $900 Toileting (Annual Stipend) Account: 20-250-100-100-66-11	Instructional Aide – Autism Program 5.95 Hours/ day Rate: $25.42/hr. + $1,250 (Annual Stipend) Effective: 11/1/2026 Account: 20-250-100-100-66-11

7. **Conference Attendance**

To approve the following conference attendance request and travel related reimbursement:

Attendee	Conference	Dates
Rachel Goldberg	Techspo 27*	January 27-29, 2027
Julie Spoerl	Techspo 27*	January 27-29, 2027
Jonathan Phillips	Techspo 27*	January 27-29, 2027
Mary Jo Campos	NJASA-Exe. Admin. Asst. – A Critical Professional Role Session #	May 6, 2027

Account Number: *11-000-230-580-XX-XX, cost not to exceed $3,150.00
#11-000-221-580-80-12, cost not to exceed $175.00

8. **Harassment/ Intimidation/ Bullying Incidents**

To affirm the following harassment/ intimidation/ bullying findings:

- 050-2627-02
- 050-2627-03
- 010-2627-01
- 010-2627-02
- 010-2627-03
- 090-2627-02

9. District Policies

To approve the following district policies and regulations for Second Reading & Adoption:

a. P6112 - Reimbursement of Federal and Other Grant Expenditures (M)
b. Reg. 6115.01 - Federal Awards/Funds Internal Controls-Allowability of Costs (M)
c. P6115.02 - Federal Awards/Funds Internal Controls-Mandatory Disclosures (M)
d. P6311 - Contracts for Goods or Services Funded by Federal Grants (M)
e. P8561 - Procurement Procedures for School Nutrition Programs (M)
f. P2411 – Career Education and Academic Counseling (M)

Approval of Board Governance, Policy, and Communications Items 1 through 9

Motion to Approve:

Seconded:

Roll Call

Vice President Tracey Rinaldi		Adriana Silva	
Laura Gamarekian		Hilary Turnbull	
Luis Henriques		Jennifer Wishna	
Dana Kelly		President Meredith Murphy	
Kristy Rubin			

J. SCHOOL ADMINISTRATION, ACADEMIC PROGRAMS, AND ATHLETICS COMMITTEE-

Mrs. Gamarekian

Items 10 through 15

The Superintendent recommends:

10. Special Education Related Services/Placements revision

To approve the following tuition contracts for educational and related service(s) for the 2026-2027 school year.

School	Student/s	ESY/Tuition Services	ESY Aide	SY Tuition	SY Aide	Total
Garden Academy, Inc.*	0321			$100,064.25		$100,064.25

**Original Agenda resolution appeared on the October 26, 2026, Regular Public Meeting, resolution no. 36*

Account Number: ^11-000-100-567-98-11

11. Professional Services

To approve the following professional services contract for the 2026-2027 school year:

Vendor	Services	Original	Change	Cost Not to Exceed
Public Consulting Group LLC	IEP Software and File Support	$10,167.00		$10,167.00

Account Number: *11-000-219-390-70-11

12. Education Programs

To approve the following education program for 2026-2027 school year:

Student	Vendor	Service	Dates	Cost Not to Exceed
1503	Union County Educational Services Commission	Bedside Instruction	10/2/2026 – approx. 3 weeks	$3,000.00

Account Number: 11-150-100-320-63-11

13. Tuition Reimbursement/ Credit

To approve the following personnel for credit and tuition reimbursement. The maximum amount as set in the SEA CBA.

Staff Name	Course Title	Semester	Credit	Credit/Reimbursement
Kimberly Tuttle	Supervision & Organizational Administration (Supervisor II)	Summer 2026	3	Credit and Reimbursement

Marissa Jones	Advanced Study in the Foundations of Language & Literacy Dev.	Fall 2026	3	Credit and Reimbursement
Paige Rogers	Learning Theory, Inquiry, and Instructional Design	Spring 2027	3	Credit and Reimbursement
Paige Rogers	International K-12 Books	Spring 2027	3	Credit and Reimbursement
Nilofer Nath	Correction of Learning Disabilities	Spring 2027	3	Credit and Reimbursement
Ashley Campos	Specially Designed Instructions	Spring 2027	3	Credit and Reimbursement
Jolene Sinclair	Addressing Literacy for Students with Special Needs	Spring 2027	3	Credit and Reimbursement
Megan Theobald	Principalship	Spring 2027	3	Credit and Reimbursement
Megan Theobald	Internship in Education Leadership Part A	Spring 2027	3	Credit Only
Megan Theobald	Understanding Group Process and the Psychology of Organization	Spring 2027	3	Credit and Reimbursement
Marissa Jones	Administration and Supervision of Reading Programs	Spring 2027	3	Credit and Reimbursement
Maria Cruz	The Principalship: The Person and the Profession	Spring 2027	3	Credit and Reimbursement
Alyssa Krutis	Adolescent Literacy: Foundations and Instruction in Secondary Settings	Spring 2027	3	Credit and Reimbursement
Alyssa Krutis	Literacy Instruction: Emergent Literacy Through Phonics Instruction	Spring 2027	3	Credit and Reimbursement

Account Number: 11-000-291-280-97-03

14. Field Trip Destinations

a. To approve the following additional field trip destinations for the 2026-2027 school year.

Destination	City	State
Lantern Hill	New Providence	NJ
Celestino's Pizza	New Providence	NJ
NJIT	Newark	NJ
iFLY	Edison	NJ

b. To approve the following out of state field trip destination for the 2026-2027 school year.

Date of Trip	Destination	School	Purpose of Trip
December 13, 2026	City College – Baskerville Hall New York, NY	JDHS	Quiz Bowl

15. Grant

To approve authorizing the Springfield Board of Education to submit an application for the grant *Foundation for Impact on Literacy and Learning (FILL)* from the 2026 Help Our Teachers Fund.

Approval of the School Administration, Academic Programs, and Athletics Items 10 through 15

Motion to Approve:
Seconded:

Roll Call

Vice President Tracey Rinaldi		Adriana Silva	
Laura Gamarekian		Hilary Turnbull	
Luis Henriques		Jennifer Wishna	
Dana Kelly		President Meredith Murphy	
Kristy Rubin			

K. <u>FINANCE, FACILITIES, AND SECURITY COMMITTEE</u>- *Mrs. Turnbull*

Items 16 through 19

The Superintendent recommends:

16. Bills List

To approve the check numbers 060773 through 060890 and wire transfer G64186, G64220, G64222, G64223, G64224, G64226, G64228, G64229, P64203, P64204, P64215, P64232 and P64234 for the grand total of $5,276,949.25.

17. Budget Transfers

To approve budget transfer for the 2026-2027 school year.

Account Code	Account Name	To	From
11-000-216-320-55-11	RELATED SERVICES		$5,032.00
11-000-219-390-70-11	CST SOFTWARE	$5,032.00	
11-000-251-592-06-03	TRAVEL BUSINESS OFFICE		$322.00
11-000-251-890-07-03	DUES/FEES BUSINESS OFF	$322.00	$932.00
11-190-100-610-00-07	INSTRUCTIONAL SUPPLIES		$199.00
11-190-100-610-00-08	INSTRUCTIONAL SUPPLIES		$199.00
11-190-100-800-00-07	OTHER OBJECTS	$199.00	
11-190-100-800-00-08	OTHER OBJECTS	$199.00	

18. Bus Evacuation Drills

To acknowledge bus evacuation drills for all non-transported students in accordance with NJAC 6A:27-11.2 on October 12th,14th,15th, 19th & 21st, 2026:

Date	Time	School	Route	Location of Drill	Supervised By
10/12/2026	9:15 AM	EVW	Grades Pre-K-4	Main Entrance	Jonathan Firetto - Principal
10/15/2026	9:30 AM	TLS	Grades Pre-K-4	Main Entrance	Timothy Kielty – Principal
10/19/2026	9:30 AM	JC	Grades Pre-K-4	Main Entrance	David Rennie – Principal
10/21/2026	9:30 AM	FMG	Grades 5-7	Main Entrance	Mathew Lynch-Vice Principal
10/14/2026	9:30 AM	JDHS	Grades 8-12	Main Entrance	Lisa Ramirez – Vice Principal

19. Transfer of Capital Project Funds

To approve the transfer of funds within Capital Projects. It has been determined that the funds from the capital projects listed are no longer needed.

Capital Project	From	To
ROD Grant- Roof Replacement JDHS		$85,086.80
Biology Research Lab	$85,086.80	

Approval of Finance, Facilities, and Security Items 16 through 19

Motion to Approve:

Seconded:

Roll Call

Vice President Tracey Rinaldi		Adriana Silva	
Laura Gamarekian		Hilary Turnbull	
Luis Henriques		Jennifer Wishna	
Dana Kelly		President Meredith Murphy	
Kristy Rubin			

L. <u>OPEN PUBLIC SESSION</u>

It is the policy of this Board that inappropriate comments regarding specific individuals should not be made during the public portion of this meeting. Members of the public should be advised that to the extent they defame any employee of this district or member of this community, the Board disclaims any liability if you are involved in a civil suit for defamation. As a reminder, all of the Board's Policies and Regulations related to public participation in board meetings shall remain in effect, including, but not limited to, the presiding officer's ability to limit each statement made by a participant to a 3- minute duration.

M. <u>NEW BUSINESS</u>

N. <u>OLD BUSINESS</u>

O. <u>CLOSED SESSION *(if required)*</u>

RESOLVED, that the Springfield Board of Education meeting here by convenes to closed conference session pursuant to P.L. 1975 chapter 231 for discussion of the following topics:

It is anticipated that the executive session will take approximately _ minutes; the Board may take action when it reconvenes to public session; and the minutes of the executive session shall be released to the public when the reason for the executive session no longer exists.

Motion to go into executive session:
Moved:
Seconded:
Time:
Voice Vote: AYE- NAY-

Motion to reconvene to Regular Meeting:
Moved:
Seconded:
Time:
Voice Vote: AYE- NAY-

P. ADJOURNMENT

Moved:
Seconded:
Time:
Voice Vote: AYE- NAY-

Upcoming Meeting

a. Regular Meeting– December 14, 2026 at 7:00 PM in the JDHS Halsey Auditorium

_____

Michelle Calas
Business Administrator/Board Secretary

Springfield Public Schools
Policy

P6311 CONTRACTS FOR GOODS OR SERVICES FUNDED BY FEDERAL GRANTS (M)

Any vendor providing goods or services to the school district to be funded by a Federal grant must be cleared for contract in accordance with the provisions of the Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal Awards (UGG), 2 CFR 200.214 – Suspension and Debarment.

The School Business Administrator/Board Secretary shall be responsible to check the web-based System for Award Management (SAM), accessible at www.sam.gov maintained by the United States government – the General Services Administration (GSA). The purpose of the SAM is to provide a single comprehensive list of individuals and firms excluded by Federal government agencies from receiving Federal contracts or Federally approved contracts or Federally approved subcontracts and from certain types of Federal financial and nonfinancial assistance and benefits.

The School Business Administrator/Board Secretary, upon opening of bids or upon receipt of proposals for goods or services to be funded by a Federal grant shall access the SAM to determine if the vendor has been disbarred, suspended, or proposed for disbarment. The School Business Administrator/Board Secretary shall also access the SAM list immediately prior to the award of a bid or contract to ensure that no award is made to a vendor on the list.

In the event a vendor under consideration to be awarded a bid or contract for goods or services to be funded by a Federal grant is on the SAM list or proposed for disbarment, the School Business Administrator/Board Secretary shall comply with the contracting restrictions as outlined in 2 CFR 200.

Continuation of current contracts and restrictions on subcontracting with vendors who are on the SAM list or proposed for disbarment shall be in accordance with the limitations as outlined in 2 CFR 200.

Any rejection of a bid or disqualification of a vendor who has been disbarred, suspended, or proposed for disbarment shall be consistent with the requirements as outlined in N.J.S.A. 18A:18A – Public School Contracts Law and all applicable State laws.

The applicability of the provisions of this Policy apply to covered transactions as defined in 2 CFR 3485.220. A covered transaction is any contract that is awarded by the Board of Education that is covered under 2 CFR 180.210 and the amount of the contract is expected to equal or exceed $25,000, unless the Board chooses a lower threshold.

Compliance with the provisions of 2 CFR 200 and this Policy must be demonstrated by written evidence to be maintained by the School Business Administrator/Board Secretary. Examples of evidence include printouts of searches from the SAM, imprints from an ink stamp, or Avery or similar labels affixed to purchase orders memorializing performance of this verification.

Springfield Public Schools
Policy

2 CFR 200
2 CFR 3485.220
2 CFR 180.210

Adopted: 18 March 2019
Readopted: March 18, 2024
First Reading: October 26, 2026

Springfield Public Schools
Regulation

R 6115.01 FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – ALLOWABILITY OF COSTS (M)

Expenditures must be aligned with approved budgeted items. Any changes or variations from the State-approved budget and grant application need prior approval from the State.

A. Delegation of Responsibility

When determining how the school district will spend its grant funds, the School Business Administrator/Board Secretary, will review the proposed cost to determine whether it is an allowable use of Federal grant funds before obligating and spending those funds on the proposed good or service.

B. Allowability Determinations

1. All costs supported by Federal education funds must meet the standards outlined in EDGAR, 2 CFR Part 3474 and 2 CFR Part 200, Subpart E, which are listed below. The School Business Administrator/Board Secretary, must consider these factors when making an allowability determination. A section entitled, Helpful Questions for Determining Whether Costs are Allowable, is located at the end of this Regulation.

   2 CFR Part 200 sets forth general cost guidelines that must be considered, as well as rules for specific types of items, both of which must be considered when determining whether a cost is an allowable expenditure of Federal funds. The expenditure must also be allowable under the applicable program statute (e.g., Title I of the Elementary and Secondary Education Act (ESEA), or the Carl D. Perkins Career and Technical Education Act (Perkins)), along with accompanying program regulations, nonregulatory guidance and grant award notifications.

   Restrictions in State and local rules or policy also must be considered. For example, travel and other job-related expenses incurred by employees are not allowable unless they also are in compliance with Policy and Regulation 6471 and related administrative regulations.

   Whichever allowability requirements are stricter will govern whether a cost is allowable. General allowability determination factors include the following:

   a. Be Necessary and Reasonable for the performance of the Federal award. A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost was made. For example, "reasonable" means that sound business practices were followed, and purchases were comparable to market prices.

When determining reasonableness of a cost, consideration must be given to:

(1) Whether the cost is a type generally recognized as ordinary and necessary for the operation of the district or the proper and efficient performance of the Federal award.

(2) The restraints or requirements imposed by factors, such as: sound business practices; arm's-length bargaining; Federal, State and other laws and regulations; and terms and conditions of the Federal award.

(3) Market prices for comparable goods or services for the geographic area.

(4) Whether the individual incurring the cost acted with prudence in the circumstances considering responsibilities to the district, its employees, its students, the public at large, and the Federal government.

(5) Whether the district significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the Federal award's cost. (2 CFR 200.404)

Whether a cost is "necessary" will be determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the district can demonstrate that the cost addresses an existing need, and can prove it. For example, the school entity may deem a language skills software program necessary for a limited English proficiency program.

When determining whether a cost is necessary, consideration may be given to:

(1) Whether the cost is needed for the proper and efficient performance of the Federal award program.

(2) Whether the cost is identified in the approved budget or application.

(3) Whether there is an educational benefit associated with the cost.

(4) Whether the cost aligns with identified needs based on results and findings from a needs assessment.

(5) Whether the cost addresses program goals and objectives and is based on program data.

b. Allocable to the Federal award. A cost is allocable to the Federal award if the goods or services involved are chargeable or assignable to the Federal award in accordance with the relative benefit received. This means that the Federal grant program derived a benefit in proportion to the funds charged to the program. (2 CFR 200.405) For example, if fifty percent of a teacher's salary is paid with grant funds, then that teacher must spend at least fifty percent of their time on the grant program.

c. Consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the school entity.

d. Conform to any limitations or exclusions set forth as cost principles in 2 CFR Part 200 or in the terms and conditions of the Federal award.

e. Consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.

f. Adequately documented. All expenditures must be properly documented.

g. Be calculated in accordance with generally accepted accounting principles (GAAP), unless provided otherwise in 2 CFR Part 200.

h. Not included as a match or cost-share, unless the specific Federal program authorizes Federal costs to be treated as such. Some Federal program statutes require the non-Federal entity to contribute a certain amount of non-Federal resources to be eligible for the Federal program.

i. Be the net of all applicable credits. The term "applicable credits" refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the State relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate. (2 CFR 200.406)

C. Selected Items of Cost

2 CFR 200, Subpart E, sets forth principles to be applied in establishing the allowability of fifty-five specific cost items (commonly referred to as Selected Items of Cost), at 2 CFR 200.420 through 200.475. These specific cost items are listed in the chart below along

with the citation to the section of Subpart E addressing the allowability of that item. These principles are in addition to the other general allowability standards, and apply whether or not a particular item of cost is properly treated as direct cost or indirect (Facilities and Administration) cost. Meeting the specific criteria for a listed item does not by itself mean the cost is allowable, as it may be unallowable under other standards or for other reasons, such as restrictions contained in the terms and conditions of a particular grant or restrictions established by the State or in Board policy. If an item is unallowable for any of these reasons, Federal funds cannot be used to purchase it.

School district personnel responsible for spending Federal grant funds and for determining allowability must be familiar with and refer to the 2 CFR Part 200 selected items of cost section. These rules must be followed when charging these specific expenditures to a Federal grant. When applicable, employees must check costs against the selected items of cost requirements to ensure the cost is allowable, and also check State, district and program-specific rules.

The selected item of cost addressed in 2 CFR Part 200 includes the following:

Item of Cost	Citation of Allowability Rule
Advertising and public relations costs	2 CFR 200.421
Advisory councils	2 CFR 200.422
Alcoholic beverages	2 CFR 200.423
Alumni/ae activities	2 CFR 200.424
Audit services	2 CFR 200.425
Bad debts	2 CFR 200.426
Bonding costs	2 CFR 200.427
Collection of improper payments	2 CFR 200.428
Commencement and convocation costs	2 CFR 200.429
Compensation – personal services	2 CFR 200.430
Compensation – fringe benefits	2 CFR 200.431
Conferences	2 CFR 200.432
Contingency provisions	2 CFR 200.433
Contributions and donations	2 CFR 200.434
Defense and prosecution of criminal and civil proceedings, claims, appeals, and patent infringements	2 CFR 200.435
Depreciation	2 CFR 200.436

Employee health and welfare costs	2 CFR 200.437
Entertainment costs	2 CFR 200.438
Equipment and other capital expenditures	2 CFR 200.439
Exchange rates	2 CFR 200.440
Fines, penalties, damages, and other settlements	2 CFR 200.441
Fund raising and investment management costs	2 CFR 200.442
Gains and losses on disposition of depreciable assets	2 CFR 200.443
General costs of government	2 CFR 200.444
Goods and services for personal use	2 CFR 200.445
Idle facilities and idle capacity	2 CFR 200.446
Insurance and indemnification	2 CFR 200.447
Intellectual property	2 CFR 200.448
Interest	2 CFR 200.449
Lobbying	2 CFR 200.450
Losses on other awards or contracts	2 CFR 200.451
Maintenance and repairs costs	2 CFR 200.452
Materials and supplies costs, including costs of computing devices	2 CFR 200.453
Memberships, subscriptions, and professional activity costs	2 CFR 200.454
Organization costs	2 CFR 200.455
Participant support costs	2 CFR 200.456
Plant and security costs	2 CFR 200.457
Pre-award costs	2 CFR 200.458
Professional services costs	2 CFR 200.459
Proposal costs	2 CFR 200.460
Publication and printing costs	2 CFR 200.461
Rearrangement and reconversion costs	2 CFR 200.462
Recruiting costs	2 CFR 200.463
Relocation costs of employees	2 CFR 200.464
Rental costs of real property and equipment	2 CFR 200.465
Scholarships and student aid costs	2 CFR 200.466

Selling and marketing costs	2 CFR 200.467
Specialized service facilities	2 CFR 200.468
Student activity costs	2 CFR 200.469
Taxes (including Value Added Tax)	2 CFR 200.470
Termination costs	2 CFR 200.471
Training and education costs	2 CFR 200.472
Transportation costs	2 CFR 200.473
Travel costs	2 CFR 200.474
Trustees	2 CFR 200.475

D. Helpful Questions for Determining Whether Costs are Allowable

1. In addition to applying the cost principles and standards described above, district staff involved in expending Federal funds should ask the following questions when assessing the allowability of a particular cost:

   a. Is the proposed cost allowable under the relevant program?

   b. Is the proposed cost consistent with an approved program plan and budget?

   c. Is the proposed cost consistent with program specific fiscal rules? For example, the school entity may be required to use Federal funds only to supplement the amount of funds available from non-Federal (and possibly other Federal) sources, or only as a match for funds from non-Federal sources.

   d. Is the proposed cost consistent with EDGAR?

   e. Is the proposed cost consistent with specific conditions imposed on the grant (if applicable)?

   f. Is the proposed cost consistent with the underlying needs of the program? For example, program funds must benefit the appropriate population of students for which they are allocated. This means that, for instance, funds allocated under Title III of the Elementary and Secondary Education Act (ESEA) governing language instruction programs for Limited English Proficient (LEP) students must only be spent on LEP students and cannot be used to benefit non-LEP students.

   g. Will the cost be targeted at addressing specific areas of weakness that are the focus of the program, as indicated by available data?

Any questions related to specific costs should be forwarded to the School Business Administrator/Board Secretary, who shall consult with the school solicitor for clarification as appropriate.

Adopted: March 18, 2024
First Reading: October 26, 2026
Second Reading & Adoption: November 16, 2026

P 2411 CAREER EDUCATION AND ACADEMIC COUNSELING (M)

The Board of Education shall develop and implement a comprehensive system for the delivery, to all students, of guidance and academic counseling that facilitates career awareness, exploration, and preparation pursuant to N.J.A.C. 6A:8-6.1.

The words and terms used in this Policy shall have the meanings as defined in N.J.A.C. 6A:8-1.3.

A. Comprehensive System of Guidance and Academic Counseling

1. The system for the delivery, to all students, of guidance and academic counseling that facilitates career awareness, exploration, and preparation shall:

   a. Be consistent with the New Jersey Student Learning Standards (NJSLS);

   b. Take into consideration the 2019 American School Counselor Association's National Standards for School Counseling Programs, incorporated herein by reference, as amended and supplemented;

   c. Be infused throughout the curriculum as appropriate for all students;

   d. Be supported by professional learning programs;

   e. Provide developmental career guidance and academic counseling, aligned with the NJSLS, designed to:

      (1) Assist students in making and implementing informed educational and career choices, including opportunities to change career focus;

      (2) Support students' academic attainment, career development, and personal/social development; and

      (3) Develop students' understanding of the relationships among academic attainment, career development, and personal/social development; and

   f. Specify the delivery format, which may include:

      (1) An integrated curriculum that is based on the NJSLS and provides students with the opportunity to engage in contextual learning, service learning, and/or work-based learning to acquire information

about their career interests and/or take advanced coursework linked to their career interests; and/or

(2) Specialized programs that reflect the needs of students and the community.

B. Students With Disabilities

For students with disabilities beginning at age fourteen or younger, if determined appropriate by the IEP team, the Board shall ensure that career guidance and academic counseling are coordinated with transition services provided in accordance with N.J.A.C. 6A:14-3.7.

C. Fulfillment of the NJSLS

1. In fulfillment of the NJSLS, the Board shall develop and implement the following for all students:

a. Curriculum and instructional methods that:

(1) Include the integration of technological literacy, consistent with the NJSLS;

(2) Include the integration of information literacy, consistent with the NJSLS and delivered in partnership by school library media specialists and classroom educators, pursuant to N.J.S.A. 18A:7F-4.4. through 18A:7F-4.7.;

(3) Provide an understanding of the career applications of knowledge and skills learned in the classroom; and

(4) Provide opportunities to apply knowledge and skills learned in the classroom to real or simulated career challenges.

b. A system of career development activities that:

(1) Offers the opportunity to more fully explore career interests that are linked to the NJSLS, pursuant to N.J.A.C. 6A:19 – Career and Technical Education Programs and Standards;

(2) Provides the appropriate format for offering career-development activities based on school district resources, community needs, and student interest;

(3) Identifies the delivery format, which may include:

(a) An integrated curriculum that is based on the NJSLS and provides students the opportunity to acquire information about their career interests and/or take advanced coursework linked to their career interests; or

(b) Specialized programs that reflect the needs of students and the community; and

(4) Instills the concept of the need for continuous learning throughout life.

High School Only

D. Work-Based Learning Experiences

1. The Board shall offer high school students the opportunity to more actively explore career interests by participating in work-based learning experiences aligned to the NJSLS.

a. Work-based learning experiences shall give students opportunities to demonstrate and apply academic knowledge in authentic settings and to develop career and personal/social goals.

b. Students may voluntarily select work-based learning experiences that:

(1) Are co-curricular or extra-curricular activities; and

(2) Take place within the district, at a work site, or in the community, in accordance with N.J.A.C. 6A:19-6.4.

c. The Board shall ensure students participating in school-sponsored external work-based learning experiences, either paid or unpaid:

(1) Are supervised by school personnel, in accordance with N.J.A.C. 6A:9B-14.19 and 14.20; and

(2) Are in approved programs compliant with Federal and State law.

E. Enrollment in College Courses

1. The Board shall develop, implement, and regularly evaluate strategies that identify, support, and encourage students from diverse backgrounds to enroll in and succeed in college courses pursuant to N.J.A.C. 6A:8-6.2.

2. The Board may enter into a dual enrollment agreement with one or more public institutions of higher education, in accordance with N.J.S.A. 18A:61C-10., to increase the availability of college-level instruction for high school students.

3. Credits earned by students shall be accepted at all New Jersey public higher education institutions, pursuant to N.J.S.A. 18A:61C-11.

4. The Board may participate in the Twelfth Grade Postsecondary Transition Year Pilot Program, pursuant to P.L. 2023, c.272, through a competitive grant award contingent upon available funds held within the Innovation Dual Enrollment II Fund.**]**

F. Guidance and Academic Counseling

The Board's comprehensive system for the delivery, to all students, of guidance and academic counseling that facilitates career awareness, exploration, and preparation shall

1. Include the services of teaching staff members certified as school counselors and other designated teaching staff members.

G. Evaluation

1. The program of career education and academic counseling will be reviewed annually to determine its strengths and weaknesses. The following information to be reviewed may include, but is not limited to:

   a. An annual record of graduate placements in post-secondary situations;

   b. Assessments of past graduates as to the effectiveness of guidance services received in the high school;

   c. Results of surveys of parents and staff evaluations of guidance services;

   d. Analysis of the effectiveness of outside referrals;

   e. Assessments by persons not employed in the school district and experts in the field of career education and academic counseling;

   f. Personal evaluations of the career education and academic counseling staff members to identify weaknesses in the administration of the program; and

g. Any additional information that assists in determining the strengths and weaknesses of the career education and academic counseling program in the district.

N.J.S.A. 18A:7F-4.4. through 18A:7F-4.7.;
18A:61C-10.; 18A:61C-11.
N.J.A.C. 6A:7-1.1; 6A:7-1.3; 6A:7-1.7; 6A:8-6.1; 6A:8-6.2;
6A:19-1.1 et seq.

Adopted: March 18, 2019
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P 6112 REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES (M)

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

In accordance with this requirement, the New Jersey Department of Education (NJDOE) has implemented a reimbursement request system of payment. The procedures as outlined in the NJDOE Policies and Procedures for Reimbursement of Federal and Other Grant Expenditures shall be followed by school districts in submitting reimbursement requests. Reimbursement requests for entitlement grant awards under the Every Student Succeeds Act (ESSA), the Individuals with Disabilities Education Act (IDEA), the Strengthening Career and Technical Education for the 21st Century Act, and any other program designated by the NJDOE shall be made using the NJDOE's Electronic Web-Enabled Grant (EWEG) System.

Reimbursement requests by the School Business Administrator/Board Secretary or designee shall be made for individual titles and awards using the payment functionality of the EWEG system. Only one reimbursement request per month may be submitted for an individual title, award, or subgrant. Reimbursement requests may only be for expenditures that have already occurred or will occur within three business days of receipt of funds.

The submission of a reimbursement request constitutes a certification by the School Business Administrator/Board Secretary that the school district has previously made the appropriate expenditures and/or will make the expenditures within three business days of receipt of funds and that the expenditures are allowable and appropriate to the cost objective(s) of the subgrant.

The Superintendent or designee is responsible for submitting an amendment application to the NJDOE for approval if a new budget category for which no funds were previously budgeted or approved has been created. The Superintendent or designee is responsible for submitting an amendment application to the NJDOE for approval if cumulative transfers among expenditure categories exceed ten percent of the total award. The Superintendent or designee is responsible for monitoring the cumulative ten percent level of fiscal change.

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

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Reimbursement requests must contain a brief description of the expenditures for which reimbursement is being requested. Individual line items need not be detailed. Expenditures must be supported by documentation at the school district level but should not be submitted to the NJDOE with a reimbursement request. The Superintendent or designee is responsible to maintain supporting documentation for seven years and for making it available to the NJDOE, the United States Department of Education, and/or their authorized representatives upon request. Documentation for salary expenditures is subject to the requirements of the Federal Uniform Grant Guidance. Documentation for all other expenditures must include evidence that the expenditures are allowable costs and of the relationship of the expenditure to the subgrant's cost objectives.

The NJDOE staff will review reimbursement requests to determine that they meet the subgrant's criteria. When a reimbursement request is approved or denied, the school district will receive an email notification through the EWEG system. Approval of a reimbursement request by NJDOE does not imply approval of the expenditures as allowable or appropriate to the subgrant's cost objectives as the approval of expenditures will continue to be processed through the final report.

The School Business Administrator/Board Secretary or designee assumes responsibility for assuring that all funds requested through the EWEG system either have already been expended, or will be expended within three business days of receipt of funds.

New Jersey Department of Education Policies and Procedures for
Reimbursement of Federal and Other Grant Expenditures – January 2023

Adopted: March 18, 2019
Readopted: March 18, 2024
First Reading: October 26, 2026
Second Reading & Adoption: November 16, 2026

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P 8561 PROCUREMENT PROCEDURES FOR SCHOOL NUTRITION PROGRAMS (M)

The Board of Education adopts this Policy to identify their procurement plan for the United States Department of Agriculture's (USDA) School Nutrition Programs. School Nutrition Programs include, but are not limited to: the National School Lunch Program (NSLP); School Breakfast Program (SBP); Afterschool Snack Program (ASSP); Special Milk Program (SMP); Fresh Fruit and Vegetable Program (FFVP); Seamless Summer Option (SSO) of the NSLP; Summer Food Service Program (SFSP); the At-Risk Afterschool Meals component of the Child and Adult Care Food Program (CACFP); and the Schools/Child Nutrition USDA Foods Program.

The Board is ultimately responsible for ensuring all procurement procedures for any purchases by the Board and/or a food service management company (FSMC) comply with all Federal regulations, including but not limited to: 7 CFR Parts 210, 220, 225, 226, 245, 250; 2 CFR 200; State procurement statutes and administrative codes and regulations; local Board procurement policies; and any other applicable State and local laws.

The procurement procedures contained in this Policy will be implemented beginning immediately, until amended. All procurements must maximize full and open competition. Source documentation will be maintained by the School Business Administrator/Board Secretary or designee and will be available to determine open competition, the reasonableness, the allowability, and the allocation of costs.

The Board intentionally seeks to prohibit conflicts of interest in all procurement of goods and services.

A. General Procurement

The procurement procedures will maximize full and open competition, transparency in transactions, comparability, and documentation of all procurement activities. The school district's plan for procuring items for use in the School Nutrition Programs is as follows:

1. The School Business Administrator/Board Secretary will ensure all purchases will be in accordance with the Federal Funds Procurement Method Selection Chart – State Agency Form #358. Formal procurement procedures will be used as required by 2 CFR 200.318 through .326 and any State and local procurement code and regulations. Informal procurement procedures (small purchase) will be required for purchases under the most restrictive small purchase threshold.

2. The following threshold amounts apply for all purchases:

   Board Micro-Purchase Threshold: $7,950

   Board Small Purchase Threshold: $53,000

The Board will follow formal procurement procedures for all purchases over the Small Purchase Threshold amount.

The Board will perform a cost or price analysis to determine the estimated dollar amounts for purchases and thus the required procurement method.

B. Micro-Purchase Procedures

1. Public/Charter Schools

Purchases of supplies or services, as defined by 2 CFR 200.67, will be awarded without soliciting competitive price quotations if the price is reasonable in accordance with N.J.S.A. 18A:18A-37.a. and below thresholds established by the State Treasurer for informal receipt of quotations. Purchases will be distributed equitably among qualified suppliers with reasonable prices. Records will be kept for micro-purchases.

2. Non-Public Schools

Purchases of supplies or services, within the Federal micro-purchase threshold as defined by 2 CFR 200.67 will be awarded without soliciting competitive price quotations if the price is reasonable. Purchases will be distributed equitably among qualified suppliers with reasonable prices. Records will be kept for micro-purchases.

C. Small Purchase Procedures

If the amount of purchases for items is less than the Board's small purchase threshold, the following small purchase procedures including quotes will be used. Quotes from a minimum number of three qualified sources will be required.

1. Written specifications will be prepared and provided to all vendors.

2. Each vendor will be contacted and given an opportunity to provide a price quote on the same specifications. A minimum of three vendors must be contacted.

3. The School Business Administrator/Board Secretary or designee will be responsible for contacting potential vendors when price quotes are needed.

4. The price quotes will receive appropriate confidentiality before award.

5. Quotes will be awarded by the School Business Administrator/Board Secretary. Quotes will be awarded based on the lowest price.

6. The School Business Administrator/Board Secretary will be responsible for documentation of records to show selection of vendor, names of all vendors contacted, price quotes from each vendor, and written specifications.

7. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product specified is received.

8. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. Full documentation will be made available as to the selection of the acceptable item.

9. The School Business Administrator/Board Secretary or designee is required to sign all quote tabulations, signifying a review and approval of the selections.

D. Formal Procurement

When a formal procurement method is required, Invitation for Bid (IFB) or Request for Proposal (RFP) procedures will apply:

1. An announcement of an IFB or a RFP will be placed in the Board designated official newspaper to publicize the intent of the Board to purchase needed items.

    a. The advertisement of the IFB or legal notice will run for one day a minimum of ten calendar days prior to the bid opening.

    b. The advertisement of the RFP or legal notice will run for one day a minimum of twenty calendar days prior to the proposal due date.

2. An advertisement is required for all purchases over the school district's small purchase threshold. The announcement (advertisement or legal notice) will contain:

    a. A general description of items to be purchased;

    b. The deadline for submission of questions and the date written responses will be provided, including addenda to bid specifications, terms, and conditions as needed;

    c. The date of the pre-bid meeting, if provided, and if attendance is a requirement for bid award;

    d. The deadline for submission of sealed bids or proposals; and

    e. The address of the location where complete specifications and bid forms may be obtained.

3. In an IFB or RFP, each vendor will be given an opportunity to bid or propose on the same specifications.

4. The developer of written specifications or descriptions for procurements will be prohibited from submitting bids or proposals for such products or services.

5. The IFB or RFP must clearly define the purchase conditions. The following list includes requirements, not exclusive, to be addressed in the procurement document:

    a. Contract period for the base year and renewals as permitted;

    b. The Board is responsible for all contracts awarded (statement);

    c. Date, time, and location of IFB/RFP opening;

    d. How the vendor is to be informed of bid acceptance or rejection;

    e. Delivery schedule;

    f. IFB requirements (terms and conditions) that bidder must fulfill in order for bid to be awarded;

    g. RFP requirements (terms and conditions) that proposer must fulfill in order for proposal to be evaluated and awarded;

    h. Benefits to which the Board will be entitled if the contractor cannot or will not perform as required;

    i. Statement assuring positive efforts will be made to involve small and minority businesses, women's business enterprises, and labor surplus area firms;

    j. Statement regarding the return of purchase incentives, discounts, rebates, and credits under a cost reimbursement FSMC contract to the Board's nonprofit school food service account;

    k. Contract provisions as required in Appendix II to 2 CFR 200:

        (1) Termination for cause and convenience – contracts in excess of $10,000;

        (2) Equal Opportunity Employment – "Federally assisted construction contracts";

(3) Davis-Bacon Act – construction contracts in excess of $2,000;

(4) Contract work Hours and Safety Standards – contracts in excess of $100,000;

(5) Right to inventions made under a contract or agreement – if the contract meets the definition of a "funding agreement" under 37 CFR 401.2(a);

(6) Clean Air Act – contracts in excess of $150,000;

(7) Debarment and Suspension – all Federal awarded contracts;

(8) Byrd Anti-Lobbying Amendment – contracts in excess of $100,000; and

(9) Contracts must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

l. Contract provisions as required in 7 CFR 210.21(f) for all cost reimbursable contracts;

m. Contract provisions as required in 7 CFR 210.16(a)(1-10) and 7 CFR 250.53 for food service management company contracts;

n. Price adjustment clause for renewal of multi-year contracts as defined in N.J.S.A. 18A:18A-2. – Definitions. The "index rate" means the annual percentage increase rounded to the nearest half percent in the implicit price deflator for State and local government purchases of goods and services computed and published quarterly by the U.S. Department of Commerce, Bureau of Economic Analysis;

o. Method of evaluation and type of contract to be awarded (solicitations using an IFB are awarded to the lowest responsive and responsible bidder; solicitations using a RFP are awarded to the most advantageous proposer with price as the primary factor among other factors considered);

p. Method of award announcement and effective date (if intent to award is required by State or local procurement requirements);

q. Specific bid protest procedures including contact information of person and address and the date by which a written protest must be received;

r. Provision requiring access by duly authorized representatives of the Board, New Jersey Department of Agriculture (NJDA), USDA, or Comptroller General to any books, documents, papers, and records of the contractor which are directly pertinent to all negotiated contracts;

s. Method of shipment or delivery upon contract award;

t. Provision requiring contractor to maintain all required records for three years after final payment and all other pending matters (audits) are closed for all negotiated contracts;

u. Description of process for enabling vendors to receive or pick up orders upon contract award;

v. Provision requiring the contractor to recognize mandatory standards/policies related to energy efficiency contained in the Energy Policy and Conservation Act (PL 94-163);

w. Signed statement of non-collusion;

x. Signed Debarment/Suspension Certificate, clause in the contract or a copy of search results from the System for Award Management (SAM);

y. Provision requiring "Buy American" as outlined in 7 CFR Part 210.21(d) and 7 CFR Part 220.16(d) and USDA Guidance Memo SP 23-2024;

z. Specifications and estimated quantities of products and services prepared by the Board and provided to potential contractors desiring to submit bids/proposals for the products or services requested; and

aa. The Board's Electronic Signature Policy (see New Jersey Uniform Electronic Signature Transaction Act, N.J.S.A. 12A:12-1 et seq.).

6. If any potential vendor is in doubt as to the true meaning of specifications or purchase conditions, questions may be sent to the representatives listed below. The Board's response will be provided in writing to all potential bidders or proposers within ___3___ days.

a. The School Business Administrator/Board Secretary will be responsible for providing responses to questions and securing all bids or proposals.

b. The School Business Administrator/Board Secretary will be responsible to ensure all Board procurements are conducted in compliance with applicable Federal, State, and local procurement regulations.

7. In awarding a RFP, a set of award criteria in the form of a weighted evaluation sheet will be provided to each proposer in the initial RFP document materials. Price alone is not the sole basis for award, but remains the primary consideration among all factors when awarding a contract. Following evaluations, a firm fixed price or cost reimbursable contract is awarded.

    a. The contracts will be awarded to the responsible proposer whose proposal is responsive to the request and is most advantageous to the Board, price as the primary, and other factors considered. Any and all proposals may be rejected in accordance with the law.

    b. The School Business Administrator/Board Secretary or designee is required to sign on the evaluation criterion score sheet of competitive proposals signifying a review and approval of the selections.

    c. The School Business Administrator/Board Secretary shall review the procurement system to ensure compliance with applicable laws.

    d. The School Business Administrator/Board Secretary or designee will be responsible for the documentation that the actual product specified was received.

    e. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. The contractor must inform the School Business Administrator/Board Secretary within one workday if a product is not available. In the event a nondomestic agricultural product is to be provided to the Board, the contractor must obtain, in advance, written approval for the product. The School Business Administrator/Board Secretary must comply with the "Buy American" provision.

    f. Full documentation regarding the reason an accepted item was unavailable, and the procedure used in determining acceptable alternates, will be available for audit and review. The person responsible for this documentation is the School Business Administrator/Board Secretary.

    g. The School Business Administrator/Board Secretary is responsible for maintaining all procurement documentation.

8. In awarding an IFB, price is the only consideration.

    a. The contract will be awarded to the responsible bidder whose bid is responsive to the invitation and is the lowest price. Any and all bids may be rejected in accordance with the law.

b. The School Business Administrator/Board Secretary is required to sign on the bid tabulations of competitive sealed bids.

c. The School Business Administrator/Board Secretary reviews the procurement system to ensure compliance with applicable laws.

d. The School Business Administrator/Board Secretary is responsible for documentation that the actual product specified is received.

e. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. The contractor must inform the School Business Administrator/Board Secretary within one workday if a product is not available. In the event a nondomestic agricultural product is to be provided to the Board, the contractor must obtain, in advance, written approval for the product. The School Business Administrator/Board Secretary must comply with the "Buy American" provision.

f. Full documentation regarding the reason an accepted item was unavailable, and the procedure used in determining acceptable alternates, will be available for audit and review. The person responsible for this documentation is the School Business Administrator/Board Secretary.

g. The School Business Administrator/Board Secretary is responsible for maintaining all procurement documentation.

E. Noncompetitive Proposal Procedures

If items are available only from a single source when the award of a contract is not feasible under small purchase, sealed bid or competitive negotiation, noncompetitive proposal procedures will be used:

1. Written specifications will be prepared and provided to the vendor.

2. The School Business Administrator/Board Secretary will be responsible for the documentation of records to fully explain the decision to use the noncompetitive proposal. The records will be available for audit and review.

3. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product or service specified was received.

4. The School Business Administrator/Board Secretary will be responsible for reviewing the procedures to be certain all requirements for using single source or noncompetitive proposals are met.

5. A member or representative of the Board will approve, in advance, all procurements that result from noncompetitive negotiations.

F. Miscellaneous Provisions

1. The Board agrees the reviewing official of each transaction will be the School Business Administrator/Board Secretary.

2. Payment will be made to the vendor when the contract has been met and verified and has met the Board's procedures for payment. (If prompt payment is made, discounts, etc., are accepted.)

3. Specifications will be updated as needed.

4. If the product is not as specified, the following procedure, including, but not limited to, will take place: remove product from service; contact vendor for approved alternate product; or remove product from bid.

G. Emergency Purchases

1. If it is necessary to make a one-time emergency procurement to continue service or obtain goods, and the public exigency or emergency will not permit a delay resulting from a competitive solicitation, the purchase must be authorized using a purchase order signed by the School Business Administrator/Board Secretary. The following emergency procedures shall be followed.

   All emergency procurements shall be approved by the School Business Administrator/Board Secretary.

   At a minimum, the following emergency procurement procedures shall be documented:

   a. Item name;

   b. Dollar amount;

   c. Vendor; and

   d. Reason for emergency.

H. Purchasing Goods and Services – Cooperative Agreements, Agents, and Third-Party Services (Piggybacking)

1. When participating in intergovernmental and inter-agency agreements the Board will ensure that competitive procurements are conducted in accordance with 2 CFR Part 200.318 through .326 and applicable program regulations and guidance.

2. When utilizing the services of a co-op, agent, or third party the Board will ensure that the following conditions have been met and considered as one source of pricing in addition to other prices:

    a. All procurements were subject to full and open competition and were made in accordance with Federal/State/local procurement requirements;

    b. The existing contract allows for the inclusion of additional Boards of Education that were not contemplated in the original procurement to purchase the same supplies/equipment through the original award;

    c. The specifications in the existing contract meet their needs and that the items being ordered are in the contract;

    d. The awarded contract requires all the Federally required certifications; e.g. "Buy American," debarment, restrictions on lobbying, etc.;

    e. The agency will confirm the addition of their purchasing power (goods or services) to the procurement in scope or services does not create a material change, resulting in the need to re-procure the contract;

    f. Administrative costs (fees) for participating in the agreement are adequately defined, necessary and reasonable, and the method of allocating the cost to the participating agencies must be specified;

    g. The "Buy American" provisions are included in the procurement of food and agricultural products; and

    h. The agreement includes the basis for and method of allocating each discount, rebate, or credit and how they will be returned to each participating agency when utilizing a cost-reimbursable contract.

I. The "Buy American" Act

1. The "Buy American" provision requires the Board to purchase, to the maximum amount practicable, domestic commodities or products. This provision supports the mission of the Child Nutrition Programs, which is to serve children nutritious meals and support American agriculture. Program regulations that govern this provision apply to a Board that operates the NSLP and SBP and are found at 7 CFR 210.21(d) and 7 CFR 220.16(d). The Board complies by:

a. Purchasing domestic commercial food products for the school meals programs;

b. Including "Buy American" provision language in procurement procedures, solicitations, and contracts; and

c. Tracking non-domestic commercial food purchases.

J. Records Retention

1. The Board shall agree to retain all books, records, and other documents relative to the award of the contract for three years after final payment. If there are audit findings that have not been resolved, the records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit. Specifically, the Board shall maintain, at a minimum, the following documents:

a. Written rationale for the method of procurement;

b. A copy of the original solicitation;

c. The selection of contract type;

d. The bidding and negotiation history and working papers;

e. The basis for contractor selection;

f. Approval from the State agency to support a lack of competition when competitive bids or offers are not obtained;

g. The basis for award cost or price;

h. The terms and conditions of the contract;

i. Any changes to the contract and negotiation history;

j. Billing and payment records;

k. A history of any contractor claims; and

l. A history of any contractor breaches.

K. Code of Conduct for Procurement

1. All procurements must ensure there is open and free competition and adhere to the most restrictive Federal, State, and local requirements. The Board seeks to conduct

all procurement procedures in compliance with stated regulations and to prohibit conflicts of interest and actions of employees engaged in the selection, award, and administration of contracts. All procurements will be in accordance with this Policy and all applicable provisions of N.J.S.A. 18A:18A – Public School Contracts Law.

2. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal, State, or local award if they have a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent; any member of their immediate family, their partner; or an organization which employs or is about to employ any of the parties indicated herein has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

3. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.

4. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity. Based on the severity of the infraction, the penalties could include a written reprimand to their personnel file, a suspension with or without pay, or termination.

5. All questions and concerns regarding procurement solicitations, contract evaluations, and contract award, shall be directed to the School Business Administrator/Board Secretary.

L. Food Service Management Company (FSMC)

1. In the operation of the school district's food service program, the school district shall ensure that a FSMC complies with the requirements of the Program Agreement, the school district's Free and Reduced School Lunch Policy Statement, all applicable USDA program policies and regulations, and applicable State and local laws. In order to operate an a la carte food service program, the FSMC shall agree to offer free, reduced price, and full price reimbursable meals to all eligible children.

2. The school district shall monitor the FSMC billing invoices to ensure compliance with Federal and State procurement regulations.

3. In accordance with N.J.S.A. 18A:18A-5.a.(22), RFPs are required in all solicitations for a FSMC.

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N.J.S.A. 18A:18A-1 et seq.
New Jersey Department of Agriculture "Procurement Procedures for School Food Authorities" Model Policy – October 2025

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Policy

P 6115.02 FEDERAL AWARDS/FUNDS INTERNAL CONTROLS – MANDATORY DISCLOSURES (M)

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (UGG), 2 CFR 200.113 – Mandatory disclosures requires a non-Federal entity or applicant (a New Jersey Board of Education) for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or to the New Jersey Department of Education (NJDOE) all violations of Federal criminal law involving fraud, conflict of interests, bribery, or gratuity violations potentially affecting the Federal award.

If the Board of Education receives a Federal award including the terms and conditions outlined below as per 2 CFR 200 – Appendix XII – Award Term and Condition for Recipient Integrity and Performance Matters shall report certain civil, criminal, or administrative proceedings to the System for Award Management (SAM). Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338 – Remedies for noncompliance, including suspension or debarment. (See also 2 CFR 180, 31 USC 3321, and 41 USC 2313)

A. General Reporting Requirement

1. If the total value of all Board currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then the Superintendent or designee, on behalf of the Board as the recipient during that period of time, must maintain the currency of information reported to the SAM that is made available in the designated integrity and performance system about civil, criminal, or administrative proceedings described in B. below.

2. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 USC 2313).

3. As required by section 3010 of Public Law 111-212, all information posted in designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

4. The Superintendent or designee must disclose, in writing, any potential conflict of interest to the Federal agency or pass-through entity in accordance with the established Federal agency policies.

B. Proceedings About Which the Board Must Report

1. The Superintendent or designee must disclose, in writing, to the Federal awarding agency or to the NJDOE information required about each proceeding that:

a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal government;

b. Reached its final disposition during the most recent five-year period; and

c. Is one of the following:

(1) A criminal proceeding that resulted in a conviction, as defined in E. below;

(2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of $5,000 or more;

(3) An administrative proceeding, as defined in E. below, that resulted in a finding of fault and liability and the payment of either a monetary fine or penalty of $5,000 or more or reimbursement, restitution, or damages in excess of $100,000; or

(4) Any other criminal, civil, or administrative proceeding if:

(a) It could have led to an outcome described in B.1.c.(1), (2), or (3) above of this award term and condition;

(b) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on the school district's part; and

(c) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

C. Reporting Procedures

1. The Superintendent or designee shall enter in the SAM Entity Management area the information that the SAM requires about each proceeding described in B. above.

2. The Superintendent or designee does not need to submit the information a second time under assistance awards the Board received if the Superintendent or designee already provided the information through the SAM because the Board was required to do so under Federal procurement contracts the Board was awarded.

D. Reporting Frequency

1. During any period of time when the Board is subject to the requirement in A. above, the Superintendent or designee must report proceedings information through the

SAM for the most recent five-year period, either to report new information about any proceeding(s) the Board has not reported previously or affirm that there is no new information to report.

2. If the Board has Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than $10,000,000, the Board must disclose semiannually any information about the criminal, civil, and administrative proceedings.

E. Definitions

1. For the purpose of this Policy:

a. "Administrative proceeding" for the purpose of 2 CFR 200 – Appendix XII and this Policy means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability. This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.

b. "Conviction" for the purpose of 2 CFR 200 – Appendix XII and this Policy, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

c. Total value of currently active grants, cooperative agreements, and procurement contracts includes:

(1) Only the Federal share of the funding under any Federal award with a Board cost share or match; and

(2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

2 CFR 200.113; 200.212

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