FILE: EEAEAA

#### SECOND READ FOR NOVEMBER SCHOOL BOARD 2014

#### DRUG AND ALCOHOL TESTING OF SCHOOL BUS DRIVERS

In accordance with the federal Omnibus Transportation Employee Testing Act of 1991, in addition to other pertinent state and federal laws promulgated to effectuate a drug and alcohol free workplace, the Brunswick School Board is committed to the establishment of an alcohol and controlled substance testing program for school bus drivers, in addition to any other employees who drive vehicles to transport sixteen (16) or more passengers, including the driver.

The purpose of the testing program shall be to help prevent accidents, injuries and deaths resulting from the misuse of alcohol and controlled substances by drivers performing safety-sensitive functions. The Superintendent shall be responsible for the implementation of an alcohol and drug testing program consistent with federal regulations and shall implement additional administrative procedures to assist and further the implementation of the federal mandates regarding alcohol and controlled substances testing as he/she deems necessary.

Legal References: 49 CFR Part 38226

26 MRSA §§ 681(8)(B); 685(2); 689

Adopted:

9/13/95

Revised:

9/9/98

Revised:

#### SECOND READ FOR SCHOOL BOARD - NOVEMBER 2014

#### DRUG AND ALCOHOL TESTING OF SCHOOL BUS DRIVERS ADMINISTRATIVE PROCEDURE

The Brunswick School Board is committed to the establishment of an alcohol and controlled substance testing program that meets all applicable requirements of the federal Omnibus Transportation Employee Testing Act of 1991, in addition to pertinent state laws and regulations. The purpose of the testing program shall be to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by drivers performing safety-sensitive functions.

The following administrative procedure represents a summary of the main provisions found in federal regulations promulgated to effectuate drug and alcohol testing of bus drivers. The following procedure in no way attempts to modify said regulations, which should always be referred to when questions as to implementation of this policy/procedure arise.

#### I. APPLICABILITY

All persons operating a commercial motor vehicle in commerce in any state and subject to the commercial driver's license requirements mandated under both federal and state laws, including the Omnibus Transportation Employee Testing Act of 1991, shall be subject to the drug and alcohol testing provisions herein contained.

#### II. IMPLEMENTATION

The Superintendent shall be responsible for implementing a drug and alcohol testing program which complies with procedures set forth in Title 49 Parts 40, 382, 390 and 395 of the Federal Code of Regulations. Such testing program shall include pre-employment/pre-duty drug testing, post-accident testing, random testing, reasonable suspicion testing, return-to-duty and follow-up testing. The Brunswick School Department shall provide parties subject to testing with written notice of materials and information available to them as required by Part 382.

#### III. CONTROLLED SUBSTANCES

Controlled substances in this policy/procedure refer to those covered by the Omnibus Transportation Employee Testing Act of 1991, including marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), MDMA (Ecstasy) and 6-Acetylmorphone (heroin).

#### IV. SAFETY-SENSITIVE FUNCTION

Safety-sensitive function(s) in this policy/procedure refer to functions defined in 49 CFR §382.107 and §395.2 (On-Duty Time, paragraphs (1) through (6)).

#### V. PROHIBITIONS

All drivers subject to this policy shall be prohibited from:

- A. Using any alcohol while on duty and four hours prior to going on duty;
- B. Possessing alcohol while on duty;
- C. Reporting for duty or remaining on duty while having an alcohol concentration of 0.02 or greater;
- D. Using any alcohol for eight hours following an accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first;
- E. Refusing to submit to a required alcohol or controlled substance test(s);
- F. Reporting for duty or remaining on duty when using any controlled substance, except when use is pursuant to the instructions of a physician who advised the driver that the substance does not adversely affect the driver's ability to safely operate the vehicle; and
- G. Reporting for duty, remaining on duty, or performing a safety-sensitive function, if the driver tests positive for a controlled substance.

#### VI. REQUIRED TESTING

- A. **Pre-Employment Testing.** Prior to the first time a driver performs a safety-sensitive function for the Brunswick School Department, the driver shall undergo testing for controlled substances. However, no driver shall be subjected to pre-employment controlled substance testing prior to having been offered a position. Employment is conditioned upon a verified negative controlled substance test result.
- B. **Post-Accident Testing.** As soon as practicable following an accident, each surviving driver will be subject to alcohol and controlled substance testing as follows:
  - 1. Any driver performing safety-sensitive functions with respect to the vehicle if the accident involved loss of human life;
  - 2. Any driver who receives a citation under State or local law for a moving violation arising from the accident; and
    - a. Causes bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

b. Should one or more motor vehicles incurring disabling damage as a result of the accident, require a motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

- 3. In addition, the following provisions will also apply.
  - a. Alcohol. If a test required under this section is not administered within two hours following the accident, the Brunswick School Department shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If a test is not administered within eight hours following the accident, the Brunswick School Department shall cease attempts to administer the test and shall prepare and maintain the same record. Records shall be submitted to the Federal Motor Carrier Safety Administration (FMCSA) upon request of the Associate Administrator.
  - b. Controlled Substances. If a test required by this section is not administered within 32 hours following the accident, the Brunswick School Department shall cease attempts to administer the test and shall prepare and maintain on file a record stating the reasons the test was not promptly administered. Records shall be submitted to the FHWA upon request of the Associate Administrator.
- C. Random Testing. All drivers subject to this policy/procedure will be subject to random and unannounced alcohol and controlled substance testing throughout the year. The minimum annual percentage rate for testing of bus drivers is as follows:
  - 1. Random alcohol testing shall be a minimum of 10 percent of the number of driver positions each selection period; and
  - 2. Random controlled substance testing shall be a minimum of 50 percent of the number of driver positions each selection period.

[Optional: If the school unit conducts random testing for alcohol and/or controlled substances through a consortium, the number of drivers to be tested may be calculated for each individual school unit or may be based on the total number of drivers covered by the consortium who are subject to random testing at the same minimum annual percentage rate under 49 CFR Part 382 or any Department of Transportation random testing rule.]

D. **Reasonable Suspicion Testing.** All drivers subject to this policy/procedure shall submit to alcohol and controlled substance testing when the employer has reasonable suspicion to believe that the driver has violated the prohibitions found in Part V. of this procedure, with the exception of Part V. B. regarding alcohol

possession. The Brunswick School Department shall base its determination that reasonable suspicion exists requiring the driver to undergo such testing on observations concerning appearance, behavior, speech or body odors of the driver. When controlled substances are at issue, observations may include indications of the chronic and withdrawal effects of controlled substances.

In addition, the following provisions also apply.

- 1. Alcohol. Alcohol testing will be performed only if the aforementioned observations are made during, just preceding, or just after the period of the work day that the driver is required to be in compliance with this policy/procedure. If a test required under this section is not administered within two hours following the reasonable suspicion determination, the Brunswick School Department shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If a test required under this section is not administered within eight hours following a determination that reasonable suspicion exists, the Brunswick School Department shall cease attempts to administer an alcohol test and shall state in the record reasons for not administering the test. The Brunswick School Department shall submit to the FMCS records of tests required by this section that were not completed within eight hours according to the mandates of 49 CFR §382.307 (3).
- 2. Controlled Substances. The Brunswick School Department shall, within 24 hours or before the results of the controlled substances test are released, whichever is earlier, create a written record of the observations leading to a controlled substances test which shall be signed by the supervisor or the Brunswick School Department official making said observations.
- E. **Return-to-Duty Testing.** Prior to returning to duty requiring the performance of safety-sensitive functions when a driver has engaged in conduct prohibited under this policy/procedure, the driver shall undergo a return-to-duty alcohol and/or controlled substances test(s) as appropriate.

Drivers found to have engaged in prohibited conduct under the alcohol provisions of this policy/procedure will not be permitted to return to duty unless the subsequent alcohol test reveals a result less than or consistent with federal and state standards. In cases involving controlled substances, a **verified negative** result is necessary before a driver may return to duty.

F. Follow-up Testing. In the event that a driver has been found to have been in violation of the prohibitions herein contained and is identified as requiring assistance in resolving problems associated with alcohol and/or controlled substances, the Brunswick School Department shall require the driver to submit to at least six unannounced follow-up alcohol and/or controlled substances tests during the first 12 months after returning to duty. Follow-up tests will be

unannounced and may continue for up to 60 months after returning to duty. Follow-up alcohol testing shall be conducted only when the driver is performing, just before, or just after ceasing to perform safety-sensitive functions.

#### VII. REFUSAL TO SUBMIT TO TESTING

All drivers who are required by federal regulations to submit to drug/alcohol testing must do so immediately upon being directed to submit to the test(s). A driver's refusal to submit to testing will subject the driver to immediate removal from the performance of safety-sensitive functions. In addition, failure to comply with Federal regulations or this procedure is grounds for disciplinary action up to and including dismissal. Any of the following actions on the part of a driver constitutes a refusal to submit to a test:

- A. Failure to provide adequate specimens/samples of substance(s) undergoing testing, including but not limited to breath and urine, without a valid medical reason;
- B. Engaging in conduct which obstructs the testing process; and
- C. Refusal by an employee to complete and sign testing forms.

#### VIII. TRAINING FOR SUPERVISORS

The Brunswick School Department will assign persons who will be designated to determine whether reasonable suspicion exists to require a driver to undergo testing under Part 382, with at least 60 minutes of training on alcohol misuse and receive at least an additional 60 minutes of training on controlled substances. Training shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

#### IX. ENFORCEMENT

The Brunswick School Department, in its independent authority as an employer, shall subject any driver who violates this policy/administrative procedure or Federal regulations to potential disciplinary action up to and including dismissal, except to the extent that any state law or collective bargaining agreement requires otherwise.

In addition, any driver who refuses to submit to a post-accident, random, reasonable suspicion, return-to-duty or follow-up test(s) shall not perform or continue to perform safety-sensitive functions.

Furthermore, no driver tested and found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform or continue to perform safety-sensitive functions including driving a commercial motor vehicle until the start of the driver's next regularly scheduled duty period, but not less than 24 hours after the test was administered. Such time out of duty shall be without pay from the Brunswick School Department.

#### X. RECORDS

Employee drug and alcohol tests and results shall be maintained under strict confidentiality in a secure location with controlled access and released only in accordance with law. A driver, upon written request, shall receive copies of any records pertaining to his/her use of drugs or alcohol, including any records pertaining to his/her drug tests. Records shall be made available to subsequent employers or other identified persons only when expressly requested in writing by the driver.

#### XI. NOTIFICATIONS

Each driver shall receive educational materials prior to the Brunswick School Department's commencement of alcohol and controlled substances testing. Such material will explain the requirements of the Code of Federal Regulations, Title 49 Part 382, and contain a copy of the Board's policy and administrative procedures for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The Brunswick School Department shall also include in the package of informational material submitted to each driver, a statement certifying that he/she has received the informational material. The Brunswick School Department shall maintain the original signed copy of the statement on file.

In addition to the aforementioned items, the Brunswick School Department shall also make available to drivers and representatives of employee organizations information which shall identify:

- A. The person designated by the Brunswick School Department to answer questions about the materials;
- B. The procedures that will be used to test for the presence of alcohol and controlled substances; protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver;
- C. Information concerning the effects of alcohol and controlled substances on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substance(s) problem (the driver's or co-worker's); and available methods of intervening when an alcohol or controlled substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management; and

#### XII. CONTROLLED SUBSTANCES

Drivers shall inform their supervisors if at any time they are using a controlled substance that their physician has prescribed for therapeutic purposes. Such substance may be used in conjunction with duty, at the discretion of the Brunswick School Department, and only

if the physician has provided written documentation that the controlled substance will not adversely affect his/her ability to safely operate a commercial motor vehicle.

#### XIII. REFERRAL, EVALUATION, AND TREATMENT

- A. Referral. A driver who has engaged in conduct prohibited by this policy/procedure shall be advised by the Brunswick School Department of resources available to the driver in evaluating and resolving problems associated with the misuse of alcohol and use of controlled substances. The information the bus driver receives will include: names, addresses, and telephone numbers of substance abuse professionals, counseling and treatment programs, in addition to information relating to his/her responsibility with regard to payment of such services.
- B. Evaluation/Treatment. A driver who engages in such prohibited conduct shall be evaluated by a substance abuse professional who shall determine what assistance or treatment the employee needs in resolving controlled substance(s) use.

#### XIV. RETURN TO DUTY

If the Brunswick School Department has not discharged a driver due to his/her engagement in prohibited conduct under this policy/procedure, the bus driver must, prior to returning to safety-sensitive duties, provide documentation that:

- A. Return-to-duty testing confirms an alcohol concentration level of less than 0.02 and/or a verified negative test for controlled substances;
- B. The driver has been evaluated by a substance abuse professional; and
- C. The driver has followed prescribed and/or recommended treatment.

#### XV. OTHER POLICIES/PROCEDURES

Nothing contained in this administrative procedure shall prevent the Board from establishing and enforcing independent policies/procedures relating to the possession, being under the influence of, distribution, sale or use of alcohol or controlled substances or any misconduct associated therewith and the penalties for violation of those policies/procedures, up to and including dismissal.

Legal References: 49

49 CFR Parts 40, 382, 390, 395

26 MRSA §§ 681(8)(B); 685(2); 689

Revised:

9/9/98

Revised:

# Brunswick School Department Brunswick, Maine

#### DRAFT

#### Administration District Goals 2014-2015

#### Goal 1: Improve Student Achievement

#### Objectives:

- a. Maintain data teams at all schools and expand staff knowledge of student performance
- b. Review and support procedures for the RTI process and bench marks
- c. Maintain emphasis of the district data team on growth for the lower quartile and staff attendance
- d. Improve teacher knowledge of differentiated instruction and support uninterrupted instructional time at the elementary schools
- e. Support the NEASC evaluation process at BHS and develop a plan to address the recommendations
- f. Research and support an appropriate school climate survey for the school department.

#### Goal 2: Comply with State Mandates

#### Objectives:

- a. Develop a multi-year extension plan on the Maine State Standards and Proficiency Diploma
- b. Develop committees and begin work as outlined in the Extension Plan to meet State timelines.
- c. Continue work on the new Teacher/Principal Evaluation Plan.
  - 1. Add more teachers to the committee per legislation.
  - 2. Include student achievement as part of the criteria for evaluation.
  - 3. Provide training for administrators and department heads on the implementation of the new plan.
  - 4. Provide information to the School Board on the committee's work for their feedback and final approval.

#### Goal 3: Develop and Carry-out Facilities Updates and Transitions

#### Objectives:

- a. Develop and carry-out transition programs for staff, students, and parents of fifth grade students moving to BJHS in September 2015.
- b. Review the risk analysis of BJHS and Coffin with the School Board and help develop a plan of action.
- c. Gather data on staff and parent feelings concerning facilities updates.

# BRUNSWICK SCHOOL DEPARTMENT REVENUE AND EXPENSE REPORT FOR OCTOBER 2014

# School Year 14-15

Remaining Bal. % Collected	7,031,776.08 29.31% -2,738.03 0.00% 126,314.85 7.80% 104,507.02 100.00% 7,259,859,92 79.70%	Remaining Bal. % Expended	12,362,681.69 3,991,120.80 2,056% 453,481.96 2,359,745.89 524,350.42 980,988.39 1,338,904.18 2,883,167.19 2,883,167.19 0.00 100.00%
Revenues through Re 10/31/2014	3,337,000.00 2,915,054.92 2,738.03 22,188,756.00 10,685.15 13,492.98 36,000.00 28,503,727.08	Expended Through Rer 10/31/2014	3,075,768.93 1,033,221.85 323,915,70 159,960.30 1,063,031.38 303,323.97 482,014.61 539,119.08 1,418,552.11 0.00 36,000.00 105,151.00
Annual Budget	3,337,000.00 9,946,831.00 0.00 22,188,756.00 137,000.00 118,000.00 36,000.00 35,763,587.00	Revised Budget	15,438,450.62 5,024,342.65 7,77,397.66 667,046.00 3,422,777.27 827,674.39 1,463,003.00 1,878,023.26 4,301,719.30 1,822,001.85 36,000.00 105,151.00
	ı	Adjustments	0.00
		Approved 06/–/14 Approved 08/–/14	15,438,450.62 5,024,342.65 777,397.66 667,446.00 3,422,777.27 827,674.39 1,463,003.00 1,878,023.26 4,301,719.30 1,822,001.85 36,000.00 105,151.00
Revenues	Unapprop. Fund Bal. State Subsidy Federal Subsidy Local Share Tuition Misc. Other	Expenses By Warrant Number	Regular Instruction Spec. Ed. Instruction CTE Other Instruction Student & Staff Support System Administration School Administration Transportation Operation & Maintenance Debt Service All Other Adult Education

#### **Brunswick School Department**

Content Area Review Cycle Work for 2014-2015

Content Area	Phase 1	Phase 2	Phase 3
	Research &	Presentations &	Implement &
	Review	Adoption	Monitor
English Language Arts: Writing, Reading, Speaking and Listening	2014-2015		
Health	2014-2015		
Guidance	2014-2015		
PE			2014-2015
Mathematics			2014-2015
Science			2014-2015
Music		2014-2015	
Social Studies	2014-2015		
Art			2014-2015
World Language		2014-2015	

#### **Establish Content Area Committee:**

Prior to Phase 1, a content area committee comprised of a cross section of K-12 teachers will convene. Committee size will not exceed 14 members. Each phase may last two or more years.

#### Process:

#### Phase 1: Research, Review, and Recommend:

curricula shifts?

How does what we are doing now correlate with the research? The content area committee will look at student data, current curricula, research, and resources. This committee will recommend curricula revisions and resources. – What budgetary considerations are needed to address the recommendations of the content area committee?

What professional development offerings are needed to support

#### Phase 2: Presentation of Findings and Adoption Procedures

The content area committee will present curriculum revisions and budget considerations to the CIAC, the Curriculum Subcommittee and the School Board for approval and adoption.

Phase 3: Implement & Monitor – What does the revised curriculum look
like in the classroom and how is it working? Student achievement data will be analyzed.

### Facilities Master Plan 2011 – 2014

#### Administration Recommendations

- Develop a plan to apply for the next round of state school constructions projects.
- Develop a plan in collaboration with the town for the placement of students should they need to be moved for any length of time.
- Develop a plan to gain support and approval on a bond to renovate the current schools.
- Develop a plan to address the vacant Jordan Acres Building.
- Develop a long range financial maintenance plan.

#### Paul Perzanoski

From:

Paul Perzanoski

ent:

Wednesday, October 15, 2014 4:09 PM

To:

School Board; BSD Admin

Subject:

FW: School Climate Survey Quote

**Attachments:** 

CSCI Excerpted Report\_12\_08.pdf; CSCI\_Features and Benefits 10.pdf; 12

\_dimensions\_chart.pdf; Brunswick\_District\_quote2\_2014.pdf

Please review for future discussion. Thanks, Paul.

From: Daisy Lopez [mailto:dlopez@schoolclimate.org]

Sent: Wednesday, October 15, 2014 3:53 PM

To: Paul Perzanoski

Subject: School Climate Survey Quote

Hi Paul,

As promised, below and attached are additional details about NSCC's Comprehensive School Climate Inventory (CSCI), including a pricing quote for 4 schools, an overview chart (outlining the dimensions measured in the CSCI), excerpted sample report, and features/benefit one-sheet. You may also be interested in a recent issue of our quarterly newsletter, *School Climate Matters*, which provides detailed supports on staff communication and school climate assessment: <a href="http://www.schoolclimate.org/about/documents/newsletter-v8i2.pdf">http://www.schoolclimate.org/about/documents/newsletter-v8i2.pdf</a>. Recent independent evaluations of the CSCI can be found at:



- ✓ Evaluated by three independent social scientists/survey development experts in 2006: All confirmed that the tool had and was being developed in reliable and valid ways.
- ✓ In a 2010 study of 102 school climate surveys, three met *American Psychobiological Association* criteria for being reliable and valid. The CSCI was one of these three (Gangi, 2010/ (<a href="http://gradworks.umi.com/33/">http://gradworks.umi.com/33/</a> 88/3388261.html).
- ✓ In a 2011 study of 73 middle school measures, ten were identified and recommended as being reliable, valid and aligned with SEL research. The CSCI was the only school climate measure recommended. (Haggerty, Kevin P., Elgin, Jenna, Woolley, Andrew (2011). Social-emotional learning assessment measures for middle school youth. Report commissioned by the Raikes Foundation. (pp 1-59). Seattle: Social Development Research Group.). (The other tests were individual measures.)
- ✓ In 2011, Fordham University researchers led by Professor Ann Higgins-D'Alessandro studied the CSCI and confirmed that it is a valid and reliable measure (Guo, P., Choe, J. & Higgins-D'Alessandro, A. (2011) Report of Construct Validity and Internal Consistency Findings for the Comprehensive School Climate Inventory. Fordham University, January 23, 2011.
- ✓ In a 2012 study of 125 school climate measures as possible tools to gauge Principal performance, the CSCI was one of only three comprehensive (student, parents and educator) measures recommended (Clifford, M., Menon, R. Condon, C & Hornung (2012). Measuring School Climate for Gauging Principal Performance: A Review of the Validity and Reliability of Publicly Accessible Measures. American Institute for Research (<a href="https://www.air.org/focus-area/education/">www.air.org/focus-area/education/</a> index.cfm?fa=viewContent&content\_id=1869)

CSCI OVERVIEW: At NSCC, school climate measurement is used to set in motion a school community-wide process of understanding specific strengths and needs, and to further improvement efforts. The Comprehensive hool Climate Inventory (CSCI) is a multi-dimensional needs assessment that provides immediate feedback on now each population perceives the school environment. The findings are presented in a customized report that includes concrete data, easy-to-read graphs and presentation tools. This detailed report aids in the analysis

process, encourages collaborative dialogue, and supports the creation of an action plan to address specific issues within the school.

NSCC provides a full range of support materials and on-staff guidance to schools as they work through the rocess to ensure success. The full CSCI section can be viewed at:

http://www.schoolclimate.org/index.php/programs/csci/, and you will find sample surveys, research details, and report information here.

I look forward to hearing from you, and hope we can support your school climate improvement efforts. Please let me know if you have any questions.

Daisy

Daisy Lopez
Marketing and School Support Manager
National School Climate Center
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Subscribe to our free e-newsletter School Climate Matters



## Proposal for Services

Daisy Lopez
Marketing and School Support Manager
341 West 38<sup>th</sup> Street, 9<sup>th</sup> Fl. New York, NY 10018
Phone 212-707-8799 x 12/ Fax 212-957-6616

DATE: OCTOBER 15, 2014

TO:

Paul Peranoski
Brunswick Maine School
Department
Superintendent
207-319-1900
pperanoski@brunswick.k12.me.us

This proposal details services to be provided by the National School Climate Center (NSCC) to 4 participating Brunswick Maine School Department schools. Prices are partially based on the total estimated student enrollment of 1,824 at participating schools. Should the enrollment number change, total cost may be affected.

DESCRIPTION	AMOUNT
Comprehensive School Climate Inventory (CSCI) Administration – DISTRICT-WIDE  Administration package includes:  Dolline survey links for all three populations (all parents and personnel K-12, and students grade 3 and above) at the participating schools  Option of English and Spanish language version  Access to online CSCI portal that includes useful guidelines, link support, real-time response rate information, and action planning worksheets  Detailed data analysis of the survey findings  Comprehensive, customized PDF report for each school including graphic rich data & recommended guidelines  (Additional paper versions of the survey cost \$1.75 each)	\$6,840.00
District-wide Report of common trends and patterns across all schools	\$750.00
TOTAL COST (includes district-wide discount)	\$7,590.00

Please note: The Comprehensive School Climate Inventory (CSCI) and all questions, versions, and support materials connected to it are the sole property of The National School Climate Center (NSCC). Individual item questions, report templates, and any other CSCI materials cannot be copied or modified for use in whole or in part without express written consent from a NSCC representative.