

**RUTHERFORD BOARD OF EDUCATION**  
**PUBLIC HEARING/WORKSESSION –MARCH 28, 2005**

The Worksession Meeting was called to order at 7:37 P.M. in the High School Cafeteria by President Cevasco with the Pledge of Allegiance to the Flag. On roll call the following members were present: Mrs. Ahmed, Mr. Casadonte, Mr. Ferguson, Mr. Jasko, Mrs. Monahan, Mr. Novosielski, Mrs. Williams and Mrs. Cevasco. Mr. McLean was absent for the entire meeting. Mrs. Conlon and Mr. Brown were also present for the meeting.

**N.J. OPEN PUBLIC MEETINGS LAW**

The New Jersey Open Public Meetings Law was enacted to ensure the right of the public to have advance notice of and to attend the meeting of public bodies at which any business affecting their interests is discussed or acted upon. In accordance with the provisions of this Act, the Rutherford Board of Education has caused notice of this meeting to be published by having the date, time and place thereof posted on the bulletin board outside the Borough Clerk's Office, mailed to the News Leader, Herald, South Bergenite, and the Record newspapers, and filed with the Borough Clerk.

**TAPING AND BROADCASTING OF MEETINGS**

As approved by the Rutherford Board of Education, we are taping and broadcasting our worksessions and regular meetings. These meetings will be broadcast without editing during a two-hour time segment on Tuesday evenings at 8:00 PM on the Comcast public access channel. At the conclusion of the two-hour segment, the broadcast will end regardless of what part of the meeting is currently being viewed due to the Comcast time constraint. Any member of the public who wishes to view the two-hour tape should make a written request to the Board Secretary who will have a copy of the tape made available within two weeks of the request. There will be a nominal fee charged for this tape reproduction. We welcome comments from residents viewing the broadcast.

**MINUTES APPROVAL**

1A. Resolution by Mr. Novosielski, seconded by Mr. Ferguson.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION that the minutes of the Regular Meeting of March 14, 2004 be approved as recorded.

Roll Call Vote:

Mrs. Ahmed – aye	Mr. Ferguson – aye	Mrs. Monahan – aye
Mr. Casadonte – aye	Mr. Jasko – aye	Mr. Novosielski – aye
Mrs. Cevasco – aye	Mr. McLean – absent	Mrs. Williams – aye

**PUBLIC HEARING ON 2005-2006 PROPOSED BUDGET**

**MEETING OPEN TO THE PUBLIC (Budget Items Only) 8:40 P.M.**

Margaret Schak commented about the tax rate.

Diane Jones commented about the budget.

Meeting was then closed to the public at 8:45 P.M.

The Board took a short recess at this time, returning at 9:04 P.M.

**REPORT OF THE PRESIDENT**

**REPORT OF THE STUDENT REPRESENTATIVE TO THE BOARD**

**MEETING OPEN TO THE PUBLIC (Action Items Only) 9:07 P.M.** No comments made.

**NEW BUSINESS (Action to be Taken)**

**PERSONNEL:**

**COLLEEN BETZ**

1A. Resolution by Mrs. Ahmed, seconded by Mrs. Monahan.

BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to extend the child rearing leave without pay of Mrs. Colleen Betz through 6/30/06.

Roll Call Vote:

Mrs. Ahmed – aye	Mr. Ferguson – aye	Mrs. Monahan – aye
Mr. Casadonte – aye	Mr. Jasko – aye	Mr. Novosielski – aye
Mrs. Cevasco – aye	Mr. McLean – absent	Mrs. Williams – aye

**FINANCE:**

**Motion by Mr. Novosielski, seconded by Mr. Casadonte to approve Finance Items #1A and #2A.**

**APPROVAL OF BILLS:**

1A. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION that the bills listed below be approved.

Accounts Payable	3/10/05	\$230,490.97
	3/28/05	146,194.69
	3/28/05	<u>143,437.35</u>
		<b>\$520,123.01</b>
Payroll	3/15/05	<b>\$989,745.55</b>
General Activities	3/8 – 3/21/05	<b>\$8,808.41</b>
Total		<b><u>\$1,518,676.97</u></b>

**APPROVAL OF BUDGET**

2A. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION that the final School District Budget be approved for the 2005-06 school year as follows:

Current Expense and Capital Outlay	\$30,856,777
Special Revenue Funds	676,587
Debt Service	1,879,776
<b>Total</b>	<b>\$33,413,140</b>

BE IT FURTHER RESOLVED that for funding the School District Budget for the 2005-2006 school year, the following amounts are the amounts necessary to be raised by local taxation:

Current Expense and Capital Outlay	\$27,674,482
Debt Service	1,879,776
<b>Total</b>	<b>\$29,554,258</b>

**Roll Call Vote Finance Items #1A and #2A:**

Mrs. Ahmed – aye	Mr. Ferguson – aye	Mrs. Monahan – aye
Mr. Casadonte – aye	Mr. Jasko – aye	Mr. Novosielski – aye
Mrs. Cevalco – aye	Mr. McLean – absent	Mrs. Williams – aye

**NEW BUSINESS: (Action will not be taken)**

**PERSONNEL:**

**Chairperson Ahmed reported on items to be acted upon at the April 11, 2005 regular meeting.**

**PERSONNEL:**

Motion to move the following resignations, retirements, salary adjustments, reassignments, appointments, etc., pending approval from the State Department of Education, subject to the New Jersey Criminal Background Check and other legal requirements.

**RICHARD BLANCHARD**

1. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION for the Child Study Team to utilize the services of Mr. Richard Blanchard to provide supplemental math services effective 3/14/05 for 2 hours per week at the rate of \$25.00 per hour.

**LORENA MUNOZ**

2. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ Ms. Lorena Munoz as a leave replacement Spanish teacher at the high school effective 3/24/05 through 6/24/05 at the rate of \$188.00 per diem.

SUBSTITUTE TEACHERS 3. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ the following as substitute teacher(s) at the per diem rate of \$80.00 effective 4/12/05 and in accordance with law:

Anthony Cervone

SARAH BERMAN 4. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ Ms. Sarah Berman as a temporary In-Class Support Teacher at Union School effective 3/21/05 at the per diem rate of \$83.55. This is a replacement position.

ALYSSA VITALE 5. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ Ms. Alyssa Vitale as a lifeguard at the Rutherford High School Pool at the rate of \$9.00 per hour.

HASP EMPLOYEE 6. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION for HASP to employ Erik Weinbrecht as a counselor effective immediately at the hourly rate of \$8.00.

JAMES HINTON 7. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to adjust the per diem salary of Mr. James Hinton, long term substitute teacher at the high school, to \$225.00 per diem.

JENNIFER WRONKO 8. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to employ Ms. Jennifer Wronko as a teacher assistant in the self-contained class at Sylvan School effective 4/1/05 at the hourly rate of \$13.83. This is a replacement position.

**CURRICULUM AND INSTRUCTION:**

**Chairperson Monahan reported on the meeting of the Curriculum Committee and items to be acted upon at the April 11, 2005 regular meeting.**

HASBROUCK HEIGHTS BOE 1. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION for the Child Study Team to utilize the services of the Hasbrouck Heights Board of Education to provide one-to-one aide services to Student #2002541 (name on file in the office of special services) due to a medical condition for two weeks beginning 3/7/05 at the rate of \$152.52 per diem.

OVERNIGHT CLASS TRIP 2. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to permit Mrs. Brenda Fargo and five adult chaperons to accompany Gifted & Talented students to compete in the FPS State Bowl at Woodbridge High School from 4/22/05 through 4/23/05.

HOME INSTRUCTION 3. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve home instruction for Student "L" (name on file in the office of the superintendent) effective 3/3/05.

CURRICULUM GUIDES 4. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to accept and approve the following new or revised curriculum guides:

A. Fine and Performing Arts

1. Photography 1
2. Photography 2
3. Concert Choir
4. Rock Ensemble

B. World Language

1. Spanish 1
2. Spanish 2
3. French 1
4. French 2

- 5. Latin 1
- 6. Latin 2
- 7. Latin 3 Honors
- 8. Latin 4 Honors
- C. Technology
  - 1. Computer Programming 2
  - 2. Honors Network Academy - Seminar 1
  - 3. Honors Network Academy - Seminar 2
- D. Social Studies
  - 1. Psychology
  - 2. History of Religion
  - 3. Dilemma of Vietnam
  - 4. History of WW2
  - 5. Pop Music and History
  - 6. Citizen and the Law
  - 7. Social Studies - Grade 1
  - 8. Social Studies - Grade 2
  - 9. Social Studies - Kindergarten

H.S. CO-CURRICULAR 5. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the formation of a Latin Club for the 2005-2006 school year.

H.S. CO-CURRICULAR 6. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following change:  
  
From: The Gourmet Club To: The Family Career and Community Leaders of America

HOME INSTRUCTION 7. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve home instruction for Student "M" (name on file in the office of the superintendent) effective 3/28/05.

OUT-OF-DIST. PLACEMENTS 8. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the out-of-district placements of the following students (names on file in the office of special services):  
  
Student #2000421 - High Point in Lodi - Tuition: \$32,294 plus transportation - eff. 4/4/05  
Student #2004035 - SBJC Maywood - Tuition: \$14,595 plus transportatio - eff. 3/21/05

**FINANCE:**  
**Chairperson Novosielski reported on items to be acted upon at the April 11, 2005 regular meeting.**

**POLICY:**  
**Chairperson Casadonte reported on items to be acted upon at the April 11, 2005 regular meeting.**

SURROGATE PARENTS & FOSTER PARENTS 1. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following new Policy #5021 Surrogate Parents and Foster Parents on second reading:

**BOARD OF EDUCATION  
RUTHERFORD**

**PUPILS  
5021/page 1 of 2**

**Surrogate Parents and Foster Parents**

Federal and State laws require the Board ensure the rights of a pupil are protected through the provision of an individual to act as surrogate for the parent and assume all parental rights under N.J.A.C. 6A:14-2.2 when the parent

(as defined according to N.J.A.C. 6A:14-1.3) cannot be identified or located after reasonable efforts or when an agency of the State of New Jersey has guardianship of the pupil.

**Qualifications and Selection**

The person serving as a surrogate parent shall have no interest that conflicts with those of the pupil he/she represents, and shall possess the knowledge and skills that ensure adequate representation of the pupil. The person serving as a surrogate parent may not be an employee of the Department of Education, this district, or a public or nonpublic agency that is involved in the education or care of the child.

When a pupil (who is or may be a pupil with a disability) is in the care of a foster parent residing in this district, the Principal, or his or her designee, shall contact the pupil's case manager at the Division of Youth and Family Services (DYFS), in the Department of Human Services, to determine the whereabouts of the parent/legal guardian, and to determine whether the parent/legal guardian retains the right to make educational decisions about the student. If the parent/legal guardian retains the right to make educational decisions, and the parent's whereabouts are known, the Principal, or his or her designee shall obtain all required consent from, and provide written notices to, the parent/legal guardian. If the district cannot ascertain the whereabouts of the parent/legal guardian, the Principal, or his or her designee, shall consult with the pupil's case manager at DYFS to assist in identifying an individual, including the foster parent, who may serve as a surrogate. The Board shall appoint a surrogate parent and the Principal, or his or her designee, shall obtain all required consent from, and provide written notices to, the appointed surrogate parent.

If the rights of the parent/legal guardian have been terminated, the Principal, or his or her designee, shall consult with the pupil's case manager at DYFS to determine whether foster parent meets the criteria established at N.J.A.C. 6A:14-1.3 in the definition of "parent" and can act on behalf of the pupil. If so, the Principal shall obtain all required consent from, and provide written notices to, the foster parent.

If it is determined the foster parent cannot serve as the parent on behalf of the pupil, the Board, in consultation with DYFS, shall appoint a surrogate parent and the Principal, or his or her designee, shall obtain all required consent from, and provide written notices to, the appointed surrogate parent.

**Training**

N.J.A.C. 6A:14-2.2(b) requires the district train surrogate parents so they have the knowledge and skills that ensure adequate representation of the pupil. The Board shall coordinate the training for surrogate parents. The training will include, but not be limited to:

1. Providing the surrogate parent a copy of Special Education Statutes (N.J.S.A. 18A:46 & 46A); Administrative Code – Special Education (N.J.A.C. 6A:14 & 14A); Administrative Code Pupil Records (N.J.A.C. 6:3-6); a list of low cost legal or other services relevant to a due process hearing; and due process rules (N.J.A.C. 1:6A);
2. Providing the surrogate parent an opportunity to meet with the Director of Special Services to discuss the rights of the surrogate parent and the applicable statutes, administrative codes, and federal laws;
3. Providing the surrogate parent adequate time to become familiar with the pupil and the pupil's disability through a review of the pupil's record;
4. Providing the surrogate parent an opportunity to confer with the pupil's case manager to discuss the pupil; and
5. Other information and resources to provide the surrogate parent the knowledge and skills to ensure adequate representation of the pupil.

**Rights of the Surrogate Parent**

A surrogate parent appointed in accordance with N.J.A.C. 6A:14-2.2 shall assume all parental rights under N.J.A.C. 6A:14.

Adopted:

SCHOOL INTEGRATED

2. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to

PEST MANAGEMENT PLAN

approve the following new Policy #7200 School Integrated Pest Management Plan on second reading:

**SCHOOL INTEGRATED PEST MANAGEMENT PLAN**

The New Jersey School Integrated Pest Management Act of 2002 requires school districts to implement a school integrated pest management policy that includes an Integrated Pest Management Plan. In accordance with the requirements of the Act, the Board shall ensure implementation of Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty, and staff to pesticides. These procedures shall be applicable to all school property in the Rutherford School District.

**IPM Coordinator (IPMC)**

The Director of Buildings and Grounds shall be designated as the district's Integrated Pest Management Coordinator (IPMC) and is responsible for the implementation of the school integrated pest management policy.

Integrated Pest Management Procedures in Schools

Implementation of Integrated Pest Management (IPM) procedures will determine when to control pests and whether to use mechanical, physical, cultural, biological, or chemical methods. Applying IPM principles prevents unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

The Integrated Pest Management Coordinator (IPMC) shall consider the full range of management options, including no action at all. Non-pesticide pest management methods options, including no action at all. Non-pesticide pest management methods are to be used whenever possible. The choice of using a pesticide shall be based on a review of all other available options and a determination that these options are not effective or not reasonable. When it is determined that a pesticide must be used, low impact pesticides and methods are preferred and shall be considered for use first.

Development of IPM plans

The Superintendent, in collaboration with the school Building Principal(s) and the IPMC, shall be responsible for the development of the IPM Plan for the school district. The school district's Integrated Pest Management (IPM) Plan is a blueprint of how the school district will manage pests through IPM methods. The school district's IPM Plan will state the school district's goals regarding the management of pests and the use of pesticides for all school district property. The Plan will reflect the school district's site-specific needs and a description of how each component of the school district's Integrated Pest Management Policy and Regulation will be implemented for all school property.

Education/Training

The school community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPMC, other school staff, and pesticide applicators involved with implementation of the district's IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

Students and parents/legal guardians will be provided information on this policy and instructed on how they can contribute to the success of the IPM program.

Record keeping

Records of pesticide use shall be maintained on site to meet the requirements of the State regulatory agency and the Board.

Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

Notification/Posting

The Building Principal of each school, working with the IPMC, is responsible for timely notification to students, parents

or legal guardians and the school staff of pesticide treatments pursuant to the school Integrated Pest Management Act.

Re-entry

Re-entry to a pesticide treated area shall conform to the requirements of the School Integrated Pest Management Act.

Pesticide Applicators

The IPMC shall ensure that applicators follow State regulations, including licensing requirements and label precautions, including licensing requirements and label precautions, and must comply with all components of the School Integrated Pest Management Policy.

Evaluation

The Superintendent will report annually to the Board on the effectiveness of the IPM Plan and make recommendations for improvement as needed.

The school district's Integrated Pest Management Plan, Policy and Regulation shall be implemented not later than April 1, 2005. The Board directs the Superintendent to develop Regulations/Procedures for the implementation of School Integrated Pest Management Plan.

Adopted:

Legal References: N.J.S.A. 13:1F-19 through 13:1F-33

SCHOOL INTEGRATED  
PEST MGT. PLAN

3. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve the following new Regulation #R7200 School Integrated Pest Management Plan on second reading:

**BOARD OF EDUCATION  
RUTHERFORD**

**PROPERTY  
R7200/page 1 of 8**

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**SCHOOL INTEGRATED PEST MANAGEMENT PLAN**

A. Definitions

1. "Commissioner" means the Commissioner of Environmental Protection.
2. "Department" means the Department of Environmental Protection.
3. "Integrated Pest Management Coordinator" or "coordinator" means an individual who is knowledgeable about integrated pest management systems and has been designated by the Board, as the Integrated Pest Management Coordinator (IPMC) pursuant to the New Jersey School Integrated Pest Management Act. The IPMC is authorized to perform the statutory IPM responsibilities of the Board of Education.
4. "Low Impact Pesticide" means any pesticide or pesticidal active ingredient alone, or in combination with inert ingredients, that the United States Environmental Protection Agency has determined is not of a character necessary to be regulated pursuant to the "Federal Insecticide, Fungicide, and Rodenticide Act," 7 U.S.C. s.136 et seq. and that has been exempted from the registration and reporting requirements adopted pursuant to that act; any gel; paste; bait; antimicrobial agent such as a disinfectant used as a cleaning product; boric acid; disodium octoborate tetrahydrate; silica gels; diatomaceous earth; microbe-based insecticides such as bacillus thuringiensis; botanical insecticides, not including synthetic pyrethroids, without toxic synergists; and biological, living control agents.
5. "Pesticide" means any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. "Pesticide" shall also include any substance or mixture of substances labeled, designed or intended for use as a defoliant, desiccant or plant regulator.

6. "Plan" means the school district's goals regarding the management of pests and the use of pesticides on all school property. The plan shall be developed in accordance with the requirements of N.J.S.A. 13:1F-19 through 33.
7. "School" means any public or private school as defined in N.J.S.A. 18A:1-1.
8. "School Integrated Pest Management Policy" means a managed pest control policy that eliminates or mitigates economic, health, and aesthetic damage caused by pests in schools; that delivers effective pest management, reduces the volume of pesticides used to minimize the potential hazards posed by pesticides to human health and the environment in schools; that uses integrated methods, site or pest inspections, pest population monitoring, an evaluation of the need for pest control, and one or more pest control methods, including sanitation, structural repair, mechanical and biological controls, other non-chemical methods, and when non-chemical options are ineffective or unreasonable, allows the use of a pesticide, with a preference toward first considering the use of a low impact pesticide for schools.
9. "School pest emergency" means an urgent need to mitigate or eliminate a pest that threatens the health or safety of a student or staff member.
10. "School property" means any area inside and outside of the school buildings controlled, managed, or owned by the school district.
11. "Staff member" means an employee of the school district, including administrators, teachers, and other persons regularly employed by the school district, but shall not include an employee hired by the school district or the State to apply a pesticide or a person assisting in the application of a pesticide.
12. "Universal notification" means notice provided by the school district to all parents or legal guardians of children attending a school, and staff member of the school district.

B. Integrated Pest Management Coordinator (IPMC)

The Director of Buildings and Grounds shall be designated the Integrated Pest Management Coordinator (IPMC) of the school district. The Integrated Pest Management Coordinator (IPMC) shall:

1. Maintain information about individual schools, the school district's Integrated Pest Management Policy, and about pesticide applications on the school property of the schools within the school district;
2. Act as a contact for inquiries about the School Integrated Pest Management Policy; and
3. Maintain material safety data sheets, when available, and labels for all pesticides that are used on the school property or in the schools in the school district.

C. Maintenance of Records of Pesticide Application; Notices of Policy

The IPMC shall request from the pesticide applicator and shall maintain records of pesticide applications used on school property or for each school in the school district for three years after the application, and for five years after the application of a pesticide designed to control termites, and on request, shall make the data available to the public for review.

A notice of the school district's Integrated Pest Management Policy shall be included in school calendars or another form of universal notification to pupils and parent(s) or legal guardian(s). The notice shall include:

1. The school district's Integrated Pest Management Policy;

2. A list of any pesticides that is in use or that has been used in the last twelve months on school district property at each school location;
3. The name, address, and telephone number of the Integrated Pest Management Coordinator of (IPMC) of the school district;
4. A statement that:
  - a. The IPMC maintains the product label and material safety data sheet, when available, of each pesticide that may be used on school property;
  - b. The label and data sheet is available for review by a parent, legal guardian, staff member, or student attending the school; and
  - c. The Integrated Pest Management Coordinator (IPMC) is available to parents, legal guardians, and staff members for information and comment.
5. The time and place of any Board meetings that will be held to adopt the School Integrated Pest Management Policy; and
6. The following statement:

“As part of a school pest management plan, the School District may use pesticides to control pests. The United States Environmental Protection Agency (EPA) and the New Jersey Department of Environment Protection (DEP) register pesticides to determine that the use of a pesticide in accordance with instructions printed on the label does not pose an unreasonable risk to human health and the environment. Nevertheless, the EPA and DEP cannot guarantee that registered pesticides do not pose any risk to human health, thus unnecessary exposure to pesticides should be avoided. The EPA has issued the statement that where possible, persons who are potentially sensitive, such as pregnant women, infants and children, should avoid unnecessary pesticide exposure.”

After the beginning of each school year, the IPMC, in conjunction with the Building Principal(s), shall provide, this notice to each new staff member who is employed during the school year and to the parent(s) or legal guardian(s) of each new student enrolled during the school year.

D. Permitted Use of Certain Pesticides; Notice

If it is determined that a pesticide, other than a low impact pesticide, must be used on school property, the pesticide may be used only in accordance with the requirements of N.J.S.A. 13:1F-25.

1. The Principal, upon prior notice from the IPMC, shall provide notice to a parent or legal guardian of each student enrolled at the school and each staff member of the school, at least seventy-two hours before a pesticide, other than a low impact pesticide, is used on school property. The notice shall include:
  - a. The common name, trade name, and federal Environmental Protection Agency registration number of the pesticide;
  - b. A description of the location of the application of the pesticide;
  - c. The date and time of application, except that, in the case of outdoor pesticide applications, one notice shall include three dates, in chronological order, on which the outdoor pesticide applications may take place if the preceding date is cancelled;

- d. A statement that the Office of Pesticide Programs of the United States Environmental Protection Agency has stated: "Where possible, persons who potentially are sensitive, such as pregnant women, infants, and children, should avoid any unnecessary pesticide exposure",
  - e. A description of potential adverse effects of the pesticide based on the material safety data sheet, if available, for the pesticide;
  - f. A description of the reasons for the application of the pesticide;
  - g. The name and telephone number of the school district's IPMC; and
  - h. Any additional label instruction and precautions related to public safety.
2. The notice required by D.1 above may be provided by:
- a. Written notice sent home with the pupil and provided to each staff member;
  - b. A telephone call;
  - c. Direct contact;
  - d. Written notice mailed a least one week before the application; or
  - e. Electronic mail.
3. If the date of the application of the pesticide must be extended beyond the period required for notice under this section, the Board shall reissue the notice required under D.1 above for the new date of application.

E. Posting of Sign Prior to Use of Certain Pesticides

At least seventy-two hours before a pesticide, other than a low impact pesticide, is used on school property, the IPMC shall post a sign that provides notice of the application of the pesticide in a prominent place that is in or adjacent to the location to be treated and at each entrance to the building or school ground to be treated.

A sign required for the application of a pesticide shall:

1. Remain posted for at least seventy-two hours after the end of the treatment;
2. Be at least 8\_ inches by 11 inches; and
3. State the same information as that required for prior notification of the pesticide application pursuant to Section D.1. of this Regulation.

In the case of outdoor pesticide applications, each sign shall include three dates, in chronological order, on which the outdoor pesticide application may take place if the preceding date is cancelled due to weather. A sign shall be posted after an outdoor pesticide application in accordance with 1, 2 and 3 above.

The requirement imposed pursuant to this section shall be in addition to any requirements imposed pursuant to the "Pesticide Control Act of 1971," P.L. 1971, c. 176 (C.13:1F-1 et seq.), and any rules or regulations adopted pursuant thereto.

F. Applicability of Notice and Posting Requirement

The provisions of Sections D and E of this Regulation shall apply if any person applies a pesticide, other than a low impact pesticide, on school property, including a custodian, staff member, or commercial applicator. These provisions shall apply to a school during the school year, and during holidays and the summer months, only if the school is in use by children during those periods. During those periods, notices shall be provided to

all staff members and the parents or legal guardians of the students that are using the school in an authorized manner.

G. Emergency Use of Certain Pesticides

A pesticide, other than a low impact pesticide, may be applied on school property in response to an emergency, without complying with the provisions of Sections D and E of this Regulation, provided the following requirements are met:

1. The Building Principal shall, upon prior notice from the IPMC and within twenty-four hours after the application or on the morning of the next school day, provide to each parent or legal guardian of pupils enrolled at the school, and staff members of the school, notice of the application of the pesticide for emergency pest control that includes:
  - a. The information required for a notice under Section D of this Regulation;
  - b. A description of the problem and the factors that qualified the problem as an emergency that threatened the health or safety of a student or staff member; and
  - c. If necessary, a description of the steps that will be taken in the future to avoid emergency application of a pesticide pursuant to this section.

The district may provide notice required in G.1 above by:

1. Written notice sent home with the pupil and provided to the staff members;
2. A telephone call;
3. Direct contact; or
4. Electronic mail.

When a pesticide is applied pursuant to this section, the IPMC shall post a sign warning of the pesticide application at the time of the application of the pesticide in accordance with the provisions of Section E of this Regulation.

If there is an application of a pesticide pursuant to this section, the IPMC shall modify the School Integrated Pest Management Plan of the school district if necessary, to minimize the future emergency applications of pesticides under this section.

A pesticide, other than a low impact pesticide, shall not be applied on school property where students are expected to be present for academic instruction or for organized extra-curricular activities prior to the time prescribed for re-entry to the application site by the United States Environmental Protection Agency on the pesticide label, except that if no specific numerical re-entry time is prescribed on a pesticide label, such a pesticide, other than a low impact pesticide, shall not be applied on school property where pupils are expected to be present for academic instruction or for organized extra-curricular activities within seven hours of the application.

A pesticide, other than a low impact pesticide, shall not be applied in a school building when students are present. Students may not be present in an untreated portion of a school building being treated unless the area being treated with a pesticide, other than a low impact pesticide, is served by a separate ventilation system and is separated from the untreated area by smoke or fire doors.

A low impact pesticide may be applied in areas of a school building where pupils will not contact treated areas until sufficient time is allowed for the substance to dry or settle, or after the period of time prescribed for re-entry or for ventilation requirements on the pesticide label has elapsed.

The requirements of this section shall not apply when pesticides are applied on school property for pupil instructional purposes or by public health officials during the normal course of their duties.

H. Immunity From Liability of Commercial Pesticide Applicator

A commercial pesticide applicator shall not be liable to any person for damages resulting from the application of a pesticide at a school if the damages are solely due to the failure of the IPMC to provide the notice required prior to the application of pesticide pursuant to the provisions of sections 7, 8, 9, or 10 of P.L. 2002, c.117 (C.13:1F-25, C.13:1F-26, C.13:1F-27 or C.13:1F-28).

I. Development, Availability of Form for Certifying Compliance

The Department of Environmental Protection shall develop and make available to commercial pesticide applicators a form that a commercial pesticide applicator may request an Integrated Pest Management Coordinator (IPMC) to sign prior to the application of a pesticide, other than a low impact pesticide, on school property. The form developed pursuant to this section shall set forth a certification by the Integrated Pest Management Coordinator (IPMC) that the notice and posting requirements for the application of a pesticide established pursuant to Sections D and E of this Regulation, or the posting requirement established pursuant to Section G of this Regulation, as appropriate, have met compliance requirements. Upon being presented by a commercial pesticide applicator with a form pursuant to this section, the signature of the Integrated Pest Management Coordinator (IPMC) shall be required as a condition for the application of the pesticide.

The Department of Environmental Protection may issue an administrative order against a local school Board that fails to adopt and implement a pesticide use and school Integrated Pest Management Policy in compliance with the provisions of N.J.S.A. 13:1F-32.

The Commissioner shall adopt, pursuant to the provisions of the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.), such rules or regulations as are necessary to implement the provisions of the School Integrated Pest Management Act.

Adopted:

**BUILDINGS AND GROUNDS:**

**Chairperson Monahan reported on items to be acted upon at the April 11, 2005 regular meeting.**

USE OF SCHOOLS

1. BE IT RESOLVED BY THE RUTHERFORD BOARD OF EDUCATION to approve

the

BOROUGH OF RUTHERFORD use of Union and Washington Schools as "Safe Haven" as follows:

Rutherford Little League Parade, should the need arise, between the hours of 10:00 AM - 11:30 AM on Saturday, April 9, 2005.

Memorial Day Parade, should the need arise, between the hours of 9:00 AM -11:30 AM on Monday, May 30, 2005.

**OLD BUSINESS: (No action to be Taken)**

**MEETING OPEN TO THE PUBLIC:** 9:27 P.M.

Diane Jones encouraged the continuation of a Public Library Program, "Lunchtales" for Rutherford school children.

Meeting was then closed to the public at 9:36 P.M.

**ADJOURNMENT:**

Motion by Mr. Novosielski, seconded by Mrs. Williams that the meeting be adjourned at 9:37 P.M.

Approved.