

MEETING OF THE LAKEWOOD BOARD OF EDUCATION, HELD TUESDAY, MARCH 31, 2020, AT 6:30 P.M., LIVE-STREAMED THROUGH DISTRICT WEBSITE: WWW.Lakewoodpiners.org

I. PLEDGE OF ALLEGIANCE – Moshe Bender, Board President

Kevin Campbell, Assistant Business Administrator/Board Secretary called the meeting to order at 6:48 p.m. Mr. Campbell read the Sunshine Law.

SUNSHINE LAW

Pursuant to the provisions of Chapter 231, of the Laws of 1976 (THE OPEN PUBLIC MEETINGS ACT), Mr. Campbell notified the public that notice of the date, time, location and agenda of this meeting, to the extent known, was provided at least forty-eight (48) hours prior to the commencement of this meeting in the following manner:

1. By posting such notice on the public announcement board of the Lakewood Board of Education Offices, and the Lakewood Township Municipal Building.
2. By e-mailing such notice to the office of the Asbury Park Press and the Lakewood Scoop.
3. By filing such notice with the Board Secretary.
4. By mailing such notice to all individuals who requested and paid for a copy of same.

II. ROLL CALL

Board Members Present: Mr. Moshe Bender
Mrs. Ada Gonzalez - 6:57 p.m. added by phone
Mr. Meir Grunhut
Mrs. Thea Jackson-Byers
Mr. Chanina Nakdimen
Mr. Heriberto Rodriguez
Mr. Shlomie Stern
Mr. Bentizion Treisser - 6:54 p.m. signed in
Mr. Isaac Zlatkin

Board Members Absent: None

Also Attending: Mrs. Laura A. Winters, Superintendent
Mr. Kevin Campbell, Assistant Business Administrator/Board Secretary
Mr. Robert S. Finger, Coordinator of Fiscal Services
Mr. David Shafter, State Monitor
Mr. Michael I. Inzelbuch, Esq., General Counsel
Mrs. Diane Piasentini, QPA
Mrs. Jo-Ann Zsamba, Executive Administrative Professional

At 6:49 p.m., the Board entered into the Executive Session.

III. EXECUTIVE SESSION - RESOLUTION

BE IT RESOLVED by the Lakewood Township Board of Education that:

1. It does hereby determine that it is necessary to meet in Executive Session to discuss matters of personnel, involving specific individuals, negotiations, anticipated litigation and/or alleged incidents of Harassment, Intimidation and Bullying (HIB).
2. These matters will be made public when the need for confidentiality no longer exists.
3. The time that the Board anticipated to be in Executive Session is TBD.

IV. PLEDGE OF ALLEGIANCE: Moshe Bender, Board President

Kevin Campbell, Assistant Business Administrator/Board Secretary called the Public meeting to order at 7:35 p.m.

V. ROLL CALL

Board Members Present: Mr. Moshe Bender
Mrs. Ada Gonzalez
Mr. Meir Grunhut
Mrs. Thea Jackson-Byers
Mr. Chanina Nakdimen
Mr. Heriberto Rodriguez
Mr. Shlomie Stern
Mr. Bentizion Treisser
Mr. Isaac Zlatkin

Board Members Absent: None

Also Attending: Mrs. Laura A. Winters, Superintendent
Mr. Kevin Campbell, Assistant Business Administrator/Board Secretary
Mr. Robert S. Finger, Coordinator of Fiscal Services
Mr. David Shafter, State Monitor
Mr. Michael I. Inzelbuch, Esq., General Counsel
Mrs. Diane Piasentini, QPA
Mrs. Mrs. Diane Piasentini, QPA
Mrs. Jo-Ann Zsamba, Executive Administrative Professional

VI. PRESENTATIONS: None At this Meeting

Mr. Inzelbuch asked Mr. Campbell how the meeting was advertised. Mr. Campbell stated that the meeting was advertised in the normal fashion by posting on the District website, in the District office lobby, at Lakewood Municipal building, in the Asbury Park Press and provided to anyone who requested one.

Mr. Inzelbuch asked Mrs. Zsamba to confirm that she had updated the notice that the meeting was to be Lived-Streamed. Mrs. Zsamba confirmed that she did in all locations previously stated by Mr. Campbell and added that it was also sent to the Lakewood Scoop.

- VII. MINUTES**
 - Public Meeting Minutes – February 26, 2020
 - Executive Meeting Minutes – February 26, 2020
 - Public Meeting Minutes – March 11, 2020

VIII. COMMITTEE REPORTS – None at this Meeting

IX. CORRESPONDENCE AND COMMUNICATIONS – None at this Meeting

Mr. Inzelbuch asked Mrs. Winters what was the procedure for the public to ask questions.

Mrs. Winters stated that any public question could be sent by email between 6:30 p.m. and 7:30 p.m. to boemeeting @lakewoodpiners.org.

- X. RECOGNITION OF THE PUBLIC**
 - 1. Unidentified Person - Text Question

STATEMENT BY BOARD PRESIDENT

Pursuant to Board Policy 0164, Roberts’ Rules of Order shall govern the Board of Education in its deliberations and in the conduct of its meetings. As such, all comments from the public and from other members of the Board should be directed to the Board President who is responsible for presiding over the meeting.

Anyone who desires to ask a question must email to boemeeting@lakewoodpiners.org, between 6:30 p.m. to 7:30 p.m. the evening of the meeting, and provide their proper name, full address and the question.

The President shall direct all inquiries or comments to the appropriate Administrator or Board member for response, as appropriate. The law requires a period of public comment at our meetings, not a question or answer session or debate. The board president at his discretion may or may not feel it is appropriate to answer questions raised during the public comment period. The board and administration do take all public comments seriously and consider them when conducting business.

The President may interrupt, warn, or terminate a participant's statement when the statement is too lengthy, abusive or obscene. In addition, Security Personnel may direct any individual to leave the meeting when that person does not observe reasonable decorum, whether the person is at the microphone or at any other place in the meeting room. New Jersey law makes it a crime for any person to intentionally disrupt a public meeting. Law enforcement will be contacted if a person disrupts the meeting and fails to desist after being directed to do so.

Finally, we ask that you silence all electronic devices.

Mr. Inzelbuch asked Mrs. Piasentini what documents and number of pages the Board Members received electronically that they are to vote on at this Board meeting. She replied as follows:

Financial Reports 160 pages
Agenda and Additions to the Agenda 74 pages
Public Minutes 2/26/2020 - 39 pages
Executive Minutes 2/26/2020 - 3 pages
Public Minutes 3/12/2020 (correct date of Minutes is 3/11/2020) - 15 pages
Emergency Drills Report 2 pages
HIB Report 1 page
For a total of 294 pages.

XI. REPORTS AND RECOMMENDATIONS OF THE BUSINESS ADMINISTRATOR/ BOARD SECRETARY:

- A. Approve the attached Budgetary line item Transfers for February 29, 2020.
- B. Acceptance of the Treasurers' and Board Secretary Reports as of February 29, 2020.
- C. Certification of No Over expenditures: Pursuant to N.J.A.C. 6A:23A-16.10, I, Kevin Campbell Assistant Business Administrator/ Board Secretary, certify that as of February 28, 2020 no budgetary line item account has obligations and payments which in total exceed the amount appropriated by the District Board of Education pursuant to N.J.S.A.18A:22-8 and 18A:22-8.1, and that the District financial accounts have been reconciled and are in balance except as follows:

Tuition line accounts have exceeded appropriations and the District is transferring expenditures to the IDEA grant that will correct these over expended accounts.

Kevin Campbell
Assistant Business Administrator/ Board Secretary

March 31, 2020
Date

- D. 1. Approval of Bills List for the Warrant Account for March 31, 2020 in the amount of \$16,553,850.44
2. Approval of Supplemental Bills List for the Warrant Account for March 31, 2020 in the amount of \$2,686,782.29
- E. Approval of Bills List for Cafeteria Account for March 31, 2020 in the amount of \$496,602.60
- F. Approval of the Payroll and Board Share of Fica/Medi and DCRP for
- March 13, 2020 in the amount of \$2,662,064.38
 - March 30, 2020 in the amount of \$2,588,938.85
- G. Approval of payment of New Jersey State Health Benefit Plan –None at this meeting
- H. Transportation Items
1. Move to approve Seman-Tov for Emergency recovery of route E9955 previously contracted through MOESC at a cost of \$158 per diem. No additional cost to the district. Recovery began on 3/25/20 for food delivery for the following displaced students Id. #'s 923540, 921985, and 907202. Route to run for an undetermined amount of time not to exceed 56 days.
- I. WHEREAS, the Board wishes to utilize the services ESCNJ for Collaborative Educational Services; and

WHEREAS, ESCNJ is willing to provide Collaborative Educational Services to the Board; and

WHEREAS, The Board and ESCNJ believe that ESCNJ can provide comprehensive Collaborative Educational Services; and

WHEREAS, there is a need to reduce to writing the understanding and agreement that exists between the Board and ESCNJ.

NOW, THEREFORE, in consideration of mutual promises, it is agreed by and between the Board and ESCNJ to follow the Master Collaborative Educational Services Agreement as of July 1, 2020 through June 30, 2025 in accordance with State laws and regulations which is on file in the Business Office and posted on www.escnj.us;

AND BE IT FURTHER RESOLVED, this Agreement shall become effective upon the adoption of a resolution by the Board and execution of this Agreement by all parties.

- J. Move to ratify the approval of the plans and specifications for the Lakewood High School athletic field bleachers as prepared by EI Associates and to submit an application for this project including said plans and specifications to the New Jersey Department of Education Bureau of Facilities Planning Services which had been previously approved on March 12, 2020 by State Monitor David Shafter.
- K. Move to reject all Bid Proposals received for Bid 29-1920 for Nonpublic School Security Supplies and installation received on March 11, 2020 @ 11:00 a.m. as no responsive bids were received. The Board of Education wants to substantially revise the specifications for the goods or services pursuant to N.J.S.A. 18A:18A-25(d). New Bid specifications will be prepared and advertised.
- L. Move to re-advertise for Bids for Nonpublic Schools Windows & Door Replacements as no responses were received for Bid 30-1920 which was due on March 11, 2020 @ 10:00 a.m.
- M. Move to approve the purchase of a 2020 Ford Transit Connect XL Van and a 2020 Ford Ranger Super Cab 4x4 for a total of \$50,709.00 from Winner Ford of Cherry Hill, an Educational Services Commission of NJ approved cooperative vendor (ESCNJ 18/19-42). ESCNJ is a NJ State approved CO-OP #65MCESCCPS. Funding to be from Sodexo custodial maintenance equipment pool per their contract.
- N. Move to approve the emergency purchase of Hazmat Uniforms used for certain employees for the preparation and distribution of student meals during the Covid-19 school closures in the amount of \$53,500 from Mint Coins LLC dba/BMI Traders, charged to Food Service account 60-910-310-610-00-0001.
- O. Approval to replace the PA system at Spruce Street School. Purchase from CDW-G, state contract ECSNJ 18/19-03 for \$179,927.15, to be paid through budget account #11-000-252-500-00-0000 and funded with 2018-19 Extraordinary Aid surplus. (Revised from November 25, 2019 agenda)
- P. Approve the payment of the Annual Employer Appropriation invoice for the Public Employees Retirement System in the amount of \$1,463,267.00

XII. REPORTS AND RECOMMENDATIONS OF SUPERINTENDENT:

A. Superintendent Items

1. Motion to approve First Reading of Policy, Regulation, By-Laws:

- Policy 1581 Domestic Violence (M) (Revised)
- Regulation 1581 Domestic Violence (M) (New)
- Policy 2422 Health and Physical Education (M) (Revised)
- Policy 3421.13 Postnatal Accommodations (New)
- Policy 4421.13. Postnatal Accommodations (New)
- Policy 5330 Administration of Medication (M) (Revised)
- Regulation 5330 Administration of Medication (M) (Revised)
- Policy 7243 Supervision of Construction (M) (Revised)
- Policy 8210 School Year (Revised)
- Policy 8220 School Day (M) (Revised)
- Regulation 8220 School Closings (Revised)
- Policy 8462 Reporting Potentially Missing or Abused Children (M) (Revised)

2. Approve the Professional Development for the following staff for the 2019-2020 school year.

LAST NAME	FIRST NAME	WORKSHOP	DATE(S)	REGISTRATION FEE	MILEAGE	OTHER
Bower	Kathryn	IR&S Team Training	10/21/19	*\$178.00	**\$39.96	\$0.00
Hoffman	Corinne	IR&S Team Training	10/21/19	*\$178.00	**\$35.21	\$0.00
Maliff	Corey	NJSIAA – AC Wrestling	3/5/20	\$0.00	***\$45.50	***\$357.00
Shelly	Kyle	NJSIAA – AC Wrestling	3/5/20	\$0.00	***\$45.50	***\$357.00
Oscar	Orellana	NJSIAA – AC Wrestling	3/5/20	\$0.00	***\$45.50	***\$357.00
Orellana	Oscar	NJSIAA - Conference	3/16/20	****\$375.00	****\$44.94	****\$504.00
Ziegler	Megan	Engagement by Design	3/12/20	*\$155.00	**\$28.70	\$0.00
Ring	Jessica	Understanding Texts & Readers	4/29/20	*\$249.00	**\$63.30	\$0.00
Schroepfer	Joseph	Understanding	4/29/20	*\$249.00	**\$59.35	\$0.00

LAST NAME	FIRST NAME	WORKSHOP	DATE(S)	REGISTRATION FEE	MILEAGE	OTHER
		Texts & Readers				
Bonner	Owen	Understanding Texts & Readers	4/29/20	*\$249.00	**\$63.30	\$0.00
Roswnberg	Yocheved	IEP Meeting	3/6/20	\$0.00	**\$13.69	\$0.00

*Registration Account #11-000-223-320-00-0000

**Mileage Account #11-000-223-580-00-0000

***Account # 11-402-100-580-00-0000

****Account #11-402-100-580-00-0000

3. Approve the 2019-2020 tuition costs for the following out-of-district placements to be paid through budget account #11-000-100-566-00-0000. **Subject to review by General Counsel; Moreover, no payments will be made more than 30 days in advance unless and until the Administration provides a written rationale as to the basis for same and the Board specifically approves same at a Board meeting. In addition, as to the New Jersey Department of Education Mandated Tuition Contract, Page 10, Paragraph "A." (and/or anywhere delineated in the Contract) "any and all monies owed, if any, by the district to the approved private school(s) shall be paid throughout the 2021-2022 school year provided there are no applicable Audit findings, applicable with State law, provided there are available funds, and shall be paid throughout the 2021-2022 school year."**

Number	Placement	Per Diem/Monthly /Yearly Rate	Aide Per Diem/Monthly /Yearly Rate	Billable Days/Months	Start Date
929849	Center for Education	\$328.20/day		180 days	9/3/2020-6/30/2020
930738	Center for Education	\$328.20/day		66 days	3/9/2020-6/30/2020
929713	Children's Center of Monmouth County	\$311.42/day	\$160.00/day	53 days	3/23/2020-6/30/2020
928013	Ocean Academy	\$341.50/day		79 days	2/24/2020-6/30/2020
931327	SCHI	\$543.26/day		82 days	2/10/2020-6/30/2020
931542	SCHI	\$543.26/day		81 days	2/11/2020-6/30/2020
931683	SCHI	\$543.26/day		74 days	2/20/2020-6/30/2020
931534	SCHI	\$543.26/day		75 days	2/19/2020-6/30/2020

4. Approve the 2019-2020 tuition costs for the following out-of-district placements to be paid through budget account #11-000-100-567-00-0000. **Subject to review by General Counsel; Moreover, no payments will be made more than 30 days in advance unless and until the Administration provides a written rationale as to the basis for same and the Board specifically approves same at a Board meeting. In addition, as to the New Jersey Department of Education Mandated Tuition Contract, Page 10, Paragraph "A." (and/or anywhere delineated in the Contract) "any and all monies owed, if any, by the district to the approved private school(s) shall be paid throughout the 2021-2022 school year provided there are no applicable Audit findings, in applicable with State law, provided there are available funds, and shall be aid throughout the 2021-2022 school year."**

Number	Placement	Per Diem/Monthly/Yearly Rate	Aide Per Diem/Monthly/Yearly Rate	Billable Days/Months	Start Date
916261	Barnegat Township Board of Education	\$85.43/day		83 days	2/12/2018-6/30/2019
910048	Barnegat Township Board of Education	\$84.19/day		83 days	2/12/2018-6/30/2019

5. Medical/Administrative Homebound Instruction for the following students by the following agency/consultant. (Budget Account #11-150-100-320-00-0000).

Number	Agency/Consultant	Date	Hourly Rate
194473	Kathleen Kirby	2/1/20 – 4/30/20	\$40.00
7132	Gail Condon	3/19/20 – 4/30/20	\$40.00
194469	Kathryn Bower, Candy Herriger	3/13/20 – 4/30/20	\$40.00
214789	Kathleen Kirby	3/18/20 – 4/30/20	\$40.00
185340	Tanya Lees	3/6/20 – 4/30/20	\$40.00
931816	Candy Herriger/Leilanie Small	3/21/20 – 4/30/20	\$40.00
909027	Valerie Truisi	3/13/20 – 4/30/20	\$40.00
914676	Todd Pizzella	3/21/20 – 5/29/20	\$40.00
201008	Tanya Lees	2/1/20 – 4/30/20	\$40.00
201129	Valerie Truisi	3/7/20 – 3/20/20	\$40.00
4241	Professional Educational Services	3/12/20 – 3/16/20	\$40.00
912193	Carmella Quick, Valerie Truisi	3/1/20-4/30/20	\$40.00
905915	Paulette Fox, Stephen Peacock	3/12/20 – 3/20/20	\$40.00
932947	Joan Bivins	3/12/20 – 4/12/20	\$40.00
204836	Joan Bivins	3/16/20 – 5/20/20	\$40.00
920875	Kathryn Bower	2/27/20 – 4/30/20	\$40.00
923988	Todd Pizzella	3/5/20 – 4/30/20	\$40.00
225347	Candy Herriger	3/12/20 – 4/30/20	\$40.00
929682	Leilanie Small	3/18/20 – 4/20/20	\$40.00

Number	Agency/Consultant	Date	Hourly Rate
908540	Michael Hadley	3/6/20 – 3/20/20	\$40.00
214758	Michael Hadley	3/10/20 – 3/20/20	\$40.00
913155	Barry Hoberman	3/10/20 – 4/30/20	\$40.00
204884	Barry Hoberman	2/3/20 – 2/11/20	\$40.00
924390	Barry Hoberman	3/12/20 – 4/30/20	\$40.00
931704	Leilanie Small	3/10/20 – 4/30/20	\$40.00
907620	Todd Pizzella	3/25/20 – 4/30/20	\$40.00
4241	Brenda Douglas	3/25/20 – 4/30/20	\$40.00

6. Approve the following staff for ESY 2020 for the full 6 weeks:

Caplan, Ann	Speech Therapist
Miriam Dick	Speech Therapist/Evaluator
Gewirtz, Rachelle	Speech Therapist/Evaluator
Gruen, Karen	Speech Therapist
Herskowitz, Chaya	Speech Therapist
Jankoski, Kathleen	Speech Therapist
Kramer, Chaya	Speech Therapist/ Evaluator
Kronglas, Caroline	Speech Therapist
Llach, Deirdre	Speech Therapist
Osina, Chana	Speech Therapist
Silberstein, Faye	Speech Therapist
Valenti, Stacey	Speech Therapist
Lane, Sharon	Occupational Therapist
Moshe, Orly	Occupational Therapist
Saito, Chelsea	Occupational Therapist
Sosowsky, Brakha	Occupational Therapist
Plotnik, Chani	Occupational Therapist
Taplin, Sorah	Occupational Therapist
Weinstein, Henya	Occupational Therapist
Baquero, Coleen	Physical Therapist
Darrow-Barr, Kyna	Physical Therapist/Evaluator
Gualano, Renee	Physical Therapist
Jackson, Christina	Physical Therapist
Kalish, Rachel	Physical Therapist

7. Approve the following staff hours for curriculum writing, beginning July 1, 2020 through August 30, 2020, at a rate of \$40.00 per hour, not to exceed a maximum hours per person:

Hours	Name	Purpose
50	Elsa Mena	translate the additions and revisions to the K-2 curriculum documents
50	1 Elementary Teacher	world language teacher to rewrite the K-5 Spanish curriculum to include differentiation for heritage speakers
50	1 MS Teacher	ESL teacher to rewrite the 6-8 ESL curriculum to align with new resources/textbooks
100 each	2 - K-2 ELA District coaches	work on refining and enhancing the K-2 ELA Curriculum

8. Approve the Professional Development for the following staff for the 2019-2020 school year:

LAST NAME	FIRST NAME	WORKSHOP	DATE(S)	REGISTRATION FEE	MILEAGE	OTHER
Piasentini	Diane	Dawning Of A New Decade. What's In Store For Local Public Procurement	5/8/20	\$125.0	\$9.66	Tolls \$1.50

IMPORTANT INFORMATION:

Fire Drill Report – February 2020
 Security Drill Report – February 2020
 HIB Report – February - March 2020

B. PERSONNEL

1. CERTIFICATED

a. Resignations

1. GREGORY, Patricia
 ELA Coordinator – LHS - **ONLY**
 Effective: January 9, 2020

- b. Retirements – None At This Meeting
- c. Terminations - None At This Meeting

d. Leaves of Absence

1. BEDROSE, Marissa
Teacher-CAGS
Maternity- Sick (10 days) & Personal (1 day)-Paid
Effective: April 6, 2020
Terminating: April 29, 2020
PEAD minus Sub Pay- (3 days)-Paid
Effective: April 30, 2020
Terminating: May 4, 2020
Extra Consideration minus Sub Pay- (5 days)-Paid
Effective: May 5, 2020
Terminating: May 11, 2020
(pending attendance data)
Maternity-FMLA- Unpaid
Effective: May 12, 2020
Terminating: June 22, 2020
2. DAUM, Ety
Speech Therapist-LECC
NJFLA- Medical Caregiving - Unpaid
Effective: March 2, 2020
Returning: April 20, 2020
3. GRUENEBAUM, Batsheva
LDTC-LECC
FMLA Medical Caregiving - Intermittent - Unpaid
Effective: February 26, 2020
Terminating: June 22, 2020
4. LIPANI, Irene
Teacher- LHS/LMS
Medical FMLA (33 days) Unpaid
Effective: January 29, 2020
Returning: April 20, 2020 (pending doctor's release)
(extended from original board approved 2/26/20)
5. PLOTNIK, Chana
Occupational Therapist-OSS
Bonding-Personal (1 day)-Paid
Effective: September 3, 2019
Terminating: September 3, 2019
Extra Consideration minus Sub Pay-(20 days)-Paid

Effective: September 4, 2019
Terminating: October 3, 2019
FMLA-Unpaid
Effective: October 4, 2019
Terminating: January 3, 2020 NJFL-Unpaid
Effective: January 4, 2020
Terminating: March 20, 2020
NJFLA-Unpaid
Effective: March 23, 2020
Terminating: March 27, 2020
Contractual-Unpaid
Effective: March 30, 2020
Returning: April 1, 2020
(Extended from original board approved 9/25/19)

6. SMALL, LEILANIE
Teacher-CAGS
Maternity-Sick (33 days) & Personal (2 days)-Paid
Effective: May 4, 2020
Terminating: June 22, 2020
(pending attendance data)

e. Transfers

1. GREENES, Rachel
From: Teacher Pre-K PSD - LECC Campus II
To: Teacher Sp. Ed. Inclusion Teacher - LECC Campus III
Effective: February 24, 2020
Terminating: June 30, 2020
(Replaced R Zwick - Reassigned)
(budget account # 11-216-100-101-15-0015)
(No additional cost to the District)
2. ZWICK, Rachel
From: Teacher Pre-K PSD - LECC Campus III
To: Teacher Sp. Ed. Inclusion Teacher - LECC Campus II
Effective: February 24, 2020
Terminating: June 30, 2020
(Replaced R Greenes - Reassigned)
(budget account # 11-216-100-101-15-0015)
(No additional cost to the District)

f. Appointments

1. *HEAGELE, Marli

From: Teacher – PreK Self-Contained – LECC
 To: Teacher – PreK Self-Contained – SSS
 Effective: February 24, 2020
 Terminating: June 30, 2020
 Salary: Step 6, MA - \$54,261.00 prorated
 (Mentoring paid by employee if necessary)
 (budget account 1-216-100-101-15-0015
 (replacement of B Fischer – resigned \$54,061.00)
 (Correction from February 26, 2020 Agenda)

g. Reappointments – None At This Meeting

h. Salary Adjustments – None At This Meeting

i. Stipends

1. Co-Curriculum Stipend Positions - LHS

2019-20 School Year - Prorated
 per LEA contract Schedule G.
 Budget Account #15-401-100-101-03-0013

Staff Member	Co-Curricular Position	Stipend Amount	Effective Date
*Amy Mann	ELA Department Coordinator	\$3,960.00	March 24, 2020

* Replacement for Patricia Gregory

2. Spring Coaches

2019-2020 School Year
 (budget account #11-402-100-100-15-0000)

Last Name	First Name	Position	Group	Step	Salary
Baubles	Peter	Asst. Boys Track Coach	II	1	\$4,954.00
La Barre	Timothy	Asst. Boys Track Coach	II	1	\$4,954.00

j. Tuition Reimbursement – None At This Meeting

k. Miscellaneous

1. Clarke, Katherine

Teacher-CAGS

Sick (17) + Personal (35.5) =52.5

$52.5 \div 2 = 26.25$

$\$90,346.00 \div 183 = \493.69

$\$493.69 \times 26.25 = \$12,959.47$

2. NON-CERTIFICATED

a. Resignations – None At This Meeting

b. Retirements

1. O'NEILL, Patricia

Clerical Assistant – Grants

Effective: May 1, 2020

c. Terminations - None At This Meeting

d. Leaves of Absence

1. Bradley, Christy

Para – Spruce Street School

Sick (33 days) Paid

Effective: December 2, 2019

Terminating: January 28, 2020

Sick (19 days) & Personal (4 days) Paid

Effective: January 29, 2020

Terminating: March 3, 2020

(pending attendance data)

FMLA-Unpaid

Effective: March 4, 2020

Returning: March 30, 2020 (pending doctor's release)

(extended from original leave board approved 12/16/19 and extension 2/26/20)

2. WEBB, Amanda

Para-LMS

Maternity- Sick (9 days) & Personal (2 days)-Paid

Effective: March 23, 2020

Terminating: April 6, 2020

(pending attendance data)

Maternity-FMLA-Unpaid
Effective: April 7, 2020
Terminating: June 22, 2020

e. Transfers

1. NERI, Rosaria

From: Paraprofessional – Classroom – LECC Campus III
To: Paraprofessional – 1:1 – LECC Campus III
Effective: February 26, 2020
Terminating: June 30, 2020
(New position per IEP requirements)
(Budget Account #11-000-217-106-08-0015)

2. NIEVES, Karina

From: Paraprofessional – 1:1 - LECC Campus II
To: Paraprofessional – Classroom – LECC Campus II
Effective: February 24, 2020
Terminating: June 30, 2020
(Replacement for - Nicole Stepiro - Reassigned)
(budget account # 11-216-100-106-15-0015)
(No additional cost to the District)

3. STEPIRO, Nicole

From: Paraprofessional – Classroom – LECC Campus II
To: Paraprofessional – 1:1– LECC Campus I
Effective: February 24, 2020
Terminating: June 30, 2020
(New Position – IEP Requirement)
(budget account # 11-000-217-106-08-0015)

4. KOTLER, Dana

From: Paraprofessional – 1:1 – LECC Campus I
To: Paraprofessional – 1:1 – LECC Campus II
Effective: February 24, 2020
Terminating: June 30, 2020
(Replacement for - Krista Weldon - Reassigned)
(budget account # 11-000-217-106-08-0015)
(No additional cost to the District)

5. CHOMSKY, Sara
 - From: Paraprofessional - K-2 1:1 – LECC Campus III
 - To: Paraprofessional - Preschool Classroom – LECC Campus II
 - Effective: February 26, 2020
 - Terminating: June 30, 2020
 - (New Position – IEP Requirement)
 - (budget account # 11-216-100-106-15-0015)

6. POSEMATO, Courtney
 - From: Paraprofessional - Classroom – LECC Campus III
 - To: Paraprofessional – 1:1 – LECC Campus III
 - Effective: February 26, 2020
 - Terminating: June 30, 2020
 - (Replacement for - Veronica Ordenana - Reassigned)
 - (budget account # 11-000-217-106-08-0015)
 - (No additional cost to the District)

7. ORDENANA, Veronica
 - From: Paraprofessional – 1:1 – LECC Campus III
 - To: Paraprofessional – Classroom – LECC Campus III
 - Effective: February 26, 2020
 - Terminating: June 30, 2020
 - (Replacement for - Courtney Posemato - Reassigned)
 - (budget account # 11-216-100-106-15-0015)
 - (No additional cost to the District)

f. Appointments

1. FRANTZ, Jeffrey
 - Assistant Facilities Manager – District
 - Salary: \$90,000.00
 - Effective: July 1, 2020
 - Terminating: June 30, 2021
 - (New Position)
 - (budget account #s
 - 11-000-261-100-00-0000 50%
 - 11-000-262-100-00-0000 50%)
 - (Provided that this approval does not violate any Non-Compete Clause with the vendor)

g. Reappointments – None At This Meeting

h. Salary Adjustments– None At This Meeting

i. Stipends

1. Morning Bus Duty – LECC
2019-2020 School Year
Rate: \$20.00 per hour
(on an as needed basis)

Name Of Paraprofessional	Location	Effective
Michael Triano	LECC-2	2-1-2020
Elaine Gebhart	LECC-2	2-1-2020
Michelle Gonzalez	LECC-1	2-1-2020

2. Afternoon Bus Duty – Paraprofessional - LECC
2019-20 School Year
At a rate of \$20.00 per hour
(on an as needed basis)
(budget account # 100-000-270-161-00-2000)

Name Of Paraprofessional	Location	Effective
Gonzalez, Michelle	LECC – I	2-1-2020
Smith, Shacana	LECC - III	2-1-2020

j. Miscellaneous – None At This Meeting

* Appointment subject to approval of Criminal History background check by State Department of Education, as per NJSA 18A:6-7-1, et. seq., NJSA 18A:39-17 et. seq., or NJSA 18A:6-4.13 et seq., as applicable.

** As required by law and code, this Emergent Employee Resolution, upon motion duly made, seconded and carried, it was RESOLVED that this person be employed by the Board of Education of the Lakewood Public School District in the County of Ocean on an emergent basis.

*** This position does not include the following:

Medical Coverage	Personal Days
Dental Coverage	Professional Days
Prescriptions	Vacation Days
Optical Coverage	Sick Days
Reimbursement for Credits	

MOTION TO APPROVE THE MINUTES, ADDITIONS & CORRECTIONS TO THE AGENDA, AND BUSINESS & SUPERINTENDENT AGENDAS (passed)

Motion: Mr. Rodriguez **Second:** Mrs. Gonzalez

8 Ayes: Mr. Zlatkin, Mrs. Gonzalez, Mr. Grunhut, Mr. Nakdimen, Mr. Stern, Mr. Treisser, Mr. Rodriguez, Mr. Bender

0 Nays:

0 Abstained:

1 Absent: Mrs. Jackson-Byers

Note: Mr. Nakdimen's vote should reflect his abstention from any item pertaining to or involving SCHI, specifically Superintendent Agenda #A3.

Payment will not be made by the Board of Education Business Office until a contract is fully executed by the Board and prior to work commencing reviewed and initialed by General Counsel.

Due to an interruption of the communication link, Mrs. Jackson-Byers was not considered present for the vote.

XIII. OLD BUSINESS

Mr. Inzelbuch asked David Shafter, State Monitor, if he completed his review of the Budget as requested at the March 11, 2020 Board Meeting.

Mr. Shafter replied that he would not comment on the Budget until he has reviewed it with State and County Officials.

XIV. NEW BUSINESS

- 1. Motion to request the New Jersey Attorney General, Gurbir Grewal, to investigate the false allegations that schools in Lakewood, New Jersey were open and transportation of students was taking place.**

MOTION TO APPROVE REQUEST OF INVESTIGATION BY THE ATTORNEY GENERAL (passed)

Motion: Mr. Rodriguez **Second:** Mr. Stern

9 Ayes: Mr. Zlatkin, Mrs. Gonzalez, Mr. Grunhut, Mrs. Jackson-Byers, Mr. Nakdimen, Mr. Stern, Mr. Treisser, Mr. Rodriguez, Mr. Bender

0 Nays:

0 Abstained:

0 Absent:

XV. GOOD AND WELFARE

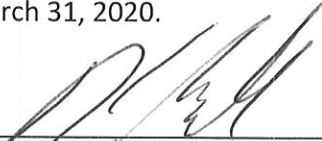
XVI. ADJOURNMENT

Motion to Adjourn:

Motion: Mr. Bender **Second:** Mr. Stern

Meeting was adjourned at 7:54 p.m.

I, Kevin Campbell, Assistant Business Administrator/Board Secretary, of the Lakewood Board of Education, hereby certify this to be a true copy of the Minutes from a public meeting held on March 31, 2020.



April 22, 2020

Kevin Campbell, Assistant Business Administrator/Board Secretary

1581 DOMESTIC VIOLENCE (M)

Policy and Regulation 1581 - Section A. sets forth the New Jersey Civil Service Commission's Uniform Domestic Violence Policy that all public employers shall adopt and distribute to all their employees in accordance with the requirements of N.J.S.A. 11A:2-6a. The purpose of the Uniform Domestic Violence Policy is to encourage public employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their public employer's human resources officer(s) and to provide a standard for a public employer's human resources officer(s) to follow when responding to employees.

Policy and Regulation 1581 – Section B. provides employment protection for employees of those employers as defined in N.J.S.A. 34:11C-2, who are victims of domestic violence or sexual violence in accordance with the provisions of the New Jersey Security and Financial Empowerment Act (NJ SAFE Act) - N.J.S.A. 34:11C-1 et seq.

A. Uniform Domestic Violence Policy (N.J.S.A. 11A:2-6a)

All New Jersey public employees are covered under N.J.S.A. 11A:2-6a and Policy and Regulation 1581 – Section A. All public employers shall designate a Human Resources Officer (HRO) or equivalent to assist employees who are victims of domestic violence. The name and contact information of the designated HRO must be provided to all employees. Managers and supervisors are required to refer any employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO.

Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO. Employees who have information about or witness an act of domestic violence against an employee are encouraged to report that information to the designated HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the employee must report to the appropriate authority in addition to reporting to the designated HRO. Nothing in the Uniform Domestic Violence Policy and Policy and Regulation 1581 – Section A. shall preclude an employee from contacting 911 in emergency situations. HROs shall remind employees to contact 911 if they feel they are in immediate danger.

Each designated HRO shall comply with the requirements outlined in Regulation 1581 – Section A.4.d. In responding to reports of domestic violence, the HRO shall seek to

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maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law.

To ensure confidentiality and accuracy of information, the Uniform Domestic Violence Policy 1581 and Regulation 1581 – Section A.6. require the HRO to keep all documents and reports of domestic violence in a confidential personnel file separate from the employee's other personnel records.

Public employers in the State of New Jersey shall develop an action plan to identify, respond to, and correct employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the guidelines outlined in Regulation 1581 - Section A.7.

Resources and program information will be readily available to assist victims of domestic violence.

A public employer may seek to modify Policy and Regulation 1581 to create additional protocols to protect victims of domestic violence, but may not modify in a way that reduces or compromises the safeguards and processes set in the Uniform Domestic Violence Policy.

- B. The New Jersey Security and Financial Empowerment Act – (N.J.S.A. 34:11C-1 et seq. - NJ SAFE Act)

The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence. Any employee of an employer in the State of New Jersey as defined in N.J.S.A. 34:11C-2, who was a victim of an incident of domestic violence as defined in N.J.S.A. 2C:25-19, or a sexually violent offense as defined in N.J.S.A. 30:4-27.26, or whose parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, was a victim shall be entitled to unpaid leave of no more than twenty days in one twelve-month period, to be used in the twelve-month period next following any incident of domestic violence or any sexually violent offense as provided in N.J.S.A. 34:11C-3.

The unpaid leave may be taken intermittently in intervals of no less than one day, as

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needed for the purpose of engaging in the activities outlined in N.J.S.A. 34:11C-3 and Regulation 1581 - Section B.3.a.(1)-(6) as they relate to the incident of domestic violence or sexually violent offense as outlined in Regulation 1581 - Section B.3.b.

An eligible employee may elect to use any accrued paid vacation leave, personal leave, or medical or sick leave of the employee, or any family temporary disability leave benefits provided pursuant to N.J.S.A. 43:21-27 during any part of the twenty-day period of unpaid leave provided under N.J.S.A. 34:11C-3.a.

Prior to taking the leave provided for in N.J.S.A. 34:11C-3 and Regulation 1581 - Section B., an employee shall, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave, unless an emergency or other unforeseen circumstance precludes prior notice. The notice shall be provided to the employer as far in advance as is reasonable and practical under the circumstances.

Nothing contained in the NJ SAFE Act (N.J.S.A. 34:11C-1 et seq.) and Regulation 1581 - Section B., shall be construed to prohibit an employer from requiring that a period of leave provided pursuant to N.J.S.A. 34:11C-3 and Regulation 1581 - Section B. be supported by the employee with documentation of the domestic violence or sexually violent offense which is the basis for the leave. If the employer requires documentation, the employee shall be regarded as having provided sufficient documentation if the employee provides supporting documentation outlined in N.J.S.A. 34:11C-3.c and Regulation 1581 – Section B.3.d.

An employer shall display conspicuous notice of its employees' rights and obligations pursuant to the provisions of the NJ SAFE Act.

An employer shall not discharge, harass, or otherwise discriminate, retaliate, or threaten to discharge, harass, or otherwise discriminate or retaliate against an employee with respect to the compensation, terms, conditions, or privileges of employment on the basis that the employee took or requested any leave to which the employee was entitled pursuant to N.J.S.A. 34:11C-3 of the NJ SAFE Act or on the basis that the employee refused to authorize the release of information deemed confidential pursuant to N.J.S.A. 34:11C-3.f of the NJ SAFE Act.

Upon a violation of any of the provisions N.J.S.A. 34:11C-3 or N.J.S.A. 34:11C-4, an employee or former employee may institute a civil action in the Superior Court for relief. All remedies available in common law tort actions shall be available to a prevailing plaintiff. The Court may also order any or all of the relief outlined in N.J.S.A.

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34:11C-5. An action brought under N.J.S.A. 34:11C-5 shall be commenced within one year of the date of the alleged violation. A private cause of action provided for in N.J.S.A. 34:11C-5 shall be the sole remedy for a violation of the NJ SAFE Act.

N.J.S.A. 11A:2-6a

N.J.S.A. 34:11C-1 et seq.

New Jersey Civil Service Commission's Uniform Domestic Violence Policy

Adopted: 17 October 2013

Revised: 30 October 2014

Revised:

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R 1581 DOMESTIC VIOLENCE (M)

Policy and Regulation 1581 - Section A. sets forth the New Jersey Civil Service Commission's (Civil Service Commission) Uniform Domestic Violence Policy that all public employers shall adopt and distribute to all their employees in accordance with the provisions of N.J.S.A. 11A:2-6a. The purpose of the Uniform Domestic Violence Policy is to encourage public employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their public employer's human resources officer(s) and provide a standard for a public employer's human resources officer(s) to follow when responding to employees.

Policy and Regulation 1581 – Section B. provides employment protection for employees of those employers as defined in N.J.S.A. 34:11C-2, who are victims of domestic violence or sexual violence in accordance with the provisions of the New Jersey Security and Financial Empowerment Act (NJ SAFE Act) - N.J.S.A. 34:11C-1 et seq.

A. Uniform Domestic Violence Policy (N.J.S.A. 11A:2-6a)

1. Definitions

The following terms are defined solely for the purposes of N.J.S.A. 11A:2-6a and Policy and Regulation 1581:

“Domestic Violence” - Acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, household member, intimate partner, someone the perpetrator dated, or person with whom the perpetrator shares a child in common or anticipates having a child in common if one of the parties is pregnant. Domestic violence includes, but is not limited to the following: physical violence; injury; intimidation; sexual violence or abuse; emotional and/or psychological intimidation; verbal abuse; threats; harassment; cyber harassment; stalking; economic abuse or control; damaging property to intimidate or attempt to control the behavior of a person in a relationship with the perpetrator; strangulation; or abuse of animals or pets.

“Abuser/Perpetrator” - An individual who commits or threatens to commit an act of domestic violence, including unwarranted violence against individuals and animals. Other abusive behaviors and forms of violence can include the following: bullying, humiliating, isolating, intimidating, harassing, stalking, or threatening the victim, disturbing someone's peace, or destroying someone's property.

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“Human Resources Officer (HRO)” - An employee of a public employer with a human resources job title, or its equivalent, who is responsible for orienting, training, counseling, and appraising staff. Persons designated by the employer as the primary or secondary contact to assist employees in reporting domestic violence incidents.

“Intimate Partner” - Partners of any sexual orientation or preference who have been legally married or formerly married to one another, have a child or children in common, or anticipate having a child in common if one party is pregnant. Intimate partner also includes those who live together or have lived together, as well as persons who are dating or have dated in the past.

“Temporary Restraining Order (TRO)” - A civil court order issued by a judge to protect the life, health, or well-being of a victim. TROs can prohibit domestic violence offenders from having contact with victims, either in person or through any means of communication, including third parties. TROs also can prohibit offenders from a victim’s home and workplace. A violation of a TRO may be a criminal offense. A TRO will last approximately ten business days, or until a court holds a hearing to determine if a Final Restraining Order (FRO) is needed. In New Jersey, there is no expiration of a FRO.

“Victim” - A person who is eighteen years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. A victim of domestic violence is also any person, regardless of age, who has been subjected to domestic violence by one of the following factors: a person with whom the victim has a child in common; a person with whom the victim anticipates having a child in common, if one of the parties is pregnant; and a person with whom the victim has had a dating relationship.

“Workplace-Related Incidents” - Incidents of domestic violence, sexual violence, dating violence, and stalking, including acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property, that imperil the safety, well-being, or productivity of any person associated with a public employee in the State of New Jersey, regardless of whether the act occurred in or outside the organization’s physical workplace. An employee is considered to be in the workplace while in or using the resources of the employer. This includes, but is not limited to: facilities; work sites; equipment; vehicles; or while on work-related travel.

2. Persons Covered Under N.J.S.A. 11A:2-6a and Policy and Regulation 1581

All New Jersey public employees are covered under N.J.S.A. 11A:2-6a and Policy and Regulation 1581 – Section A. A State of New Jersey public employer is any State, county, municipality, school district, or other political subdivision thereof, and any agency, authority, or instrumentality of the foregoing. Casual/seasonal employees, interns, volunteers, and temporary employees of any public employer at any workplace location are also covered under N.J.S.A. 11A:2-6a and Regulation 1581 – Section A.

3. Responsibility of Employer to Designate a Human Resources Officer (HRO)

- a. All public employers shall designate an HRO to assist employees who are victims of domestic violence.
- b. The designated HRO must receive training on responding to and assisting employees who are domestic violence victims in accordance with Policy and Regulation 1581 – Section A. Should the HRO be unavailable at any time, the employer must designate a secondary HRO, who must also be appropriately trained to respond and assist domestic violence victims pursuant to Policy and Regulation 1581.
- c. Managers and supervisors are often aware of circumstances involving an employee who is experiencing domestic violence. Managers and supervisors are required to refer any employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO. Managers and supervisors must maintain confidentiality, to the extent possible, and be sensitive, compassionate, and respectful to the needs of persons who are victims of domestic violence.
 - (1) The name and contact information of the designated HRO must be provided to all employees.
- d. Policy and Regulation 1581 – Section A. does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report.

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- (1) For example, if there is any indication a child may also be a victim, reporting is mandatory to the Department of Children and Families, Child Protection and Permanency, under N.J.S.A. 9:6-8.13.

4. Domestic Violence Reporting Procedure

- a. Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO.
- b. Employees who have information about or witness an act of domestic violence against an employee are encouraged to report that information to the designated HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the employee must report to the appropriate authority in addition to reporting to the designated HRO.
- c. Nothing in Policy and Regulation 1581 – Section A. shall preclude an employee from contacting 911 in emergency situations. HROs shall remind employees to contact 911 if they feel they are in immediate danger.
- d. Each designated HRO shall:
 - (1) Immediately respond to an employee upon request and provide a safe and confidential location to allow the employee to discuss the circumstances surrounding the domestic violence incident and the request for assistance.
 - (2) Determine whether there is an imminent and emergent need to contact 911 and/or local law enforcement.
 - (3) Provide the employee with resource information and a confidential telephone line to make necessary calls for services for emergent intervention and supportive services, when appropriate. The HRO or the employee can contact the appropriate Employee Assistance Program to assist with securing resources and confidential services.

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- (4) Refer the employee to the provisions and protections of the New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), referenced in Regulation 1581 - Section B.
 - (5) In cases where domestic violence involved a sexual touching or sexual assault between State employees, the HRO is also required to report the incident to their agency's Equal Employment Opportunity (EEO) Officer or Title IX Officer, as appropriate.
 - (6) If there is a report of sexual assault or abuse, the victim should be offered the services of the New Jersey State Sexual Assault Response Team.
 - (7) Maintain the confidentiality of the employee and all parties involved, to the extent practical and appropriate under the circumstances, pursuant to A.5. below.
 - (8) Upon the employee's consent, the employee may provide the HRO with copies of any TROs, FROs, and/or civil restraint agreements that pertain to restraints in the work place and ensure that security personnel are aware of the names of individuals who are prohibited from appearing at the work location while the employee who sought the restraining order is present. All copies of TROs and FROs must be kept in a separate confidential personnel file.
5. Confidentiality Policy
- a. In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law.
 - b. No provision of Policy and Regulation 1581 – Section A. shall supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report.
 - c. Policy 1581 and Regulation 1581 – Section A.5. shall not prevent

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disclosure where to do so would result in physical harm to any person or jeopardize safety within the workplace.

- (1) When information must be disclosed to protect the safety of individuals in the workplace, the HRO shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others and comply with the law.
 - (2) The HRO shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere.
 - (3) The HRO shall also provide the employee with the name and title of the person to whom they intend to provide the employee's statement and shall explain the necessity and purpose regarding the disclosure.
 - (a) For example, if the substance of the disclosure presents a threat to employees, then law enforcement will be alerted immediately.
 - d. Policy 1581 and Regulation 1581 – Section A. does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines where mandatory reporting is required by the appointing authority or a specific class of employees.
6. Confidentiality of Employee Records
- a. To ensure confidentiality and accuracy of information Policy and Regulation 1581 – Section A.6. requires the HRO to keep all documents and reports of domestic violence in a confidential personnel file separate from the employee's other personnel records.
 - b. These records shall be considered personnel records and shall not be government records available for public access under the Open Public Records Act. See N.J.S.A. 47:1A-10.
7. Public Employer Domestic Violence Action Plan

- a. Public employers in the State of New Jersey shall develop an action plan to identify, respond to, and correct employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the following guidelines:
- (1) Designate an HRO with responsibilities pursuant to A.3. and A.4. above.
 - (2) Recognize that an employee may need an accommodation as the employee may experience temporary difficulty fulfilling job responsibilities.
 - (3) Provide reasonable accommodations to ensure the employee's safety. Reasonable accommodations may include, but are not limited to, the following: implementation of safety measures; transfer or reassignment; modified work schedule; change in work telephone number or work-station location; assistance in documenting the violence occurring in the workplace; an implemented safety procedure; or other accommodation approved by the employer.
 - (4) Advise the employee of information concerning the NJ SAFE Act; Family and Medical Leave Act (FMLA); or Family Leave Act (FLA); Temporary Disability Insurance (TDI); or Americans with Disabilities Act (ADA); or other reasonable flexible leave options when an employee, or his or her child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic violence.
 - (5) Commit to adherence of the provisions of the NJ SAFE Act, including that the employer will not retaliate against, terminate, or discipline any employee for reporting information about incidents of domestic violence, as defined in Policy and Regulation 1581 – Section A., if the victim provides notice to their human resources office of the status or if the human resources office has reason to believe an employee is a victim of domestic violence.
 - (6) Advise any employee, who believes he or she has been subjected to adverse action as a result of making a report pursuant to Policy

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and Regulation 1581 - Section B. of the civil right of action under the NJ SAFE Act.

(a) Advise any employee to contact their designated Labor Relations Officer, Conscientious Employees Protection Act (CEPA) Officer, and/or Equal Employment Opportunity Officer in the event they believe the adverse action is a violation of their collective bargaining agreement, the Conscientious Employees Protection Act, or the New Jersey Law Against Discrimination and corresponding policies.

(7) Employers, their designated HRO, and employees should familiarize themselves with Policy and Regulation 1581. Policy and Regulation 1581 shall be provided to all employees upon Board approval and to all new employees upon hiring.

(8) Information and resources about domestic violence are encouraged to be placed in visible areas, such as restrooms, cafeterias, breakrooms, and where other resource information is located.

8. Resources

Resources and program information will be readily available to assist victims of domestic violence. These resources should be provided by the designated HRO to any victim of domestic violence at the time of reporting.

9. Distribution of Policy

The Civil Service Commission and the Division of Local Government Services in the Department of Community Affairs shall distribute a Uniform Domestic Violence Policy, and any modifications thereto, to public employers. The Director of the Division of Local Government Services shall release Local Finance Notices setting forth any changes to the Uniform Domestic Violence Policy, as changes occur.

10. Other Applicable Requirements

In addition to Policy and Regulation 1581, the HRO and the public employer's

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appointing authority, if applicable, must follow all applicable laws, guidelines, standard operating procedures, internal affairs policies, and New Jersey Attorney General directives and guidelines that impose a duty to report. Additionally, to the extent that the procedures set forth in Policy and Regulation 1581 conflict with collective negotiated agreements or with the Family Educational Rights and Privacy Act (FERPA), the provisions of the negotiated agreements and the provisions of FERPA control.

11. Policy Modification and Review

- a. A public employer may seek to modify Policy and Regulation 1581 to create additional protocols to protect victims of domestic violence, but may not modify in a way that reduces or compromises the safeguards and processes set out in the Uniform Domestic Violence Policy.
- b. The Civil Service Commission will review and modify their Uniform Domestic Violence Policy periodically and as needed.

12. Policy Enforceability

The provisions of the Uniform Domestic Violence Policy are intended to be implemented by the Civil Service Commission. These provisions do not create any promises or rights that may be enforced by any persons or entities.

13. Policy Inquiries and Effective Date

Any questions concerning the interpretation or implementation of the Uniform Domestic Violence Policy shall be addressed to the Chair/Chief Executive Officer of the Civil Service Commission, or their designee. The Uniform Domestic Violence Policy and Policy and Regulation 1581 shall be enforceable upon the HRO's completion of training on the Uniform Domestic Violence Policy and Policy and Regulation 1581.

B. NJ SAFE Act – (N.J.S.A. 34:11C-1 et seq.)

1. The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1, et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence.
2. Definitions (N.J.S.A. 34:11C-2)

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The following terms are defined solely for the purpose of N.J.S.A. 34:11C-1 et seq. - NJ SAFE Act:

“Employee” means a person who is employed for at least twelve months by an employer, with respect to whom benefits are sought under the NJ SAFE Act, for not less than 1,000 base hours during the immediately preceding twelve-month period. Any time, up to a maximum of ninety calendar days, during which a person is laid off or furloughed by an employer due to that employer curtailing operations because of a state of emergency declared after October 22, 2012, shall be regarded as time in which the person is employed for the purpose of determining eligibility for leave time under the NJ SAFE Act. In making the determination, the base hours per week during the layoff or furlough shall be deemed to be the same as the average number of hours worked per week during the rest of the twelve-month period.

“Employer” means a person or corporation, partnership, individual proprietorship, joint venture, firm or company, or other similar legal entity which engages the services of an employee and employs twenty-five or more employees for each working day during each of twenty or more calendar work weeks in the then current or immediately preceding calendar year. “Employer” includes the State, any political subdivision thereof, and all public offices, agencies, boards, or bodies.

“State of emergency” means a natural or man-made disaster or emergency for which a state of emergency has been declared by the President of the United States or the Governor, or for which a state of emergency has been declared by a municipal emergency management coordinator.

3. Regulations Relative to Unpaid Leave for Employees and Family Members Affected by Certain Offenses (N.J.S.A. 34:11C-3)
 - a. Any employee of an employer in the State of New Jersey who was a victim of an incident of domestic violence as defined in N.J.S.A. 2C:25-19, or a sexually violent offense as defined in N.J.S.A. 30:4-27.26, or whose parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, was a victim shall be entitled to

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unpaid leave of no more than twenty days in one twelve-month period, to be used in the twelve-month period next following any incident of domestic violence or any sexually violent offense as provided in N.J.S.A. 34:11C-3.

For purposes of N.J.S.A. 34:11C-3 and Regulation 1581 - Section B.3., each incident of domestic violence or any sexually violent offense shall constitute a separate offense for which an employee is entitled to unpaid leave, provided that the employee has not exhausted the allotted twenty days for the twelve-month period.

The unpaid leave may be taken intermittently in intervals of no less than one day, as needed for the purpose of engaging in any of the following activities as they relate to the incident of domestic violence or sexually violent offense:

- (1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship;
- (2) Obtaining services from a victim services organization for the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship;
- (3) Obtaining psychological or other counseling for the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship;

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- (4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, from future domestic or sexual violence or to ensure economic security;
 - (5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or
 - (6) Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, was a victim.
- b. An eligible employee may elect to use any accrued paid vacation leave, personal leave, or medical or sick leave of the employee, or any family temporary disability leave benefits provided pursuant to N.J.S.A. 43:21-27 during any part of the twenty-day period of unpaid leave provided under N.J.S.A 34:11C-3 and Regulation 1581 - Section B.3.a.

In such case, any paid leave provided by the employer, and accrued pursuant to established policies of the employer, or family temporary disability leave benefits, shall run concurrently with the unpaid leave

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provided under N.J.S.A. 34:11C-3.a and Regulation 1581 - Section B.3.a. and, accordingly, the employee shall receive pay pursuant to the employer's applicable paid leave policy, or family temporary disability leave benefits, during the period of otherwise unpaid leave. If an employee requests leave for a reason covered by both N.J.S.A. 34:11C-3.a and the "Family Leave Act," N.J.S.A. 34:11B-1 et seq. or the Federal "Family and Medical Leave Act of 1993," 29 U.S.C. § 2601 et seq., the leave shall count simultaneously against the employee's entitlement under each respective law.

Leave granted under N.J.S.A. 34:11C-3 and Regulation 1581 - Section B. shall not conflict with any rights pursuant to the "Family Leave Act," the "Temporary Disability Benefits Law," N.J.S.A. 43:21-25 et al, or the Federal "Family and Medical Leave Act of 1993."

- c. Prior to taking the leave provided for in N.J.S.A. 34:11C-3 and Regulation 1581 - Section B.3.a., an employee shall, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave, unless an emergency or other unforeseen circumstance precludes prior notice. The notice shall be provided to the employer as far in advance as is reasonable and practical under the circumstances.
- d. Nothing contained in the NJ SAFE Act (N.J.S.A. 34:11C-1 et seq.) and Regulation 1581 - Section B. shall be construed to prohibit an employer from requiring that a period of leave provided pursuant to N.J.S.A. 34:11C-3 and Regulation 1581 - Section B. be supported by the employee with documentation of the domestic violence or sexually violent offense which is the basis for the leave.

If the employer requires the documentation, the employee shall be regarded as having provided sufficient documentation if the employee provides one or more of the following:

- (1) A domestic violence restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;
- (2) A letter or other written documentation from the county or municipal prosecutor documenting the domestic violence or sexually violent offense;

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- (3) Documentation of the conviction of a person for the domestic violence or sexually violent offense;
- (4) Medical documentation of the domestic violence or sexually violent offense;
- (5) Certification from a certified Domestic Violence Specialist or the director of a designated domestic violence agency or Rape Crisis Center, that the employee or employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, is a victim of domestic violence or a sexually violent offense; or
- (6) Other documentation or certification of the domestic violence or sexually violent offense provided by a social worker, member of the clergy, shelter worker, or other professional who has assisted the employee or employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, in dealing with the domestic violence or sexually violent offenses.

For the purpose of N.J.S.A. 34:11C-3.c and Regulation 1581 - Section B.3.d.:

- (1) "Certified Domestic Violence Specialist" means a person who has fulfilled the requirements of certification as a Domestic Violence Specialist established by the New Jersey Association of Domestic Violence Professionals;
- (2) "Designated Domestic Violence Agency" means a county-wide organization with a primary purpose to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined by the Division of Child Protection and Permanency in the Department of

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Children and Families and is under contract with the Division for the express purpose of providing the services.

- (3) "Rape Crisis Center" means an office, institution, or center offering assistance to victims of sexual offenses through crisis intervention, medical and legal information, and follow-up counseling.
- e. An employer shall display conspicuous notice of its employees' rights and obligations pursuant to the provisions of the NJ SAFE Act, in such form and manner as the Commissioner of Labor and Workforce Development shall prescribe, and use other appropriate means to keep its employees so informed.
- f. No provision of N.J.S.A. 34:11C-1 et seq. and Policy and Regulation 1581 – Section B. shall be construed as requiring or permitting an employer to reduce employment benefits provided by the employer or required by a collective bargaining agreement which are in excess of those required by the NJ SAFE Act. Nor shall any provision of N.J.S.A. 34:11C-1 et seq. and Policy and Regulation 1581 – Section B. be construed to prohibit the negotiation and provision through collective bargaining agreements of leave policies or benefit programs which provide benefits in excess of those required by the NJ SAFE Act. N.J.S.A. 34:11C-3.e and Regulation 1581 – Section B.3.f. shall apply irrespective of the date that a collective bargaining agreement takes effect.

Nothing contained in N.J.S.A. 34:11C-1 et seq. and Policy and Regulation 1581 – Section B. shall be construed as permitting an employer to:

- (1) Rescind or reduce any employment benefit accrued prior to the date on which the leave taken pursuant to the NJ SAFE Act commenced; or
- (2) Rescind or reduce any employment benefit, unless the rescission or reduction of the benefit is based on changes that would have occurred if an employee continued to work without taking the leave provided pursuant to Regulation 1581 – Section B.3.a.
- g. All information provided to an employer pursuant to N.J.S.A. 34:11C-3.c and Regulation 1581 – Section B.3.d. above and any information

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regarding a leave taken pursuant to N.J.S.A. 34:11C-3.c and any failure of an employee to return to work, shall be retained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is required by a Federal or State law, rule, or regulation.

4. Certain Actions by Employer Prohibited (N.J.S.A. 34:11C-4)

An employer shall not discharge, harass, or otherwise discriminate, retaliate, or threaten to discharge, harass, or otherwise discriminate or retaliate against an employee with respect to the compensation, terms, conditions, or privileges of employment on the basis that the employee took or requested any leave to which the employee was entitled pursuant to N.J.S.A. 34:11C-3 of the NJ SAFE Act and Regulation 1581 – Section B.3. or on the basis that the employee refused to authorize the release of information deemed confidential pursuant to N.J.S.A. 34:11C-3.f and Regulation 1581 – Section B.3.g.

5. Violations; Penalties (N.J.S.A. 34:11C-5)

a. Upon a violation of any of the provisions of N.J.S.A. 34:11C-3 and Regulation 1581 - Section B.3., or N.J.S.A. 34:11C-4 and Regulation 1581 - Section B.4., an employee or former employee may institute a civil action in the Superior Court for relief. All remedies available in common law tort actions shall be available to a prevailing plaintiff. The Court may also order any or all of the following relief:

- (1) An assessment of a civil fine of not less than \$1,000 and not more than \$2,000 for the first violation of any of the provisions of N.J.S.A. 34:11C-3 or N.J.S.A. 34:11C-4 and not more than \$5,000 for each subsequent violation;
- (2) An injunction to restrain the continued violation of any of the provisions of N.J.S.A. 34:11C-3 or N.J.S.A. 34:11C-4;
- (3) Reinstatement of the employee to the same position or to a position equivalent to that which the employee held prior to unlawful discharge or retaliatory action;
- (4) Reinstatement of full fringe benefits and seniority rights;

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- (5) Compensation for any lost wages, benefits, and other remuneration;
 - (6) Payment of reasonable costs and attorney's fees.
- b. An action brought under N.J.S.A. 34:11C-5 shall be commenced within one year of the date of the alleged violation.
 - c. A private cause of action provided for in N.J.S.A. 34:11C-5 shall be the sole remedy for a violation of N.J.S.A. 34:11C-1 et seq.

Adopted:

2422 HEALTH AND PHYSICAL EDUCATION (M)

The Board of Education requires all students to participate in a comprehensive, sequential, health and physical education program aligned with the New Jersey Student Learning Standards (NJSLS) that emphasizes the natural interdisciplinary connection between wellness and health and physical education. The primary focus of the NJSLS is the development of knowledge and skills that influence healthy behaviors within the context of self, family, school, and the local and global community.

The NJSLS incorporate New Jersey statutes related to health and well-being of students in New Jersey schools. The following statutes incorporated into the NJSLS include, but are not limited to, the following requirements:

1. Accident and Fire Prevention (N.J.S.A. 18A:6-2) requires regular courses of instruction in accident and fire prevention.
2. Breast Self-Examination (N.J.S.A. 18A:35-5.4) requires offering instruction on breast self-examination for students in grades seven through twelve.
3. Bullying Prevention Programs (N.J.S.A. 18A:37-17) requires the establishment of bullying prevention programs.
4. Cancer Awareness (N.J.S.A. 18A:40-33) requires the development of a school program on cancer awareness by the Commissioner of Education.
5. Dating Violence Education (N.J.S.A. 18A:35-4.23a) requires instruction regarding dating violence in grades seven through twelve.
6. Domestic Violence Education (N.J.S.A. 18A:35-4.23) allows instruction on problems related to domestic violence and child abuse.
7. Gang Violence Prevention (N.J.S.A. 18A:35-4.26) requires instruction in gang violence prevention for elementary school students.
8. Health, Safety, and Physical Education (N.J.S.A. 18A:35-5) requires that all students in grades one through twelve participate in at least two and one-half hours of health, safety, and physical education each school week.
9. Drugs, Alcohol, Tobacco, Controlled Dangerous Substances, and Anabolic

Steroids (N.J.S.A. 18A:40A-1) requires instructional programs on drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances and the development of curriculum guidelines for each grade Kindergarten through twelve.

10. Lyme Disease Prevention (N.J.S.A. 18A:35-5.1 through 5.3) requires the development of Lyme Disease curriculum guidelines and training to all teaching staff members who instruct students with Lyme Disease.
11. Organ Donation (N.J.S.A. 18A:7F-4.3) requires information relative to organ donation to be given to students in grades nine through twelve.
12. Sexual Assault Prevention (N.J.S.A. 18A:35-4.3) requires the development of a sexual assault prevention education program by the Commissioner of Education for utilization by school districts.
13. Stress Abstinence (N.J.S.A. 18A:35-4.19 through N.J.S.A. 18A:35-4.22), also known as the "AIDS Prevention Act of 1999," requires sex education programs to stress abstinence.
14. Suicide Prevention (N.J.S.A. 18A:6-111 through 113) requires instruction in suicide prevention in public schools.
15. Cardiopulmonary Resuscitation (CPR)/Automated External Defibrillator (AED) (N.J.S.A. 18A:35-4.28 and 18A:35-4.29) requires public high schools and charter schools to provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator to each student prior to graduation.
16. Sexually Explicit Images through Electronic Means (N.J.S.A. 18A:35-4.32 and 4.33) requires instruction, once during middle school, on the social, emotional, and legal consequences of distributing and soliciting sexually explicit images through electronic means.
17. **History of Disabled and LGBT Persons (N.J.S.A. 18A:35-4.35 and 4.36) requires instruction on the political, economic, and social contributions of persons with disabilities and lesbian, gay, bisexual, and transgender people for middle and high school students.**
18. **Financial Literacy (N.J.S.A. 18A:35-4.34) requires instruction with basic financial**

literacy necessary for sound financial decision-making in each of the grades six through eight.

19. Other Statutory or Administrative Codes. The Board will incorporate into its health and physical education curriculum any other requirements of the NJSLS in Comprehensive Health and Physical Education.

In accordance with the provisions of N.J.S.A. 18A:35-4.7, any student whose parent presents to the Principal a signed statement that any part of the instruction in health, family life education, or sex education is in conflict with his/her conscience or sincerely held moral or religious beliefs shall be excused from that portion of the course where such instruction is being given and no penalties as to credit or graduation shall result.

The Board of Education must provide two and one-half hours of health, safety, and physical education courses in each school week, or proportionately less when holidays fall within the week. Recess period(s) shall not be used to meet the requirements of N.J.S.A. 18A:35-5, 7, and 8.

In accordance with N.J.S.A. 18A:35-4.31, the Board of Education shall provide a daily recess period of at least twenty minutes for students in grades Kindergarten through five. A recess period is not required on a school day in which the day is substantially shortened due to a delayed opening or early dismissal. The recess period shall be outdoors, if feasible. A student shall not be denied recess for any reason, except as a consequence of a violation of the school district's Code of Student Conduct, including a harassment, intimidation, or bullying (HIB) investigation pursuant to N.J.S.A. 18A:37-13 et seq. Students may not be denied recess more than twice per week for a violation of the Code of Student Conduct or HIB investigation and these students shall be provided restorative justice activities during the recess period. Restorative justice activities are defined as activities designed to improve the socioemotional and behavioral responses of students through the use of more appropriate and less punitive interventions thereby establishing a more supportive and inclusive school culture. The student's recess period should be scheduled in a manner that does not interfere with the implementation of a student's Individualized Education Program (IEP). School staff may deny recess for a student on the advice of a medical professional, school nurse, or the provisions of a student's IEP and/or 504 Plan.

A copy of the NJSLS for Comprehensive Health and Physical Education and all related curriculum/course guides and instructional material shall be available for public inspection in each school.

N.J.S.A. 18A:35-4.31

Adopted: 17 October 2013
Revised: 22 June 2016
Revised: 12 February 2019
Revised:

3421.13 POSTNATAL ACCOMMODATIONS

The Board of Education recognizes teaching staff members may be returning to work shortly after their child's birth and may need to express breast milk during the workday. The Patient Protection and Affordable Care Act (PPACA) amended Section 7 of the Federal Fair Labor Standards Act (FLSA) for nursing mothers to be permitted reasonable break times and a private location to express breast milk for their nursing child for one year after the child's birth.

Every employee position in the school district is designated as either "non-exempt" or "exempt" by the provisions of the FLSA. Generally, a teaching staff member entitled to overtime pay is designated as "non-exempt." A teaching staff member that performs duties that are executive, administrative, or professional in nature and not entitled to overtime pay is designated "exempt." The school district administration shall refer to the comprehensive definitions of "exempt" and "non-exempt" as outlined in 29 C.F.R. 541 et seq. in determining an employee's designation.

A Board of Education is required to provide reasonable break times to non-exempt teaching staff members to express breast milk for their nursing child. The non-exempt teaching staff member shall coordinate such breaks with their immediate supervisor. The non-exempt teaching staff member will not receive compensation during this break time unless the break time is during a non-exempt teaching staff member's compensated break time.

A Board of Education is not required under the FLSA to provide such breaks to exempt teaching staff members. However, exempt teaching staff members may take such breaks provided the breaks are coordinated with their immediate supervisor. If this break is taken during the exempt teaching staff member's duty free lunch period or duty free break period during the workday, the exempt teaching staff member will not be reduced in compensation.

The Principal or the nursing mother's immediate supervisor, in consultation with the school nurse, will designate a lactation room that is shielded from view and free from intrusion from co-workers and the public. The location must be functional as a space for expressing breast milk and shall include an electrical outlet, a chair, and nearby access to running water. If the space is not dedicated to the nursing mother's use, it must be available when needed. A space temporarily converted into a lactation room or made available when needed by a nursing mother is sufficient; however, a bathroom, even if private, is not a permissible location under the FLSA.

All exempt and non-exempt teaching staff members are required to sign-out of work to begin the break to express breast milk and shall sign-in when they return to work after the break. The

Teaching Staff Members
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Postnatal Accommodations

break shall be for a reasonable amount of time. For compensation purposes, the immediate supervisor shall forward all sign-in and sign-out information relative to break times for nursing mothers under the FLSA to the School Business Administrator/Board Secretary.

Fair Labor Standards Act – 29 U.S.C. 201 et seq.

Patient Protection and Affordable Care Act – P.L. 111-148

N.J.S.A. 26:4C-1 through 26:4C-3

Adopted:

4421.13 POSTNATAL ACCOMMODATIONS

The Board of Education recognizes support staff members may be returning to work shortly after their child's birth and may need to express breast milk during the workday. The Patient Protection and Affordable Care Act (PPACA) amended Section 7 of the Federal Fair Labor Standards Act (FLSA) for nursing mothers to be permitted reasonable break times and a private location to express breast milk for their nursing child for one year after the child's birth.

Every employee position in the school district is designated as either "non-exempt" or "exempt" by the provisions of the FLSA. Generally, a support staff member entitled to overtime pay is designated as "non-exempt." A support staff member that performs duties that are executive, administrative, or professional in nature and not entitled to overtime pay is designated "exempt." The school district administration shall refer to the comprehensive definitions of "exempt" and "non-exempt" as outlined in 29 C.F.R. 541 et seq. in determining an employee's designation.

A Board of Education is required to provide reasonable break times to non-exempt support staff members to express breast milk for their nursing child. The non-exempt support staff member shall coordinate such breaks with their immediate supervisor. The non-exempt support staff member will not receive compensation during this break time unless the break time is during a non-exempt support staff member's compensated break time.

A Board of Education is not required under the FLSA to provide such breaks to exempt support staff members. However, exempt support staff members may take such breaks provided the breaks are coordinated with their immediate supervisor. If this break is taken during the exempt support staff member's duty free lunch period or duty free break period during the workday, the exempt support staff member will not be reduced in compensation.

The Principal or the nursing mother's immediate supervisor, in consultation with the school nurse, will designate a lactation room that is shielded from view and free from intrusion from co-workers and the public. The location must be functional as a space for expressing breast milk and shall include an electrical outlet, a chair, and nearby access to running water. If the space is not dedicated to

the nursing mother's use, it must be available when needed. A space temporarily converted into a lactation room or made available when needed by a nursing mother is sufficient; however, a bathroom, even if private, is not a permissible location under the FLSA.

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Postnatal Accommodations

All exempt and non-exempt support staff members are required to sign-out of work to begin the break to express breast milk and shall sign-in when they return to work after the break. The break shall be for a reasonable amount of time. For compensation purposes, the immediate supervisor shall forward all sign-in and sign-out information relative to break times for nursing mothers under the FLSA to the School Business Administrator/Board Secretary.

Fair Labor Standards Act – 29 U.S.C. 201 et seq.
Patient Protection and Affordable Care Act – P.L. 111-148
N.J.S.A. 26:4C-1 through 26:4C-3

Adopted:

Students

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ADMINISTRATION OF MEDICATION (M)

5330 ADMINISTRATION OF MEDICATION (M)

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of an illness of any student. However, in order for many students with chronic health conditions and disabilities to remain in school, medication may have to be administered during school hours. Parents are encouraged to administer medications to children at home whenever possible as medication should be administered in school only when necessary for the health and safety of students. The Board will permit the administration of medication in school in accordance with applicable law.

Medication will only be administered to students in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, the student's parent, a student who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and 12.4, and school employees who have been trained and designated by the certified school nurse to administer epinephrine **and hydrocortisone sodium succinate** in an emergency pursuant to N.J.S.A. 18A:40-12.5, 12.6, **12.29, and 12.30**.

Self-administration of medication by a student for asthma or other potentially life-threatening illnesses, a life threatening allergic reaction, **or adrenal insufficiency** is permitted in accordance with the provisions of N.J.S.A. 18A:40-12.3.

The school nurse shall have the primary responsibility for the administration of epinephrine **and hydrocortisone sodium succinate to the student**. However, the school nurse may designate, in consultation with the Board or the Superintendent, additional employees of the district who volunteer to be trained in the administration of epinephrine via a pre-filled auto-injector mechanism **and the administration of hydrocortisone sodium succinate** using standardized training protocols established by the **New Jersey** Department of Education (**NJDOE**) in consultation with the Department of Health when the school nurse is not physically present at the scene.

In accordance with the provisions of N.J.S.A. 18A:40-12.6.d, no school employee, including a school nurse or any other officer or agent of a Board of Education or a physician **or an advanced practice nurse** providing a prescription under a standing protocol for school epinephrine pursuant to N.J.S.A. 18A:40-12.5 **and/or hydrocortisone sodium succinate pursuant to N.J.S.A. 18A:40-12.29**, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5 **and N.J.S.A. 18A:40-12.29**, nor shall any action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.6.d **and N.J.S.A. 18A:40-12.33**. Good faith shall not include willful misconduct, gross

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negligence, or recklessness.

The school nurse or designee shall be promptly available on site at the school and at school-sponsored functions in the event of an allergic reaction **or an emergency requiring the administration of hydrocortisone sodium succinate**. In addition, the parent must be informed that the school district, its employees and agents shall have no liability as a result of any injury arising from the administration of epinephrine **or hydrocortisone sodium succinate** to the student.

The parent of the student must sign a statement acknowledging their understanding the district shall have no liability as a result of any injury arising from the administration of the epinephrine via a pre-filled auto-injector mechanism **or the administration of hydrocortisone sodium succinate** to the student. **In addition**, the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism **or the administration of hydrocortisone sodium succinate** to the student.

The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to students for anaphylaxis **and/or the emergency administration of hydrocortisone sodium succinate for adrenal insufficiency** is effective for the school year it is granted and must be renewed for each subsequent school year.

Each school in the district shall have and maintain for the use of students at least one nebulizer in the office of the school nurse or a similar accessible location. Each certified school nurse or other persons authorized to administer asthma medication will receive training in airway management and in the use of nebulizers and inhalers consistent with **NJDOE** regulations. Every student that is authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 or a nebulizer must have an asthma treatment plan prepared by the student's physician which shall identify, at a minimum, asthma triggers, the treatment plan, and other such elements as required by the State Board of Education.

All student medications shall be appropriately maintained and secured by the school nurse, except those medications to be self-administered by students. In those instances the medication may be retained by the student with the prior knowledge of the school nurse. The school nurse may provide the Principal and other teaching staff members concerned with the student's educational progress with such information about the medication and its administration as may be in the student's best educational interests. The school nurse may report to the school physician any student who appears to be affected adversely by the administration of medication and may recommend to the Principal the student's exclusion pursuant to law.

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ADMINISTRATION OF MEDICATION (M)

The school nurse shall document each instance of the administration of medication to a student. Students self-administering medication shall report each incident to a teacher, coach, or other individual designated by the school nurse who is supervising the student during the school activity when the student self-administers. These designated individuals shall report such incidents to the school nurse within twenty-four hours of the self-administration of medication. The school nurse shall preserve records and documentation regarding the self-administration of medication in the student's health file.

N.J.S.A. 18A:6-1.1; 18A:40-3.1; 18A:40-6; 18A:40-7; 18A:40-12.3;
18A:40-12.4; 18A:40-12.5; 18A:40-12.6; 18A:40-12.7;
18A:40-12.8; **18A:40-12.29 through 12.33**

N.J.S.A. 45:11-23

N.J.A.C. 6A:16-2.3(b)

Adopted: 17 October 2013

Revised: 18 November 2015

Revised:

R 5330 ADMINISTRATION OF MEDICATION (M)

A. Definitions

1. "Medication" means any prescription drug or over-the-counter medicine or nutritional supplement and includes, but is not limited to, aspirin and cough drops.
2. "Administration" means the taking of any medication by ingestion, injection, or application to any part of the body or the giving of direct physical assistance to the person who is ingesting, injecting, or applying medication.
3. "Self-administration" means carrying and taking medication without the intervention of the school nurse, approved through the school district policy and restricted to students with asthma, other potentially life-threatening illnesses, life-threatening allergic reaction, **or adrenal insufficiency**.
4. "Life-threatening illness" means an illness or condition that requires an immediate response to specific symptoms or sequelae (an after effect of disease or injury) that if left untreated may lead to potential loss of life.
5. "A pre-filled auto-injector mechanism containing epinephrine" is a medical device used for the emergency administration of epinephrine to a student for anaphylaxis.
6. "Noncertified nurse" means a person who holds a current license as a registered professional nurse from the State Board of Nursing and is employed by the district, and who is not certified as a school nurse by the **New Jersey** Department of Education (**NJDOE**).
7. "Substitute school nurse" means a person who holds a current license as a registered professional nurse from the State Board of Nursing and who has been issued a county substitute certificate to serve as a substitute for a certified school nurse in accordance with N.J.A.C. 6A:9B-7.6.
8. "School physician" means a physician with a current license to practice medicine or osteopathy from the New Jersey Board of Medical Examiners who works under contract or as an employee of the district. This physician is referred to as the medical inspector in N.J.S.A. 18A:40-4.1.

9. “Advanced practice nurse” means a person who holds a current **license** as nurse practitioner/clinical nurse specialist from the State Board of Nursing.
 10. “Certified school nurse” means a person who holds a current license as a registered professional nurse from the State Board of Nursing and an Educational Services Certificate with a school nurse endorsement or school nurse/non-instructional from the Department of Education pursuant to N.J.A.C. 6A:9B-14.3 and 14.4.
- B. Permission for Administration by a School Nurse or Registered Nurse
1. Permission for the administration of medication in school or at school-**sponsored functions** will be given only when it is necessary for the health and safety of the student.
 2. Medication will not be administered to a student who is physically unfit to attend school or has a contagious disease. Any such student should not be permitted to attend school and may be excluded in accordance with Policy 8451.
 3. Parent requests for the administration of medication in school must be made in writing and signed by the parent.
 4. The parent must submit a certified statement written and signed by the student’s physician. The statement must include:
 - a. The student’s name;
 - b. The name of the medication;
 - c. The purpose of its administration to the student for whom the medication is intended;
 - d. The proper timing and dosage of medication;
 - e. Any possible side effects of the medication;
 - f. The time when the medication will be discontinued;
 - g. A statement that the student is physically fit to attend school and is free

of contagious disease; and

h. A statement that the student would not be able to attend school if the medication is not administered during school hours.

5. The request for the administration of medication must be made to the **Superintendent or designee** prior to any administration of medication or delivery of the medication to the school. The **Superintendent or designee** may consult with the school nurse and the school physician in making his/her final determination to allow or deny the request.

a. An approved request will be signed by the **Superintendent or designee** and given to the school nurse and the student's parent.

b. The parent will be informed of a reason for a denied request.

C. Administration of Epinephrine to Students

1. **In accordance with N.J.S.A. 18A:40-12.5**, the parent may provide the Superintendent **or designee** authorization for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to a student for anaphylaxis provided:

a. The parent provides the Superintendent **or designee** a written authorization for the administration of epinephrine;

b. **The parent of the student provides the Superintendent or designee with written orders from the physician or an advanced practice nurse that the student requires the administration of epinephrine for anaphylaxis;**

c. The parent **is** informed in writing by the Board of Education or Superintendent **or designee** that the school district and its employees or agents shall have no liability as a result of any injury to a student arising from the administration of epinephrine via a pre-filled auto-injector mechanism;

d. The parent signs a statement acknowledging their understanding the district shall incur no liability as a result of any injury arising from the administration of epinephrine via a pre-filled auto-injector mechanism to the student and the parent shall indemnify and hold harmless the district

and its employees or agents against any claims arising out of the administration of epinephrine via a pre-filled auto-injector mechanism to the student;

e. The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism is effective for the school year it is granted and must be renewed for each subsequent school year upon the fulfillment of the requirements as outlined in a. through d. above;

f. **The Superintendent or designee requires:**

- (1) The placement of the student's prescribed epinephrine **to be** in a secure but unlocked location easily accessible by the school nurse and trained designees to ensure prompt availability in the event of an allergic emergency at school or at a school-sponsored function. The location of the epinephrine shall be indicated on the student's emergency care plan. Back-up epinephrine shall also be available at the school if needed;
- (2) The school nurse or trained designee **to be** promptly available on site at the school and school-sponsored functions in the event of an allergic reaction; **and**
- (3) The transportation of the student to a hospital emergency room by emergency services personnel after the administration of epinephrine, even if the student's symptoms appear to have resolved.

g. **The Superintendent or designee shall also:**

- (1) **Permit** the school nurse or trained **designee** to administer epinephrine via a pre-filled auto-injector mechanism to any student without a known history of anaphylaxis or to any student whose parent has not met the requirements outlined in **Regulation 5330 – Section C.1.a., b., and d. and has not received the notice required in Regulation 5330 – Section C.1.c.** when the school nurse or trained designee in good faith believes the student is having an anaphylactic reaction; **and**
- (2) **Require** each school in the district **to** maintain in a secure, but

unlocked and easily accessible location, a supply of epinephrine auto-injectors prescribed under a standing order from a licensed physician **or advanced practice nurse**, and is accessible to the school nurse and trained designees for administration to a student having an anaphylactic reaction.

2. **In accordance with N.J.S.A. 18A:40-12.6, the school nurse shall have the primary responsibility for the administration of the epinephrine. The school nurse shall designate, in consultation with the Board of Education, additional employees of the school district who volunteer to administer epinephrine via a pre-filled auto-injector mechanism to a student for anaphylaxis when the nurse is not physically present at the scene. In the event that a licensed athletic trainer volunteers to administer epinephrine, it shall not constitute a violation of the "Athletic Training Licensure Act," P.L.1984, c.203 (C.45:9-37.35 et seq.).**
 - a. **The school nurse shall determine that:**
 - (1) **The designees have been properly trained in the administration of the epinephrine via a pre-filled auto-injector mechanism using standardized training protocols established by the NJDOE in consultation with the Department of Health;**
 - (2) **The parent of the student consented in writing to the administration of the epinephrine via a pre-filled auto-injector mechanism by the designees;**
 - (3) **The Board or Superintendent or designee has informed the parent of the student in writing that the district and its employees or agents shall have no liability as a result of any injury arising from the administration of the epinephrine to the student;**
 - (4) **The parent of the student signed a statement acknowledging their understanding the district shall have no liability as a result of any injury arising from the administration of the epinephrine via a pre-filled auto-injector mechanism to the student and the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism to the student; and**

- (5) The permission is effective for the school year for which it is granted and is renewed for each subsequent school year upon fulfillment of the requirements in subsections 2.a.(1) through 2.a.(4) above.
 3. The NJDOE, in consultation with the Department of Health, shall require trained designees for students enrolled in a school who may require the emergency administration of epinephrine for anaphylaxis when the school nurse is not available.
 4. Nothing in N.J.S.A. 18A:40-12.6 and Regulation 5330 – Section C. shall be construed to prohibit the emergency administration of epinephrine via a pre-filled auto-injector mechanism to a student for anaphylaxis by the school nurse or other employees designated pursuant to N.J.S.A. 18A:40-12.3(a)(1) when the student is authorized to self-administer epinephrine pursuant to N.J.S.A. 18A:40-12.3, or when there is a coexisting diagnosis of asthma, or when a prescription is received from a licensed health care professional for epinephrine coupled with another form of medication, or when the epinephrine is administered pursuant to N.J.S.A. 18A:40-12.5.f.
 5. The certified school nurse, in consultation with the Superintendent or designee, shall recruit and train volunteer designees who are determined acceptable candidates by the school nurse within each school building as deemed necessary by the nursing services plan, in accordance with N.J.S.A. 18A:40-12.6c(b).
 6. No school employee, including a school nurse, or any other officer or agent of a Board of Education, or a physician or an advanced practice nurse providing a prescription under a standing protocol for school epinephrine pursuant to N.J.S.A. 18A:40-12.5.f and Regulation 5330 – Section C.1.g., shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5 et seq., nor shall an action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.6. Good faith shall not include willful misconduct, gross negligence, or recklessness.
- D. Administration of Hydrocortisone Sodium Succinate to Students

- 1. In accordance with the provisions of N.J.S.A. 18A:40-12.29, the Board will permit the emergency administration of hydrocortisone sodium succinate through appropriate delivery devices and equipment to a student for adrenal insufficiency provided that:**
 - a. The parent of the student provides the Superintendent or designee a written authorization for the administration of hydrocortisone sodium succinate;**
 - b. The parent of the student provides the Superintendent or designee written orders from the physician or an advanced practice nurse that the student requires the administration of hydrocortisone sodium succinate for adrenal insufficiency;**
 - c. The Superintendent or designee informs the parent of the student in writing that the school district and its employees or agents shall have no liability as a result of any injury arising from the administration of hydrocortisone sodium succinate;**
 - d. The parent of the student signs a statement acknowledging their understanding that the district shall have no liability as a result of any injury arising from the administration of hydrocortisone sodium succinate to the student and that the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of hydrocortisone sodium succinate to the student; and**
 - e. The permission for the administration of hydrocortisone sodium succinate is effective for the school year for which it is granted and must be renewed for each subsequent school year upon the fulfillment of the requirements as outlined in a. through d. above.**

- 2. In accordance with the provisions of N.J.S.A. 18A:40-12.29.b:**
 - a. The placement of the student's prescribed hydrocortisone sodium succinate shall be in a secure, but unlocked location easily accessible by the school nurse and trained designees to ensure prompt availability in the event of emergency situations at school or at a school-sponsored function. The location of the prescribed hydrocortisone sodium succinate shall be indicated on the student's emergency care plan.**

Back-up hydrocortisone sodium succinate, provided by the student's parent, shall also be available at the school if needed;

- b. The school nurse or trained designee shall be promptly available on site at the school and school-sponsored functions in the event of an emergency; and
 - c. The student shall be transported to a hospital emergency room by emergency services personnel after the administration of hydrocortisone sodium succinate, even if the student's symptoms appear to have resolved.
3. In accordance with N.J.S.A. 18A:40-12.30, the school nurse has the primary responsibility for the administration of hydrocortisone sodium succinate.

The school nurse shall designate, in consultation with the Superintendent or designee, additional employees of the school district who volunteer to administer hydrocortisone sodium succinate to a student when the school nurse is not physically present at the scene.

In the event that a licensed athletic trainer volunteers to administer hydrocortisone sodium succinate, it shall not constitute a violation of the "Athletic Training Licensure Act" - N.J.S.A. 45:9-37.35 et seq.

The school nurse shall determine that:

- a. The designees have been properly trained in the administration of hydrocortisone sodium succinate using standardized training protocols established by the NJDOE in consultation with the Department of Health;
- b. The parent of the student consented in writing to the administration of hydrocortisone sodium succinate by the designee(s);
- c. The Superintendent or designee has informed the parent of the student in writing that the district and its employees or agents shall have no liability as a result of any injury arising from the administration of hydrocortisone sodium succinate to the student;
- d. The parent of the student signed a statement acknowledging their

understanding that the district shall have no liability as a result of any injury arising from the administration of hydrocortisone sodium succinate to the student and that the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of hydrocortisone sodium succinate to the student; and

- e. The permission is effective for the school year for which it is granted and is renewed for each subsequent school year upon fulfillment of the requirements in N.J.S.A. 18A:40-12.30 and D.3.a through d above.
4. Nothing in N.J.S.A. 18A:40-12.30 and D.3. above shall be construed to prohibit the emergency administration of hydrocortisone sodium succinate to a student for adrenal insufficiency by the school nurse or other employees designated pursuant to N.J.S.A. 18A:40-12.30 and D.3. above when the student is authorized to self-administer hydrocortisone sodium succinate pursuant to N.J.S.A. 18A:40-12.3.
5. The certified school nurse, in consultation with the Superintendent or designee, shall recruit and train volunteer designees who are determined acceptable candidates by the school nurse within each school building as deemed necessary by the nursing services plan, in accordance with N.J.S.A. 18A:40-12.32(b).
6. No school employee, including a school nurse, or any other officer or agent of a Board of Education shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.29 et al., nor shall an action before the New Jersey State Board of Nursing lie against a school nurse for any action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.30. Good faith shall not include willful misconduct, gross negligence, or recklessness, in accordance with N.J.S.A. 18A:40-12.33.

E. Permission for Self-Administration of Medication

In accordance with N.J.S.A. 18A:40-12.3, the Board shall permit the-self-administration of medication by a student for asthma, or other potentially life-threatening illnesses, a life-threatening allergic reaction, or adrenal insufficiency provided that:

1. **The parent of the student provides the Board or Superintendent or designee**

written authorization for the self-administration of medication;

2. The parent of the student provides the Board **or Superintendent or designee** a signed written certification from the physician of the student that the student has asthma or another potentially life threatening illness, is subject to a life-threatening allergic reaction, **or has adrenal insufficiency** and is capable of, and has been instructed in, the proper method of self-administration of medication. The written certification must include:
 - a. The student's name;
 - b. The name of the medication;
 - c. The purpose of its administration to the student for whom the medication is intended;
 - d. The proper timing and dosage of medication;
 - e. Any possible side effects of the medication;
 - f. The time when the medication will be discontinued, **if applicable**;
 - g. A statement that the student is physically fit to attend school and is free of contagious disease; and
 - h. A statement the medication must be administered during the school day or the student would not be able to attend school.
3. **The Board or the Superintendent or designee informs the parent of the student in writing that the district and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication by the student;**
4. The parent of the student signs a statement acknowledging that the school district shall incur no liability as a result of any injury arising from the self-administration of medication by the student and that the parent shall indemnify and hold harmless the school district, the Board, and its employees or agents against any claims arising out of the self-administration of medication by the student;

5. The parent's written authorization and the physician's written certification is reviewed by the Principal or designee with the school nurse and the school physician. The school nurse and the school physician must agree the student is capable of self-administration of the medication. If it is determined the student may self-administer medication in accordance with the request:
 - a. The request will be signed by the Principal and given to the school nurse and the student's parent;
 - b. The parent will be informed of a reason for a denied request.
 6. Permission to self-administer one medication shall not be construed as permission to self-administer other medication; and
 7. Permission shall be effective on the school year for which it is granted and shall be renewed for each subsequent school year upon fulfillment of the requirements in E.1. through E.46. above.
- F. Custodianship of Medication
1. Medications to be administered by the school nurse or a registered nurse:
 - a. All medications must be delivered to the school by the parent.
 - b. All medications must be in the original container, with the prescription information affixed.
 - c. The school nurse shall be custodian of students' medication, which will be properly secured.
 - d. Any unused medication must be picked up by the student's parent.
 - e. After reasonable efforts to have the parent retrieve the medication have failed, any unused medication that remains in the school at the end of the school year or two school weeks after the student stops taking the medication, whichever first occurs, must be destroyed or discarded by the school nurse, in accordance with proper medical controls.
 2. Medications to be self-administered by a student:

- a. Time being of the essence in cases of asthma **or** other potentially life threatening illnesses, or a life-threatening allergic reaction, **or adrenal insufficiency**, all medications to be self-administered by a student must be kept in the student's possession.
- b. No student may possess medication for self-administration unless the proper permission has been granted by the Principal **or designee** and a record of the medication is on file in the office of the school nurse.
- c. Students who are permitted to self-administer medications must secure their medication in such a manner that the medication will not be available to other students. The medication must be in a sealed container and clearly labeled with the medication name, dosage, and ordering physician. The medication, if ingested by someone other than the student, shall not cause severe illness or death.
- d. Students who are permitted to self-administer medications shall only have in their possession the quantity of medication necessary for the time period of the student's school day.
- e. Notwithstanding any other law or regulation, a student who is permitted to self-administer medication in accordance with the provisions of N.J.S.A. 18A:40-12.3 shall be permitted to carry an inhaler or prescribed medication for allergic reactions, including a pre-filled auto-injector mechanism, **or prescribed medication for adrenal insufficiency**, at all times, provided the student does not endanger himself/herself or other persons through misuse.

G. Administration of Medication

1. No medication shall be administered to or taken by a student in school or at a school-sponsored **function** except as permitted by Board Policy **5330** and this Regulation.
2. Medication will only be administered to students in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, a student who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and school employees who have been trained and designated by the certified school nurse to administer epinephrine in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6 **and to administer**

hydrocortisone sodium succinate in an emergency pursuant to N.J.S.A. 18A:40-12.29 and 12.30.

3. When practicable, self-administration of medication should be observed by the school nurse.
4. Students self-administering medication shall report each administration of medication and any side effects to a teacher, coach, or the individual in charge of the student during school activities. Such individuals shall report all administrations and any side effects reported or observed to the school nurse within twenty-four hours.
5. When a student attends a school-sponsored **function** at which medication may be required (such as an outdoor field trip or athletic competition) and the school nurse cannot be in attendance, the student's parent will be invited to attend. If neither the school nurse nor the parent can attend and the student does not have permission to self-administer medication and there is a risk that the student may suffer injury from lack of medication, the student may be excused from the **function**.

H. Emergencies

1. Any medical emergency requiring medication of students will be handled in accordance with Policy 8441 and implementing regulations on first aid and, as appropriate, the school physician's standing orders for school nurses. Arrangements will be made to transport a student to a hospital emergency room after the administration of epinephrine in accordance with N.J.S.A. 18A:40-12.5.e.(3) **and after the administration of hydrocortisone sodium succinate in accordance with N.J.S.A. 18A:40-12.29.b.(3).**

I. Records

The school nurse shall include the following in a student's health record:

1. The approved written request for the administration or self-administration of medication;
2. A record of each instance of the administration of the medication by the school nurse or a registered nurse;

3. A record of reports by teachers, coaches, and other individuals in charge of school activities who report student self-administration of medication;
 4. Any side effects that resulted from the administration of medication; and
 5. Whether the supply of medication provided in cases where the medication is to be administered by the school nurse or a registered nurse was exhausted or the parent removed the medication or, if the parent failed to remove the medication, the medication was destroyed and the date on which that occurred.
- J. Notification**
1. The school nurse may provide the Principal and other teaching staff members concerned with the student's educational progress with information about the medication and administration when such release of information is in the student's best educational interest.
 2. The school nurse will provide teachers, coaches, and other individuals in charge of school activities with a list of students who have been given permission to self-administer medication.
 3. The school nurse will inform the student's parent of any difficulty in the administration of medication or any side effects.
 4. The school nurse will report to the school physician any student who appears to be adversely affected by the medication.

Adopted: 17 October 2013
Revised: 18 November 2015
Revised: 17 November 2016
Revised:

7243 Supervision Of Construction

The Board of Education directs that the School Business Administrator/Board Secretary be responsible for the supervision of all building construction in this **school** district. Supervision shall include field inspection of the **construction** contractor's operations, administrative review of the activities of the architect relating to the construction, and any other construction matters relating to the interests of the school district.

The Superintendent and School Business Administrator/Board Secretary shall report periodically to the Board **on the progress of** the work of the construction contractor(s).

The Board shall not employ for pay or contract for the paid services of any person serving in a position which involves regular contact with students unless the Board has first determined, consistent with the requirements and standards of N.J.S.A. 18A:6-7.1 et seq., that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or the State Bureau of Identification which would disqualify the individual from being employed or utilized in such capacity or position.

The Superintendent shall direct the School Business Administrator/Board Secretary or designee to act as liaison to all construction contractors for school facility and construction projects to obtain a list of the individuals who will have regular contact with students and will be employed by or working for the contractor on a school district project that will be undergoing a criminal history record check pursuant to the requirements of N.J.S.A. 18A:6-7.1 et seq. The liaison shall provide the list of those contracted employees to the Superintendent or designee and the Human Resources Director. The Superintendent or designee and the Human Resources Director who receive any adverse action correspondence from the New Jersey Department of Education (NJDOE) related to the criminal history record check process shall review the contracted company list in order to determine if the subject of that correspondence is either a school employee or an employee of any contract service provider and take appropriate action. No employee of a contracted service provider shall commence work at a school facility without having first obtained an approval for employment from the NJDOE. Approvals for employment of these contracted employees shall be maintained with the liaison and copies forwarded to the Superintendent's office.

A change order involving additional cost will be submitted **to** the Board **for review and approval.**

Upon completion of a building project and a final inspection of all its aspects by the architect, contractors, and school officials, a recommendation for acceptance shall be made to the Board by the architect

N.J.S.A. **18A:6-7.1 et seq.**; 18A:18A-16; 18A:18A-43; 18A:18A-44

Adopted: 17 October 2013

Revised:

8210 SCHOOL YEAR

The Board of Education recognizes that the preparation of a school calendar is essential to orderly educational planning and to the efficient operation of the **school** district.

The Board shall annually **approve** the days when the schools will be in session for instructional purposes. The school calendar will provide no fewer than **one hundred eighty** days of instruction **in accordance with N.J.S.A. 18A:7F-9**. Days on which school is closed for holidays, teachers' institutes, and inclement weather shall not be considered as days in session.

A half-day class or shortened school day shall be considered the equivalent of a full day only if school is in session for four or more hours, exclusive of recess periods or lunch periods.

A school day shall consist of not less than four hours, except that one continuous session of two and one-half hours may be considered a full day **for Kindergarten in accordance with N.J.A.C. 6A:32-8.3(b)**.

An approved Kindergarten shall meet the requirements set forth in N.J.A.C. 6A:32-8.3(c).

The Commissioner of Education shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis. Staff members shall avoid, whenever possible, scheduling a test on a religious holiday commonly observed by residents of the district.

The Superintendent shall in consultation with the teachers and administrators associations and the Executive County Superintendent annually prepare and submit to the Board a school calendar **for the next school year** no later than **May 1**. The Board reserves the right to alter the school calendar when: such alteration is feasible and serves the best interests of the students of this district; **the number of school closings during the school year extend the school year past a reasonable closing date in June; there is an extended school closing during the school year due to an unforeseen circumstance; and/or due to any reason deemed in the best interest of students.**

N.J.S.A. 18A:25-3; 18A:36-2; 18A:36-16
N.J.A.C. 6A:32-8.3

Adopted: 17 October 2013
Revised:

8220 SCHOOL DAY

The Board of Education shall **annually approve** the times that school(s) will be in session, **including the starting and ending time of a shortened day. A school day shall be in accordance with N.J.A.C. 6A:32-8.3.**

The schools of the district will be in session for students on those days **and times recommended by the Superintendent and annually approved** by the Board.

The Superintendent may close school, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members **or other good cause. A shortened school day, whether it is planned or emergent (as in the case of inclement weather), must meet certain requirements in order to count toward the one hundred eighty day requirement of N.J.S.A. 18A:7F-9.**

The Superintendent shall inform the Board President of any such alteration as soon as possible and shall prepare rules for the proper and timely notification of concerned persons in the event of any **delayed opening or emergency school** closing.

N.J.A.C. 6A:32-8.3

Adopted: 17 October 2013

Revised:

R 8220 SCHOOL CLOSINGS

The following procedures will govern the unscheduled closing of school for the entire school day, the delayed opening of school, and the early closing of school. No single set of rules can anticipate the problems that may be encountered when schools must be closed, and Building Principals may be required to exercise independent judgment in individual circumstances. Any consequent deviation from these rules **shall be approved by** the Superintendent.

A. Notification Provisions

1. **The Superintendent or designee shall activate an emergency call system when a decision is made for an unscheduled closing of school for the entire school day, the delayed opening of school, or the early closing of school.**
2. Parent(s) will be notified at the beginning of each school year that they will be notified of an emergency school closing day by means of announcements through the district Alert System, **District Website:** <https://www.lakewoodpiners.org>

B. All Day Closing

1. The decision to close schools for the day will be made in accordance with Policy. As soon as the decision is made, the **Superintendent or designee** will promptly notify:
 - a. **Through the media outlets identified in A.1. above;**
 - b. **All school staff members;**
 - c. Private schools to which transportation is provided for district children;
 - d. Lakewood Police Departments;
 - e. **Board of Education President; and**
 - f. **Any other individuals or organizations the Superintendent or designee determines the need to be notified.**
2. **Notwithstanding a provision in a collective bargaining agreement, if applicable,**

unless the Superintendent determines otherwise, school office personnel and custodial personnel are expected to report for work on an emergency closed day.

C. Delayed Opening

1. The decision to delay the opening of school will be made as soon as practicable. Notice of the delayed opening will be given in accordance with B. **above**.
2. **Notwithstanding a provision in a collective bargaining agreement**, unless the Superintendent determines otherwise, school office personnel and custodial personnel are expected to report to work on time **if the opening of school is delayed**.
3. If weather conditions **change** after a delayed opening has been announced, the Superintendent may decide to close schools for the day. This decision will be made as soon as practicable. Notice of the closing of schools for the day will be given in accordance with B.1. **above**.
4. The Principal of each school will modify the school's schedule to accommodate the shorter day. After-school and athletic events may be canceled.

D. Early Dismissal

1. **The decision by the Superintendent or designee** to close school early will be promptly relayed to **the media outlets, school staff members, and the people or organizations listed in B.1. above**.
2. Building Principals in the affected schools will promptly notify all **school** staff members of the early closing, using appropriate building procedures.
3. Parents will be notified **of an early dismissal through an emergency call system, district or school website, a telephone communication chain, or any other method or process deemed appropriate**.
4. A parent may come to the school and sign out his/her child at any time after the decision to close early has been made.
5. The Principal **may** designate a safe and secure location in the school building to which may be assigned students whose parent or temporary caretaker could not

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be reached by telephone or other means **or the student was unable to be released from school early for good reason.**

- a. A teaching staff member will be assigned to supervise the students who remain in the school.

Issued: 17 October 2013

Revised:

8462 REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)

The Board of Education recognizes early detection of missing, abused, or neglected children is important in protecting the health, safety, and welfare of all children. In recognition of the importance of early detection of missing, abused, or neglected children, the Board of Education adopts this Policy pursuant to the requirements of N.J.S.A. 18A:36-24 and 18A:36-25. The Board provides this Policy for its employees, volunteers, or interns for the early detection of missing, abused, or neglected children through notification of, reporting to, and cooperation with the appropriate law enforcement and child welfare authorities pursuant to N.J.S.A. 18A:36-24 and 18A:36-25 et seq., N.J.A.C. 6A:16-11.1, N.J.S.A. 9:6-8.10, and **N.J.A.C. 6A:22-4.1(d)**.

Employees, volunteers, or interns working in the school district shall immediately notify designated child welfare authorities of incidents of alleged missing, abused, and/or neglected children. Reports of incidents of alleged missing, abused, or neglected children shall be reported to the New Jersey State Central Registry (SCR) at 1-877 NJ ABUSE or to any other telephone number designated by the appropriate child welfare authorities. If the child is in immediate danger a call shall be placed to 911 as well as to the SCR.

The school district shall prominently display information about the Department of Children and Families' State Central Registry, a toll-free hotline for reporting child abuse, in each school of the district. The information shall give instructions to call 911 for emergencies and shall include directions for accessing the Department of Children and Families' website or social media platforms for more information on reporting abuse, neglect, and exploitation.

The information shall be in a format and language that is clear, simple, and understandable. The information shall be on a poster and displayed at each school in at least one high-traffic, highly and clearly visible public area that is readily accessible to and widely used by students, pursuant to N.J.S.A. 18A:33.28.

The person having reason to believe that a child may be missing or may have been abused or neglected may inform the Principal or other designated school official(s) prior to notifying designated child welfare authorities if the action will not delay immediate notification. The person notifying designated child welfare authorities shall inform the Principal or other designated school official(s) of the notification, if such had not occurred prior to the notification. Notice to the Principal or other designated school official(s) need not be given when the person believes that such notice would likely endanger the reporter or student involved or when the person believes that such disclosure would likely result in retaliation against the student or in discrimination against the reporter with respect to his or her

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employment.

The Principal or other designated school official(s) upon being notified by a person having reason to believe that a child may be missing or may have been abused or neglected, must notify appropriate law enforcement authorities. Notification to appropriate law enforcement authorities shall be made for all reports by employees, volunteers, or interns working in the school district. Confirmation by another person is not required for a school district employee, volunteer, or intern to report the suspected missing, abused, or neglected child situation.

School district officials will cooperate with designated child welfare and law enforcement authorities in all investigations of potentially missing, abused, or neglected children in accordance with the provisions of N.J.A.C. 6A:16-11.1(a)5.

The district designates Director of Security as the school district's liaison to designated child welfare authorities to act as the primary contact person between the school district and child welfare authorities with regard to general information sharing and the development of mutual training and other cooperative efforts. The district designates the Superintendent or designee as the school district's liaison to law enforcement authorities to act as the primary contact person between the school district and law enforcement authorities, pursuant to N.J.A.C. 6A:16-6.2(b)1, consistent with the Memorandum of Agreement, pursuant to N.J.A.C. 6A:16-6.2(b)13.

An employee, volunteer, or intern working in the school district who has been named as a suspect in a notification to child welfare and law enforcement authorities regarding a missing, abused, or neglected child situation shall be entitled to due process rights, including those rights defined in N.J.A.C. 6A:16-11.1(a)9.

The Superintendent or designee shall provide training to school district employees, volunteers, or interns on the district's policy and procedures for reporting allegations of missing, abused, or neglected child situations. All new school district employees, volunteers, or interns working in the district shall receive the required information and training as part of their orientation.

There shall be no reprisal or retaliation against any person who, in good faith, reports or causes a report to be made of a potentially missing, abused, or neglected child situation pursuant to N.J.S.A. 9:6-8.13.

N.J.S.A. **18A:33-28**; 18A:36-24; 18A:36-25 et seq.
N.J.A.C. 6A:16-11.1

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