

**BOARD OF EDUCATION
UPPER SADDLE RIVER, NEW JERSEY
REGULAR MEETING
Monday, March 13, 2023, 8:00 p.m.
Auditorium, Cavallini Middle School
392 West Saddle River Road**

Agenda

This is a regular meeting of the Upper Saddle River Board of Education and appropriate notice has been provided to the designated newspapers, the Borough Clerk and all interested parties requesting such notice.

Two opportunities are provided at this meeting for citizens to make comments. The Board values and welcomes comments and opinions from the residents of Upper Saddle River as long as remarks are not personal or discourteous. Public comment allows the Board to listen to community members and to hear their opinions on school policy and operations.

Upon being recognized, persons wishing to speak should stand and identify themselves by name and address; the speaker should direct his/her remarks to the presiding officer. Comments shall be limited to school-related issues and each speaker will limit his/her remarks to three minutes. If personal or discourteous statements are made, the presiding officer shall require the speaker to stop. No speaker may comment again until all those who wish to speak have had an opportunity and as long as time allows. If, in the judgment of the presiding officer, the total time devoted to public comment becomes excessive, the presiding officer may indicate the Board has time for one more speaker and will so notify the public.

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|------|---|----------------------------|
| I. | Call to order and roll call | Mrs. Gandara |
| II. | Flag salute and Pledge of Allegiance | Mrs. Gandara |
| III. | Opening statement by presiding officer | Mrs. Gandara |
| IV. | REPORTS | |
| A. | Superintendent's Report | Dr. Siegel |
| B. | Board Secretary's Report | Mrs. Imbasciani |
| C. | Board President's Report | Mrs. Gandara |
| D. | Committee Reports | Chairpersons |
| E. | PTO Report | Mrs. DeFrino/Mrs. McGovern |
| F. | USREF Report | Mrs. Tedd |
| V. | PUBLIC COMMENT (for Agenda Items only) | |
| VI. | ADMINISTRATION | Dr. Siegel |

**This motion will be one motion that encompasses items A through D and will be voted on at this meeting.
This motion has been recommended for approval by the Superintendent.**

- A. **BE IT RESOLVED** that the Board affirms the Superintendent's decision that investigation #240401_***_01062023 is an incident as defined under HIB Policy #5512. The Superintendent shall notify the parents and/or guardians of the Board's decision in writing in accordance with Board Policy and N.J.S.A. 18A:37-15(e).

- B. **BE IT RESOLVED** that the Board affirms the Superintendent's decision that investigation #241885_***_01312023 is not an incident as defined under HIB Policy #5512. The Superintendent shall notify the parents and/or guardians of the Board's decision in writing in accordance with Board Policy and N.J.S.A. 18A:37-15(e).

- C. Approve the following Resolution:

**APPROVE THE ADDENDUM TO THE SHARED SERVICES AGREEMENT
AMONG UPPER SADDLE RIVER BOARD OF EDUCATION,
ALLENDALE BOARD OF EDUCATION AND HO-HO-KUS BOARD OF EDUCATION**

BE IT RESOLVED that upon the recommendation of the Superintendent of Schools, the Upper Saddle River Board of Education hereby approves the Addendum to the Shared Services Agreement, initially approved on February 13, 2023, with the Allendale Board of Education and the Ho-Ho-Kus Board of Education for the purpose of operating a consolidated extended school year program to be attended by students from each of the member school districts upon the terms and conditions set forth in the Shared Services Agreement from February 28, 2023 to February 27, 2026.

- D. Second Reading of the following Policies and Regulations:

Policy 0152	Board Officers (Revised)
Policy 0161	Call, Adjournment, and Cancellation (Revised)
Policy 0162	Notice of Board Meetings (Revised)
Policy 1648.11	The Road Forward COVID-19 – Health and Safety (M) (Abolished)
Policy 1648.13	School Employee Vaccination Requirements (M) (Abolished)
Policy 2423	Bilingual and ESL Education (M) (Revised)
Policy 8140	Student Enrollments (M) (Revised)
Policy 8330	Student Records (M) (Revised)
Regulation 2423	Bilingual and ESL Education (M) (Revised)
Regulation 8420.2	Bomb Threats (M) (Revised)
Regulation 8420.7	Lockdown Procedures (M) (Revised)
Regulation 8420.10	Active Shooter (M) (Revised)

VII. **PERSONNEL**

Dr. Siegel

This motion will be one motion that encompasses items A through H and will be voted on at this meeting. This motion has been recommended for approval by the Superintendent.

- A. Create/Abolish

1. Abolish one 1.0 FTE Middle School Assistant Principal position, effective July 1, 2023.
2. Create one 1.0 FTE K-8 Assistant Principal position, effective July 1, 2023.

- B. Job Descriptions

1. K-8 Assistant Principal (revised), effective July 1, 2023

C. Resignations

1. Accept the resignation of Alexis Inguaggiato, Art Teacher, effective March 7, 2023.

D. Leaves

1. Approve unpaid contractual child care leave for Employee #1230, effective September 1, 2023 through June 30, 2024.
2. Approve unpaid intermittent FMLA/NJFLA leave for Employee #0095, effective March 6, 2023 through June 30, 2023.

E. Lateral Guide Moves (not applicable)

F. Appointments

1. Approve the following staff members to be Risk Assessment Providers for the ACE Program, at a rate of \$175 per assessment, for the 2022/23 school year:

Katherine Baker
Anthony Farinacci
Sara Senger
Brigette Uzar
Alexis Yotka

2. Appoint Elayne Stern to the position of substitute ACE Team member for the 2022/23 school year. \$30.00/hr
3. Appoint Meltem Spicer to the position of French Teacher at Cavallini Middle School, September 1, 2023, MA, Step 8-9, subject to the satisfactory completion of the criminal history records check required by law.

G. Change in Assignment (not applicable)

H. Substitutes/Consultants/Volunteers

1. Approve Michelle Borin as a substitute teacher/paraprofessional for the 2022/23 school year. Ms. Borin's Substitute Teaching Certificate is pending.
2. Approve Francesca Ciardella as a substitute teacher/paraprofessional for the 2022/23 school year, subject to the satisfactory completion of the criminal history records check required by law. Mrs. Ciardella holds a NJ Standard Elementary School Teacher Certificate.
3. Approve Patricia Delltorre as a substitute teacher/paraprofessional for the 2022/23 school year, subject to the satisfactory completion of the criminal history records check required by law. Ms Dellatorre holds NJ Substitute Teaching Certificate.
4. Approve Michael Goldstein as a substitute teacher/paraprofessional for the 2022/23 school year, subject to the satisfactory completion of the criminal history records check required by law. Mr. Goldstein holds a NJ Substitute Teaching Certificate.
5. Approve Christine Krenicki as a substitute teacher/paraprofessional for the 2022/23 school year. Mrs. Krenicki holds a NJ Teacher of English Certificate.

6. Approve Mary Ellen O'Doherty as a substitute teacher/paraprofessional for the 2022/23 school year, subject to the satisfactory completion of the criminal history records check required by law. Ms. O'Doherty holds a NJ Standard Elementary School Teacher Certificate.

VIII. **FINANCE - BUDGET**

Mrs. Imbasciani

This motion will be voted on at this meeting. This motion has been recommended for approval by the Superintendent.

RESOLUTION TO APPROVE THE TENTATIVE 2023/24 SCHOOL YEAR BUDGET

BE IT RESOLVED that the tentative budget be approved for the 2023-2024 School Year using the 2023-2024 state aid figures and the School Business Administrator/Board Secretary be authorized to submit the following tentative budget to the Executive County Superintendent of Schools for approval in accordance with the statutory deadline:

	Total	General Fund	Special Revenue	Debt Service
2023 - 2024 Total Expenditures	\$29,476,559	\$28,724,568	\$461,584	\$290,407
Less: Anticipated Revenues	\$4,650,327	\$4,118,887	\$461,584	\$69,856
Taxes to be Raised	\$24,826,232	\$24,605,681	-0-	\$220,551

And to advertise said tentative budget in The Record in accordance with the form required by the State Department of Education and according to law; and

BE IT RESOLVED, that the Upper Saddle River Board of Education approves the use of adjustment for increase in health care costs permitting the tax levy to increase above 2% in the amount of \$316,568. The adjustment will be used to support the rising cost of health benefits for eligible district staff.

BE IT RESOLVED, that the Business Administrator/Board Secretary is authorized to submit the preliminary budget with the inclusion of health care costs adjustment as noted above.

BE IT FURTHER RESOLVED, that a public hearing be held at the auditorium in the Cavallini Middle School located at 392 West Saddle River Road, Upper Saddle River, NJ at 8:00 pm on May 1, 2023 for the purpose of conducting a public hearing for the 2023-2024 School Year.

WHEREAS, the Upper Saddle River Board of Education recognizes school staff and Board members will incur travel expenses related to and within the scope of their current responsibilities and for travel that promotes the delivery of instruction or furthers the efficient operation of the school district; and

WHEREAS, N.J.A.C. 6A:23A-7.3 et seq. requires Board members to receive approval of these expenses by a majority of the full voting membership of the Board and staff members to receive prior approval of those expenses by the Superintendent of Schools and a majority of the full voting membership of the Board; and

WHEREAS, the Upper Saddle River Board of Education established \$29,100 as the maximum travel amount for the current school year and has expended \$6,958.80 as of this date; now

THEREFORE, BE IT RESOLVED, the Upper Saddle River Board of Education approves travel and related expense reimbursements in accordance with N.J.A.C. 6A-:23A-7.3, to a maximum expenditure of \$35,600 for the 2023/2024 school year.

IX. **FINANCE**

This motion which encompasses Items A through L will be voted on at this meeting. This motion has been recommended for approval by the Superintendent.

- A. Approve the Minutes of Board Meeting:

February 13, 2023

- B. Approve the Bills List for February 2023 as follows:

10	General Current Expense	\$82,437.39
11	General Current Expense	\$2,688,120.69
20	Special Revenue Funds	\$45,545.75
30	Capital Projects Funds	\$16,618.58
50	Milk	\$201.88
60	Enterprise Fund	\$23,902.27
Total		\$2,856,826.56

- C. Approve the Transfers for February 2023.
- D. Approve the Board Secretary and Treasurer's Reports dated February 2023 and to certify that after review of these reports and upon consultation with appropriate district officials, as to the best of our knowledge, no major account or fund has been over expended in violation of NJAC 6A:23-2.11 and that sufficient funds are available to meet the district's financial obligation for the remainder of the year.
- E. Approve the following Resolution:

**SEPTIC REPLACEMENT AT
BOGERT ELEMENTARY SCHOOL**

WHEREAS, the Board now seeks to take the initial steps in order to proceed with the Project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Upper Saddle River School District in the County of Bergen, State of New Jersey,, as follows:

Section 1. In accordance with the requirements of Section 6A:26-3 of the New Jersey Administrative Code, the Board hereby approves the Schematic Plans prepared in connection with the Project and the Board further authorizes the submission of same to the Bergen County Superintendent of Schools and the New Jersey Department of Education for approval.

Section 2. The Board hereby authorizes the amendment to its Long-Range Facilities Plan in order to reflect the proposed Project(s).

Section 3. The School Administration and such other officers and agenda of the Board as are necessary, including the Board attorney, bond counsel and architect, are hereby authorized to perform such other acts, to execute such other documents and to do such other things as are necessary to implement the determinations of the Board set forth in this Resolution. Including the submission of information to the New Jersey Department of Education as set forth in Section 5(d) of P.L. 2000, c72 in connection with receipt of a ROD Grant with respect to the proposed Project.

Section 4. This Resolution shall take effect immediately.

F. Approve the following Resolution:

**ROOF REPLACEMENT AT
BOGERT ELEMENTARY SCHOOL**

WHEREAS, the Board now seeks to take the initial steps in order to proceed with the Project:

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Upper Saddle River School District in the County of Bergen, State of New Jersey, as follows:

Section 1. In accordance with the requirements of Section 6A:26-3 of the New Jersey Administrative Code, the Board hereby approves the Schematic Plans prepared in connection with the Project and the Board further authorizes the submission of same to the Bergen County Superintendent of Schools and the New Jersey Department of Education for approval.

Section 2. The Board hereby authorizes the amendment to its Long-Range Facilities Plan in order to reflect the proposed Project(s).

Section 3. The School Administration and such other officers and agents of the Board as are necessary, including the Board attorney, bond counsel and architect, are hereby authorized to perform such other acts, to execute such other documents and to do such other things as are necessary to implement the determinations of the Board set forth in this Resolution. Including the submission of information to the New Jersey Department of Education as set forth in Section 5(d) of P.L. 2000, c72 in connection with receipt of a ROD Grant with respect to the proposed Project.

Section 4. This Resolution shall take effect immediately.

G. Approve the following Resolution:

**BOILER REPLACEMENT AT
CAVALLINI MIDDLE SCHOOL**

WHEREAS, the Board now seeks to take the initial steps in order to proceed with the Project:

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Upper Saddle River School District in the County of Bergen, State of New Jersey, as follows:

Section 1. In accordance with the requirements of Section 6A:26-3 of the New Jersey Administrative Code, the Board hereby approves the Schematic Plans prepared in connection with the Project and the Board further authorizes the submission of same to the Bergen County Superintendent of Schools and the New Jersey Department of Education for approval.

Section 2. The Board hereby authorizes the amendment to its Long-Range Facilities Plan in order to reflect the proposed Project(s).

Section 3. The School Administration and such other officers and agents of the Board as are necessary, including the Board attorney, bond counsel and architect, are hereby authorized to perform such other acts, to execute such other documents and to do such other things as are necessary to implement the determinations of the Board set forth in this Resolution. Including the submission of information to the New Jersey Department of Education as set forth in Section 5(d) of P.L. 2000, c72 in connection with receipt of a ROD Grant with respect to the proposed Project.

Section 4. This Resolution shall take effect immediately.

H. Approve the following Resolution:

RESOLUTION

BE IT RESOLVED by the Upper Saddle River Board of Education (hereinafter referred to as the “Board”) that the terms, stipulations and conditions as established in the Settlement Agreement and Release #2023-35373 (hereinafter referred to as “Agreement”) between the Board and the Parents of a student whose name is on file in the Superintendent’s Office, and which Agreement is located in the student’s file, are hereby adopted and approved by the Board. The Board President and Business Administrator/Board Secretary are hereby authorized and directed to execute the Agreement, and any other documents necessary to effectuate the settlement.

- I. Approve the submission of the FY23 School Climate Change Pilot Grant application.
- J. Approve Dr. Mohab Hanna of MedPsych Associates to conduct a psychiatric evaluation for a student at a rate of \$1,500.00.
- K. Approve home instruction for a student to attend Stepping Forward Counseling Center in Chatham, New Jersey at their intensive partial care program commencing February 23, 2023 and lasting up to six months at a rate of \$100/hour, 10 hours/week.
- L. Approve the following Travel Expenses:

Program Name	Date	Employee	Registration Fee	Travel Cost
Tri-State Visit: Literacy Instruction for Special Education Scotch Plains, NJ	March 15-17, 2023	Gianna Apicella	\$0.00	\$130.06
		Mary Lavelle	\$0.00	\$118.55
NJ Network of Superintendents Site Visit Salem, NJ	March 23, 2023	Katherine Baker	\$0.00	\$133.48
		Christi Cipollini	\$0.00	\$154.04
		Brad Siegel	\$0.00	\$156.60
Guided Math: Differentiate Your Math Instruction Using Small Groups (Online)	April 19, 2023	Carey Goralski	\$279.00	\$0.00
NJTESOL/NJBE Spring Conference New Brunswick, NJ	May 23-24, 2023	Jacqueline Valdes	\$515.00	\$0.00
NJASBO Annual Conference Atlantic City, NJ	June 6-8, 2023	Dana Imbasciani	\$275.00	\$554.12
TC June Reading Institute (Online)	June 26-29, 2023	Angelina Aragona	\$850.00	\$0.00
		Philip D’Anna	\$850.00	\$0.00
		Alexis Garcia	\$850.00	\$0.00
		Maura Telfer	\$850.00	\$0.00
		Leigh Ann Weil	\$850.00	\$0.00
TC Rebalancing Literacy Institute 2023 - Grades K -2 (Online)	July 31-August 3, 2023	Mara Bunting	\$850.00	\$0.00
		Rachel Squicciarri	\$850.00	\$0.00
Tri-State Consortium Training Princeton, NJ	August 8-9, 2023	Stefanie Slacin	\$0.00	\$74.03

X. **PUBLIC COMMENT**

XI. **ADJOURNMENT**

Mrs. Gandara

DRAFT POLICY

UPPER SADDLE RIVER BOARD OF EDUCATION

Bylaws
0152/Page 1 of 1
BOARD OFFICERS

BOARD OFFICERS

0152

The Board of Education shall organize at its first regular meeting by electing one of its members as President and another as Vice President.

Any Board member may place a Board member's name in nomination for Board President and Vice President; a second on the nomination is not required. Election for each office will be conducted by a vote when the nominations for that office are closed.

Voting shall take place by verbal roll call vote after nominations are closed. When more than one person has been nominated for a single position, the Board will vote on candidates in the order in which they were nominated.

The person with the majority vote of the members of the Board present and constituting a quorum shall be elected. In the event no candidate receives a majority vote of the Board members present and constituting a quorum, the procedure shall be repeated until someone receives a majority vote of those Board members present and constituting a quorum.

Officers shall serve for one year and until their respective successors are elected and shall qualify, but if the Board shall fail to hold the organization meeting or to elect Board officers as prescribed by N.J.S.A. 18A:15-1, the Executive County Superintendent shall appoint from among the members of the Board a President and/or Vice President.

A President or Vice President who refuses to perform a duty imposed upon them by law may be removed by a majority vote of all of the members of the Board. In the event the office of President or Vice President shall become vacant the Board shall, within thirty days thereafter, fill the vacancy for the unexpired term. If the Board fails to fill the vacancy within such time, the Executive County Superintendent shall fill the vacancy for the unexpired term.

N.J.S.A. 18A:15-1; 18A:15-2

Adopted: 19 May 2008

Revised: 18 May 2015

Revised: 13 March 2023



DRAFT POLICY

UPPER SADDLE RIVER BOARD OF EDUCATION

Bylaws

0161/Page 1 of 1

CALL, ADJOURNMENT, AND CANCELLATION

CALL, ADJOURNMENT, AND CANCELLATION

0161

All Board of Education meetings shall be in public and each Board shall hold a meeting at least once every two months during the period in which the schools in the district are in session.

The Secretary of the Board shall call a special meeting of the Board whenever: requested by the President of the Board; requested by the Superintendent when the Board fails to meet within two months during the period in which the schools in the district are in session; or when presented with a petition signed by a majority of the full membership of the Board requesting the special meeting.

The Board may at any time recess or adjourn to an adjourned meeting at a time, date, and place announced at the time of the recess or the adjournment. The adjourned meeting shall take up business at the point in the agenda where the motion to adjourn was passed.

When circumstances are such as to prevent the attendance of a majority or all of Board members or to frustrate the purpose of the meeting, a meeting may be canceled by the Board Secretary at the request of the President. Notice of the cancellation shall be given, by expedient means, to all Board members, to the Superintendent, and, whenever possible, to the newspapers in which notice of Board meetings is regularly given. If possible, written notice of the cancellation shall also be posted at the place where the canceled meeting was scheduled to occur. Notice of the cancellation shall include the date, time, and place of the next scheduled meeting. Notice of the cancellation shall be read at the next following Board meeting and shall be duly recorded in the official minute book.

N.J.S.A. 18A:10-6

N.J.A.C. 6A:32-3.1

Adopted: 19 May 2008

Revised: 13 March 2023



NOTICE OF BOARD MEETINGS

0162

The Board of Education will give notice of all meetings in accordance with law.

Adequate Notice

The Board Secretary shall provide written advance notice of at least forty-eight hours, giving the time, date, location and, to the extent known, the agenda of any regular, special, or rescheduled meeting, which notice shall accurately state whether formal action may or may not be taken and which shall be prominently posted in at least one public place reserved for such or similar announcements; mailed, telephoned, telegraphed, or hand delivered to the official newspaper designated by the public body to receive such notices because they have the greatest likelihood of informing the public within the area of jurisdiction of the public body of such meetings, one of which shall be the official newspaper, where any such has been designated by the public body or if the public body has failed to so designate, where any has been designated by the governing body of the political subdivision whose geographic boundaries are coextensive with that of the public body; and filed with the clerk of the municipality when the public body's geographic boundaries are coextensive with that of a single municipality, with the clerk of the county when the public body's geographic boundaries are coextensive with that of a single county, and with the Secretary of State if the public body has Statewide jurisdiction. Where annual notice or revisions thereof in compliance with N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act, set forth the location of any meeting, no further notice shall be required for such meeting.

In accordance with N.J.S.A. 10:4-9, upon the affirmative vote of three-quarters of the members present, the Board may hold a meeting notwithstanding the failure to provide adequate notice if:

1. Such meeting is required in order to deal with matters of such urgency and importance that a delay for the purpose of providing adequate notice would be likely to result in substantial harm to the public interest; and
2. The meeting is limited to discussion of and acting with respect to such matters of urgency and importance; and
3. Notice of such meeting is provided as soon as possible following the calling of such meeting by posting written notice of the same in the public place



NOTICE OF BOARD MEETINGS

described in N.J.S.A. 10:4.8.d., and also by notifying the official newspaper described in N.J.S.A. 10:4.8.d. by telephone, telegram, or by delivering a written notice of same to such newspaper; and

4. Either the public body could not reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided or although the public body could reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided, it nevertheless failed to do so.

Personal Notice of Meeting

In accordance with the provisions of N.J.S.A. 10:4-12.b.(8), the Board may exclude the public from that portion of a meeting at which the Board discusses any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the Board, unless all the individual employees or appointees whose rights could be adversely affected request in writing that the matter or matters be discussed at a public meeting.

The Board will provide notice to the affected person that will include the date and time of the closed session meeting, the subject or subjects scheduled for discussion at the closed session meeting, and the right of the affected person to request that the discussions be conducted at a public meeting. Such notice will be given no less than forty-eight hours in advance of the closed session meeting.

A written request for public discussion must be submitted to the Board Secretary prior to the commencement of the meeting. Any such properly submitted request will be granted. In the event that one or more, but fewer than all, of a group of persons whose employment will be discussed request a public meeting, the discussion regarding the person or persons who have submitted the request will be severed from the rest and will be conducted publicly.

A discussion held in public by reason of the written request of an individual will be conducted at a regularly scheduled meeting for which annual notice has been given or at a meeting for which adequate public notice has been given in accordance with law.

Nothing in this Bylaw will permit an employee to request or the Board to grant the public discussion of tenure charges or permit the public disclosure of information regarding a student.



POLICY

UPPER SADDLE RIVER BOARD OF EDUCATION

Bylaws
0162/Page 3 of 3
NOTICE OF BOARD MEETINGS

N.J.S.A. 10:4-6 et seq.; 10:4-8; 10:4-9
N.J.S.A. 18A:6-11; 18A:10-6
N.J.A.C. 6A:32-3.1

Adopted: 19 May 2008
Revised: 13 March 2023



DRAFT POLICY

UPPER SADDLE RIVER BOARD OF EDUCATION

Program
2423/Page 1 of 4
BILINGUAL AND ESL EDUCATION (M)

BILINGUAL AND ESL EDUCATION (M)

2423

M

The Board of Education will provide programs of bilingual education, English as a second language (ESL), and English language services program for English language learners (ELLs) as required by law and rules of the New Jersey State Board of Education. ELLs are those students whose native language is other than English and who have varying degrees of English language proficiency in any one of the domains of speaking, reading, writing, or listening and is synonymous with limited English speaking ability pursuant to N.J.S.A. 18:35-15 through 26.1.

Identification of Eligible ELLs

The district shall use a multi-step process at the time of enrollment to determine the native language of each ELL. The district shall:

1. Maintain a census indicating all identified students whose native language is other than English; and
2. Administer the Statewide home-language survey to determine which students in Kindergarten to grade eight whose native language is other than English must be screened further to determine English language proficiency. The Statewide home-language survey shall be administered by a bilingual/ESL or other certified teacher and shall be designed to distinguish students who are proficient English speakers and need no further testing.

The district shall determine the English language proficiency of all Kindergarten to grade eight students who are not screened out and whose native language is other than English by administering an English language proficiency test, assessing the level of reading in English, reviewing the previous academic performance of students, including their performance on standardized tests in English, and reviewing the input of teaching staff members responsible for the educational program for ELLs. Students who do not meet the New Jersey Department of Education (Department) standard on a language proficiency test and who have at least one other



indicator shall be considered ELLs. The district shall also use age-appropriate methodologies to identify preschool ELLs to determine their individual language development needs.

Bilingual Programs for ELLs

The district shall provide the following programs:

1. An English language services program in accordance with N.J.A.C. 6A:15-1.2;
2. An ESL program in accordance with N.J.A.C. 6A:15-1.2; and
3. A bilingual education program in accordance with N.J.A.C. 6A:15-1.2.

All teachers in these programs shall be appropriately certified in accordance with the requirements as outlined in N.J.A.C. 6A:15-1.9. Every student participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years pursuant to N.J.S.A. 18A:35-19.

Bilingual, English as a Second Language, and English Language Services Program Enrollment, Assessment, Exit, and Reentry

Students enrolled in the bilingual, ESL, or English language services program shall be assessed annually using English Language Placement (ELP) assessments to determine their progress in achieving English language proficiency goals and readiness for exiting the program. Students who meet the criteria for Statewide alternate assessments, pursuant to N.J.A.C. 6A:14-4.10(a)2., shall be assessed annually using an alternate ELP assessment.

ELLs enrolled in the bilingual, ESL, or English language services program shall be placed in a monolingual English program when they have demonstrated readiness to exit a bilingual, ESL, or English language services program through a Department-established criteria on an ELP assessment and a Department-established English language observation form. A student shall first achieve the Department-established English proficiency standard as measured by an ELP assessment. The student's readiness shall be further assessed by the use of a Department-established English language observation form that considers, at a minimum: classroom performance; the student's reading level in English; the judgment of the teaching staff member or members responsible for the educational program of the student; and performance on achievement tests in English.



In accordance with provisions of N.J.S.A. 18A:35-22.1, a parent may remove a student who is enrolled in a bilingual education program at any time; except that during the first three years of a student's participation in a bilingual education program, the parent may only remove the student at the end of each school year.

If a parent wishes to remove the student prior to the end of each school year, the removal shall be approved by the Executive County Superintendent. If the Executive County Superintendent determines the student should remain in the bilingual education program until the end of the school year, the parent may appeal the Executive County Superintendent's decision to the Commissioner of Education or designee pursuant to the provisions of N.J.S.A. 18A:35-19.2.

Newly exited students who are not progressing in the mainstream English program may be considered for reentry to bilingual and ESL programs in accordance with the provisions of N.J.A.C. 6A:15-1.10(e)1. through (e)5.

When the review process for exiting a student from a bilingual, ESL, or English language services program has been completed, the student's parent shall be informed by mail of the placement determination. A parent or teaching staff member who disagrees with the proposed placement may appeal the decision in writing to the Superintendent of Schools or designee, who will provide a written explanation for the decision within seven working days. The complainant may appeal this decision in writing to the Board within seven calendar days of receiving the Superintendent's or designee's written explanation of the decision. The Board will review the appeal and respond in writing to the parent within forty-five calendar days of the Board's receipt of the parent's written appeal to the Board. Upon exhausting an appeal to the Board, the complainant may appeal to the Commissioner of Education.

Parental Involvement

The parents of ELLs will be notified in accordance with the provisions of N.J.A.C. 6A:15-1.13 that their child has been identified as eligible for enrollment in a bilingual, ESL, or English language services education program. Notice shall be in writing and in the language in which the parent(s) possesses a primary speaking ability, and in English. The notice must also include a statement that the parents have the option of declining their child's enrollment in a bilingual program, and shall be given an opportunity to do so if they choose.

The district will notify the parents of ELLs by mail within thirty days of the child's identification.



Program
2423/Page 4 of 4
BILINGUAL AND ESL EDUCATION (M)

Parents shall receive progress reports of students enrolled in bilingual, ESL, or English language services programs in the same manner and frequency as progress reports are sent to parents of other students enrolled in the district.

The Superintendent or designee will provide for the maximum practical involvement of parent(s) of ELLs in the development and review of program objectives and dissemination of information to and from the district Boards of Education and communities served by the bilingual, ESL, or English language services education programs. A district that implements a bilingual education program shall establish a parent advisory committee on bilingual education of which the majority membership shall be parents of ELLs.

Graduation

ELLs will qualify for graduation from high school in accordance with N.J.A.C. 6A:8-5.1(a) and Policy 5460.

Program Plan

The Superintendent shall prepare and submit a plan for a bilingual, ESL, or English language services program every three years to the Board and the New Jersey Department of Education for approval in accordance with the provisions of N.J.A.C. 6A:15-1.6.

N.J.S.A. 18A:35-15 through 18A:35-26.1
N.J.A.C. 6A:14-4.10; 6A:15-1.1 et seq.

Adopted: 19 May 2009
Revised: 15 March 2010
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Revised: 20 June 2016
Revised: 13 March 2023



DRAFT REGULATION

PROGRAM
R 2423/Page 1 of 13
BILINGUAL AND ESL EDUCATION (M)

R2423 BILINGUAL AND ESL EDUCATION (M)

M

A. Definitions (N.J.A.C. 6A:15-1.2)

1. “Alternate English language proficiency assessment” (alternate ELP assessment) means a New Jersey Department of Education-approved assessment for students with the most significant cognitive disabilities that assesses a student’s English language proficiency on the four domains of listening, speaking, reading, and writing, and that is aligned with the State’s academic achievement standards, as permitted under the Every Student Succeeds Act (ESSA) and the Individuals with Disabilities Education Act (IDEA).
2. “Bilingual education program” means a full-time program of instruction in all courses or subjects that a child is required by law or rule to receive, given in the native language of English language learners (ELLs) enrolled in the program and also in English; in the aural comprehension, speaking, reading, and writing of the native language of ELLs enrolled in the program, and in the aural comprehension, speaking, reading, and writing of English; and in the history and culture of the country, territory, or geographic area that is the native land of the parents of ELLs enrolled in the program, and in the history and culture of the United States.
3. “Bilingual part-time component” means a program alternative in which students are assigned to mainstream English program classes, but are scheduled daily for their developmental reading and mathematics instruction with a certified bilingual teacher.
4. “Bilingual resource program” means a program alternative in which students receive, on an individual basis, daily instruction from a certified bilingual teacher in identified subjects and with specific assignments.
5. “Bilingual tutorial program” means a program alternative in which students receive one period of instruction from a certified bilingual teacher in a content area required for graduation and a second period of tutoring in other required content areas.



REGULATION

PROGRAM
R 2423/Page 2 of 13
BILINGUAL AND ESL EDUCATION (M)

6. "Dual-language bilingual education program" means a full-time program of instruction in elementary and secondary schools that provides structured English language instruction and instruction in a second language in all content areas for ELLs and for native English speaking students enrolled in the program.
7. "Educational needs" means the particular educational requirements of ELLs; the fulfillment of which will provide them with equal educational opportunities.
8. "English as a second language (ESL) program" means a daily developmental second-language program of at least one period of instruction based on student language proficiency that teaches aural comprehension, speaking, reading, and writing in English using second language teaching techniques, and incorporates the cultural aspects of the students' experiences in their ESL instruction. A period is the time allocated in the school schedule for instruction in core subjects.
9. "English language development standards" means the 2012 Amplification of the English Language Development Standards, Kindergarten - Grade 12, incorporated herein by reference, as amended and supplemented, developed by the World-Class Instructional Design and Assessment (WIDA) Consortium. They are the standards and language competencies ELLs in preschool programs and elementary and secondary schools need to become fully proficient in English and to have unrestricted access to grade-appropriate instruction in challenging academic subjects. The standards are published by the Board of Regents of the University of Wisconsin System, on behalf of the WIDA Consortium (www.wida.us) and are available for review at <http://www.wida.us/standards/eld.aspx>.
10. "English language learner" or "ELL" means a student whose native language is other than English. The term refers to students with varying degrees of English language proficiency in any one of the domains of speaking, reading, writing, or listening and is synonymous with limited English speaking ability as used in N.J.S.A. 18A:35-15 to 26.
11. "English language proficiency assessment" (ELP assessment) means a New Jersey Department of Education-approved assessment that evaluates a student's English language proficiency on the four domains of listening,



REGULATION

PROGRAM
R 2423/Page 3 of 13
BILINGUAL AND ESL EDUCATION (M)

speaking, reading, and writing, and that is aligned with the State's academic achievement standards as permitted under ESSA.

12. "English language services" means services designed to improve the English language skills of ELLs. The services, provided in school districts with less than ten ELLs, are in addition to the regular school program and are designed to develop aural comprehension, speaking, reading, and writing skills in English.
13. "Exit criteria" means the criteria that must be applied before a student may be exited from a bilingual, ESL, or English language services education program.
14. "High-intensity ESL program" means a program alternative in which students receive two or more class periods a day of ESL instruction. One period is the standard ESL class and the other period is a tutorial or ESL reading class.
15. "Instructional program alternative" means a part-time program of instruction that may be established by a Board of Education in consultation with and approval of the New Jersey Department of Education (Department). All students in an instructional program alternative receive English as a second language.
16. "Native language" means the language or mode of communication normally used by a person with a limited ability to speak or understand the English language. In the case of a student, the native language is the language normally used by the student's parents, except that in all direct contact with a student, including during the evaluation of the child, the native language is the language normally used by the student in the home or in the learning environment.
17. "NJSLs" means the New Jersey Student Learning Standards as defined in N.J.A.C. 6A:8-1.3.
18. "Parent(s)" for the purposes of Policy 2423 and this Regulation means the natural parent(s) or the legal guardian(s), foster parent(s), surrogate parent(s), or person acting in the place of a parent with whom the student legally resides. When parents are separated or divorced, parent means the



REGULATION

PROGRAM
R 2423/Page 4 of 13
BILINGUAL AND ESL EDUCATION (M)

person(s) who has legal custody of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

19. "Review process" means the process established by the Board to assess ELLs for exit from bilingual, ESL, or English language services programs.
20. "Sheltered English instruction" means an instructional approach used to make academic instruction in English understandable to ELLs. Sheltered English classes are taught by regular classroom teachers who have received training on strategies to make subject-area content comprehensible for ELLs.

B. Identification of Eligible English Language Learners (ELLs) (N.J.A.C. 6A:15-1.3)

1. The district shall use a multi-step process at the time of enrollment to determine the native language of each ELL. The district shall:
 - a. Maintain a census indicating all identified students whose native language is other than English; and
 - b. Administer the Statewide home-language survey to determine which students in Kindergarten to grade eight whose native language is other than English must be screened further to determine English language proficiency. The Statewide home-language survey shall be administered by a bilingual/ESL or other certified teacher and shall be designed to distinguish students who are proficient English speakers and need no further testing.
2. The district shall determine the English language proficiency of all Kindergarten to grade eight students who are not screened out and whose native language is other than English by administering an English language proficiency test, assessing the level of reading in English, reviewing the previous academic performance of students, including their performance on standardized tests in English, and reviewing the input of teaching staff members responsible for the educational program for ELLs. Students who do not meet the Department standard on a language proficiency test and who have at least one other indicator shall be considered ELLs. The district shall also use age-appropriate methodologies to identify preschool ELLs to determine their individual language development needs.



REGULATION

PROGRAM
R 2423/Page 5 of 13
BILINGUAL AND ESL EDUCATION (M)

C. Bilingual Programs for English Language Learners (ELLs) (N.J.A.C. 6A:15-1.4)

1. The Board shall provide all Kindergarten to grade eight ELLs enrolled in the district pursuant to N.J.S.A. 18A:7F-46 with all required courses and support services outlined in N.J.A.C. 6A:15-1.4 (b) through (h) and C.2. through C.8. below to prepare ELLs to meet the NJSLs for high school graduation. This may include tutoring, after-school programs, summer programs, and remedial services as needed by ELLs. The district shall also provide appropriate instructional programs to eligible pre-school ELLs based on need according to the New Jersey Preschool Program Implementation Guidelines, 2015. The guidelines provide developmentally appropriate recommendations for good practice and are intended for school districts that provide preschool programs.
2. The Board shall establish English language services designed to improve the English language proficiency of ELLs whenever there are at least one, but fewer than, ten ELLs enrolled in the school district. English language services shall be provided in addition to the regular school program.
3. The Board shall establish an ESL program that provides at least one period of ESL instruction based on student language proficiency whenever there are ten or more ELLs enrolled in the school district.
 - a. An ESL curriculum that addresses the WIDA English language development standards shall be developed and adopted by the Board to address the instructional needs of ELLs.
 - b. The ESL curriculum shall be cross referenced to the district's bilingual education and content area curricula to ensure that ESL instruction is correlated to all the content areas taught.
4. The Board shall establish bilingual education programs whenever there are twenty or more ELLs in any one language classification enrolled in the school district pursuant to N.J.S.A. 18A:35-18. Bilingual education programs shall:
 - a. Be designed to prepare ELLs to acquire sufficient English skills and content knowledge to meet the NJSLs. All ELLs participating in the bilingual programs shall also receive ESL instruction;



REGULATION

PROGRAM
R 2423/Page 6 of 13
BILINGUAL AND ESL EDUCATION (M)

- b. Include a curriculum that addresses the NJSLS, the WIDA English language development standards, and the use of two languages. The bilingual education curriculum shall be adopted by the Board; and
 - c. Include the full range of required courses and activities offered on the same basis and under the same rules that apply to all students within the school district.
- 5. ELLs shall be provided with equitable instructional opportunities to participate in all non-academic courses necessary to meet the NJSLS, including comprehensive health and physical education, the visual and performing arts, and career awareness programs. The instructional opportunities shall be designed to assist ELLs to fully comprehend all subject matter and demonstrate their mastery of the content matter.
- 6. The Board shall offer sufficient courses and other relevant supplemental instructional opportunities in grades nine through twelve to enable ELLs to meet the NJSLS for graduation. When sufficient numbers of students are not available to form a bilingual class in a subject area, the Board shall develop plans in consultation with and approved by the Department to meet the needs of the students.
- 7. In addition to N.J.A.C. 6A:15-1.4(a) through (f) and C.1. through C.6. above, the Board shall design additional programs and services to meet the special needs of eligible ELLs and include, but not be limited to: remedial instruction through Title I programs; special education; school-to-work programs; computer training; and gifted and talented education services.
- 8. The Board may establish dual-language bilingual education programs in its schools and may make provisions for the coordination of instruction and services with the school district's world languages program. Dual-language bilingual education programs shall also enroll students whose primary language is English, and shall be designed to help students achieve proficiency in English and in a second language while mastering subject-matter skills. To the extent necessary, instruction shall be in all courses or subjects of study that allow students to meet all grade promotion and graduation standards. Where possible, classes in dual-language bilingual programs shall be comprised of approximately equal numbers of ELLs and of students whose native language is English.



REGULATION

PROGRAM
R 2423/Page 7 of 13
BILINGUAL AND ESL EDUCATION (M)

9. The Board may establish a program in bilingual education for any language classification with fewer than twenty students.

D. Waiver Process Provided by Statute (N.J.A.C. 6A:15-1.5)

The school district may request a waiver from N.J.A.C. 6A:15-1.4(d) and C.4. above to establish annually an instructional program alternative with the approval of the Department when there are twenty or more students eligible for the bilingual education program in grades Kindergarten through eight, and the school district is able to demonstrate that it would be impractical to provide a full-time bilingual program due to age range, grade span, and/or geographic location of eligible students.

1. Instructional program alternatives shall be developed in consultation with and approved annually by the Department after review of student enrollment and achievement data. All bilingual instructional program alternatives shall be designed to assist ELLs to develop sufficient English skills and subject-matter skills to meet the NJSLs.
2. The instructional program alternatives that shall be established include, but are not limited to: the bilingual part-time component; the bilingual resource program; the bilingual tutorial program; the sheltered English instruction program; and the high-intensity ESL program.
3. In the event the district implements program alternatives, the district shall annually submit student enrollment and achievement data that demonstrate the continued need for the programs.

E. Approval Procedures (N.J.A.C. 6A:15-1.6)

1. If the district provides a bilingual program, ESL program, or English language services, the district shall submit a plan every three years to the Department for approval. At its discretion, the Department may request modifications, as appropriate.
 - a. Plans submitted by the Board for approval shall include information on the following:
 - (1) Identification of students;



REGULATION

PROGRAM
R 2423/Page 8 of 13
BILINGUAL AND ESL EDUCATION (M)

- (2) Program description;
- (3) The number of certified staff hired for the program;
- (4) Bilingual and ESL curriculum development;
- (5) Evaluation design;
- (6) Review process for exit; and
- (7) A budget for bilingual and ESL programs or English language services.

F. Supportive Services (N.J.A.C. 6A:15-1.7)

1. Students enrolled in bilingual, ESL, or English language services programs shall have full access to educational services available to other students in the school district.
2. To the extent that is administratively feasible, supportive services to ELLs, such as counseling, tutoring, and career guidance, should be provided by bilingual personnel who are familiar with and knowledgeable of the unique needs and background of the ELLs and their parents.

G. In service Training (N.J.A.C. 6A:15-1.8)

1. The Board shall develop a plan for in service training for bilingual, ESL, and mainstream teachers; administrators who supervise bilingual/ESL programs; and administrators and any personnel who observe and evaluate teachers of ELLs. The plan shall include instructional strategies and appropriate assessments to help ELLs meet the NJSLs and the WIDA English language development standards. All bilingual and ESL teachers shall receive training in the use of the ESL curriculum.
2. The Professional Development Plan of the school district shall include the needs of bilingual and ESL teachers, which shall be addressed through in service training.

H. Certification (N.J.A.C. 6A:15-1.9)



REGULATION

PROGRAM
R 2423/Page 9 of 13
BILINGUAL AND ESL EDUCATION (M)

1. All teachers of bilingual classes shall hold a valid New Jersey instructional certificate with an endorsement for the appropriate grade level and/or content area, as well as an endorsement in bilingual education, pursuant to N.J.S.A. 18A:6-38 et seq. and 18A:35-15 to 26.1.
 2. All teachers of ESL classes shall hold a valid New Jersey instructional certificate in ESL pursuant to N.J.S.A. 18A:6-38 et seq. and N.J.A.C. 6A:9B-10.5.
 3. All teachers providing English Language Services shall hold a valid New Jersey instructional certificate.
- I. Bilingual, English as a Second Language, and English Language Services Program Enrollment, Assessment, Exit, and Reentry (N.J.A.C. 6A:15-1.10)
1. All ELLs from Kindergarten through grade eight shall be enrolled in the bilingual, ESL, or English language services education program established by the Board as prescribed in N.J.A.C. 6A:15-1.4(b) through (e) and 1.5(a), C.2. through C.5. and D. above, and P.L. 1995, c. 59 and c. 327.
 2. Students enrolled in the bilingual, ESL, or English language services program shall be assessed annually using ELP assessments to determine their progress in achieving English language proficiency goals and readiness for exiting the program. Students who meet the criteria for Statewide alternate assessments, pursuant to N.J.A.C. 6A:14-4.10(a)2, shall be assessed annually using an alternate ELP assessment.
 3. ELLs enrolled in the bilingual, ESL, or English language services program shall be placed in a monolingual English program when they have demonstrated readiness to exit a bilingual, ESL, or ELS program through Department-established criteria on an ELP assessment and a Department-established English language observation form. A student shall first achieve the Department-established English proficiency standard as measured by an ELP assessment. The student's readiness shall be further assessed by the use of a Department-established English language observation form that considers, at a minimum: classroom performance; the student's reading level in English; the judgment of the teaching staff member or members responsible for the educational program of the student; and performance on achievement tests in English.



REGULATION

PROGRAM
R 2423/Page 10 of 13
BILINGUAL AND ESL EDUCATION (M)

- a. Pursuant to C.F.R. §200.6(h)(4)(ii), an ELL with a disability whose disability makes it impossible for the student to be assessed in a particular domain because there are no appropriate accommodations for assessing the student in that domain may be exited from ELL status based on the student's score on the remaining domains in which the student was assessed.
4. A parent may remove a student who is enrolled in a bilingual education program pursuant to provisions in N.J.S.A. 18A:35-22.1.
5. Newly exited students who are not progressing in the mainstream English program may be considered for reentry to bilingual and ESL programs as follows:
 - a. After a minimum of one-half an academic year and within two years of exit, the mainstream English classroom teacher may recommend retesting with the approval of the Principal.
 - b. A waiver of the minimum time limitation may be approved by the Executive County Superintendent upon request of the Superintendent if the student is experiencing extreme difficulty in adjusting to the mainstream program.
 - c. The recommendation for retesting shall be based on the teacher's judgment that the student is experiencing difficulties due to problems in using English as evidenced by the student's inability to: communicate effectively with peers and adults; understand directions given by the teacher; and/or comprehend basic verbal and written materials.
 - d. The student shall be tested using a different form of the test or a different language proficiency test than the one used to exit the student.
 - e. If the student scores below the State-established standard on the language proficiency test, the student shall be re enrolled into the bilingual or ESL program.
6. When the review process for exiting a student from a bilingual, ESL, or English language services program has been completed, the district shall



REGULATION

PROGRAM
R 2423/Page 11 of 13
BILINGUAL AND ESL EDUCATION (M)

notify by mail the student's parent(s) of the placement determination. If the parent(s) or teaching staff member disagrees with the placement, they may appeal the placement decision in writing to the Superintendent or designee, who will provide a written explanation for the decision within seven working days of receiving the written appeal. The complainant may appeal this decision in writing to the Board within seven calendar days of receiving the Superintendent's or designee's written explanation of the decision. The Board will review the appeal and respond in writing to the parent within forty-five calendar days of the Board's receipt of the parent's written appeal to the Board. Upon exhausting an appeal to the Board, the complainant may appeal to the Commissioner of Education pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:3.

J. Graduation Requirements for English Language Learners (N.J.A.C. 6A:15-1.11)

All ELLs shall satisfy requirements for high school graduation according to N.J.A.C. 6A:8-5.1(a).

K. Location (N.J.A.C. 6A:15-1.12)

All bilingual, ESL, and English language services programs shall be conducted within classrooms within the regular school buildings of the school district pursuant to N.J.S.A. 18A:35-20.

L. Notification (N.J.A.C. 6A:15-1.13)

1. The school district shall notify by mail the parents of ELLs of the fact that their child has been identified as eligible for enrollment in a bilingual, ESL, or English language services education program. The district shall issue the notification within thirty days of the child's identification. Notice shall include a statement that the parents may decline their child's enrollment in a bilingual program, and they shall be given an opportunity to do so if they choose. The notice shall be in writing and in the language in which the parent(s) possesses a primary speaking ability, and in English, and shall include the following information:

- a. Why the student was identified as an ELL;



REGULATION

PROGRAM
R 2423/Page 12 of 13
BILINGUAL AND ESL EDUCATION (M)

- b. Why the student needs to be placed in a language instructional educational program that will help them develop and attain English proficiency and meet the NJSLs;
 - c. The student's level of English proficiency, how the level of English proficiency was assessed, and the student's academic level;
 - d. The method of instruction the school district will use to serve the student, including a description of other instruction methods available and how those methods differ in content, instructional goals, and the use of English and a native language, if applicable;
 - e. How the program will meet the student's specific needs in attaining English and meeting State standards;
 - f. The program's exit requirements, the expected rate of transition into a classroom not tailored for ELLs and, in the case of high school students, the expected rate of graduation; and
 - g. How the instructional program will meet the objectives of the individualized education program of a student with a disability.
- 2. The school district shall send progress reports to parent(s) of students enrolled in a bilingual, ESL, or English language services programs in the same manner and frequency as progress reports are sent to parent(s) of other students enrolled in the school district.
 - 3. Progress reports shall be written in English and in the native language of the parent(s) of students enrolled in the bilingual and ESL program unless the school district can demonstrate and document in the three-year plan required in N.J.A.C. 6A:15-1.6(a) that the requirement would place an unreasonable burden on the district.
 - 4. The school district shall notify the parent(s) when students meet the exit criteria and are placed in a monolingual English program. The notice shall be in English and in the language in which the parent(s) possesses a primary speaking ability.
- M. Joint Programs (N.J.A.C. 6A:15-1.14)



REGULATION

PROGRAM
R 2423/Page 13 of 13
BILINGUAL AND ESL EDUCATION (M)

With approval of the Executive County Superintendent on a case-by-case basis, a school district may join with another Board to provide bilingual, ESL, or English language services programs.

N. Parental Involvement (N.J.A.C. 6A:15-1.15)

1. The district shall provide for the maximum practicable involvement of parent(s) of ELLs in the development and review of program objectives and dissemination of information to and from the district Boards of Education and communities served by the bilingual, ESL, or English language services education programs.
2. If the district implements a bilingual education program, the district shall establish a parent advisory committee on bilingual education of which the majority membership shall be parent(s) of ELLs.

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DRAFT POLICY

UPPER SADDLE RIVER BOARD OF EDUCATION

Operations
8140/Page 1 of 1
STUDENT ENROLLMENTS (M)

8140 STUDENT ENROLLMENTS (M)

M

The Board of Education recognizes that efficient district operations require an accurate and up to date accounting of the number of students resident in this district and enrolled in district classes and programs.

Student attendance shall be recorded in the school register during school hours on each day in session pursuant to N.J.A.C. 6A:32-8.3. A staff member designated by the Superintendent shall keep in the school register, attendance of all students, and shall maintain the attendance records in accordance with N.J.A.C. 6A:32-8 and N.J.A.C. 6A:32-8.1(c).

In accordance with N.J.A.C. 6A:32-8.1(e), a student who has been placed on home instruction shall have their attendance status recorded on the regular register for the program in which the student is enrolled. The student shall be marked absent for the period beginning the first day the student is unable to attend school and ending the day before the first instructional day at the student's place of confinement. Absences shall not be recorded for the student while on home instruction, provided the hours of instruction are no less than required by N.J.A.C. 6A:14-4.8 and 4.9 and N.J.A.C. 6A:16-10.1 and 10.2. The number of possible days in membership for a student on home instruction shall be the same as for other students in the program in which the student is enrolled.

Such records shall be made and maintained as will enable the Board to plan program and facilities development, to make appropriate allocation of district resources, and receive the district's maximum amount of State and Federal aid.

The Superintendent or designee shall annually and in accordance with the timelines established by the Commissioner, file a report with the Commissioner stating the school district's enrollment.

N.J.S.A. 18A:25-4
N.J.A.C. 6A:14-4.8; 6A:14-4.9; 6A:16-10.1; 6A:16-10.2;
6A:32-8.1; 6A:32-8.2; 6A:32-8.3

Adopted: 16 June 2008
Revised: 13 March 2020
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DRAFT POLICY

UPPER SADDLE RIVER BOARD OF EDUCATION

Operations
8330/Page 1 of 6
STUDENT RECORDS (M)

8330 STUDENT RECORDS (M)

M

The Board of Education believes that information about individual students must be compiled and maintained in the interest of the student's educational welfare and advancement. The Board will strive to balance the student's right to privacy against the district's need to collect, retain, and use information about individual students and groups of students. The Board authorizes the establishment and maintenance of student files that include only those records mandated by law, rules of the State Board of Education, authorized administrative directive, and those records permitted by this Board.

The Superintendent shall prepare, present to the Board for approval, and distribute regulations that implement this Policy and conform to applicable State and Federal law and rules of the State Board of Education.

General Considerations

The Board shall compile and maintain student records and regulate access in accordance with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, and 34 CFR Part 99, disclosure, or communication of information contained in student records in a manner that assures the security of the records in accordance with the provisions of N.J.A.C. 6A:32-7 et seq. Student records shall contain only information that is relevant to the education of the student and is objectively based on the personal observations or knowledge of the certified school personnel who originate(s) the record. The district shall provide annual, written notification to parents, adult students, and emancipated minors of their rights in regard to student records and student participation in educational, occupational, and military recruitment programs. Copies of the applicable State and Federal laws and Board policies shall be made available upon request. The district shall make every effort to notify parents and adult students in their dominant language.

Nonadult students may assert rights of access only through their parent(s). However, nothing in N.J.A.C. 6A:32-7 shall be construed to prohibit certified school personnel from disclosing at their discretion student records to nonadult students or to appropriate persons in connection with an emergency, if the information contained in the record is necessary to protect the health or safety of the student or other persons.

No liability shall be attached to any member, officer, or employee of the Board permitting access or furnishing student records in accordance with N.J.A.C. 6A:32-7 et seq.



Operations
8330/Page 2 of 6
STUDENT RECORDS (M)

Student Information Directory

A student information directory is a publication of the Board that includes information relating to a student as defined in N.J.A.C. 6A:32-2.1. This information includes: name; grade level; date and place of birth; dates of school attendance; major field of study; participation in officially recognized activities; weight and height relating to athletic team membership; degrees; awards; the most recent educational agency attended by the student; and other similar information. The student information directory shall be used only by authorized district personnel and for designated official use by judicial, law enforcement, and medical personnel and not for general public consumption.

In the event the district publishes a student information directory, the Superintendent or designee will provide a parent or adult student a ten-day period to submit to the Superintendent a written statement prohibiting the inclusion of any or all types of information about the student in any student information directory before allowing access to the directory and school facilities to educational, occupational, and military recruiters pursuant to N.J.S.A. 18A:36-19.1, P.L. 114-95 §8528, and 20 U.S.C. §8528 - Armed Forces Recruiter Access to Students and Student Recruiting Information of the Every Student Succeeds Act of 2015. In accordance with N.J.S.A. 18A:36-19.1, military recruiters will be provided the same access to a student information directory that is provided to educational and occupational recruiters.

School Contact Directory for Official Use

A school contact directory for official use is a compilation by the district that includes the following information for each student: name; address; telephone number; date of birth; and school enrollment. The district shall compile and maintain a school contact directory for official use in accordance with N.J.A.C. 6A:32-7.2, that is separate and distinct from the student information directory. The student contact directory may be provided for official use only to judicial and law enforcement personnel, and to medical personnel currently providing services to the student in question. To exclude any information from the school contact directory for official use the parent, adult student, or emancipated minor shall notify the Superintendent or designee in writing.

Mandated and Permitted Student Records

Mandated student records are those records districts have been directed to compile by State statute, regulations, or authorized administrative directive in accordance with N.J.A.C. 6A:32-7.3.



Permitted student records are those student records not mandated pursuant to N.J.A.C. 6A:32-7.3, but authorized by the Board to promote the student's educational welfare. The Board shall authorize the permitted records to be collected by adopting this Policy and Regulation 8330, which will list such permitted records.

Maintenance and Security of Student Records

The Superintendent or designee shall be responsible for the security of student records maintained in the district in accordance with the provisions of N.J.A.C. 6A:32-7.4. This Policy and Regulation 8330 assure that access to student records is limited to authorized persons.

Records for each individual student may be stored electronically or in paper format. When student records are stored electronically, proper security and back-up procedures shall be administered.

Student health records, whether stored on paper or electronically, shall be maintained in accordance with N.J.A.C. 6A:32-7.1(l). Records shall be accessible during the hours in which the school program is in operation.

Any district website shall not disclose any personally identifiable information about a student in accordance with N.J.S.A. 18A:36-35 and N.J.A.C. 6A:32-2.1.

Access to Student Records

Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, including student health records. Access to student records shall be provided to persons authorized such access under N.J.A.C. 6A:32-7.1 et seq. within ten days of a request, but prior to any review or hearing conducted in accordance with N.J.A.C. 6A.

The district may charge a reasonable fee for reproduction of student records, not to exceed the schedule of costs set forth at N.J.S.A. 47:1A-5, provided that the cost does not effectively prevent parents or adult students from exercising their rights under N.J.A.C. 6A:32-7 or other Federal and State rules and regulations regarding students with disabilities, including N.J.A.C. 6A:14.



The district shall control access to, disclosure of, and communication regarding information contained in student health records to assure access only to people permitted by Federal and State statute and regulations in accordance with N.J.A.C. 6A:32-7.5(c).

Access to and disclosure of a student's health record shall meet the requirements of FERPA.

Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, including student health records.

Nothing in N.J.A.C. 6A:32-7 et seq. or in this Policy and Regulation 8330 shall be construed to prohibit school personnel from disclosing information contained in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.

In complying with N.J.A.C. 6A:32-7 – Student Records, the district shall adhere to requirements pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and FERPA.

Conditions for Access to Student Records

All authorized organizations, agencies, and persons defined in N.J.A.C. 6A:32-7 et seq. shall have access to a student record, subject to conditions outlined in N.J.A.C. 6A:32-7.6.

Rights of Appeal for Parents and Adult Students

Student records are subject to challenge by parents and adult students on the grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information, or denial of access to organizations, agencies, and persons in accordance with N.J.A.C. 6A:32-7.7(a).

To request a change in the student record or to request a stay of disclosure pending final determination of the challenged procedure, the parent or adult student shall follow the procedures pursuant to N.J.A.C. 6A:32-7.7(b).

Appeals relating to student records for students with disabilities shall be processed in accordance with the requirements of N.J.A.C. 6A:32-7.7(c).



Regardless of the outcome of any appeal, a parent or adult student shall be permitted to place in the student record a statement commenting upon the information in the student record or setting forth any reasons for contesting a portion of the student record, including the decision made in the appeal. The parent's or adult student's statement shall be maintained as part of the student record, as long as the contested portion of the student record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.

Retention and Disposal of Student Records

A student record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the student is enrolled in the district. The Board shall retain the student health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.

Student records of currently enrolled students, other than the records described in N.J.A.C. 6A:32-7.8(f), may be disposed of after the information is no longer necessary to provide educational services to a student and in accordance with the provisions of N.J.A.C. 6A:32-7.8(c).

Upon graduation or permanent departure of a student from the district, the parent or adult student shall be notified in writing that a copy of the entire student record will be provided to them upon request. Information in student records, other than that described in N.J.A.C. 6A:32-7.8(f), may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq. Such disposition shall be in accordance with the provisions of N.J.A.C. 6A:32-7.8(c)2.

No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult student.

In accordance with N.J.A.C. 6A:32-7.8(f), the district of last enrollment, graduation, or permanent departure of the student from the district shall keep for 100 years, a mandated record of a student's name, date of birth, name of parents, gender, health history and immunization, standardized assessment results, grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

N.J.S.A. 18A:36-19; 18A:36-19.1; 18A:40-4; 18A:40-19
N.J.A.C. 6A:32-7.1; 6A:32-7.2; 6A:32-7.3; 6A:32-7.4; 6A:32-7.5;
6A:32-7.6; 6A:32-7.7; 6A:32-7.8



POLICY

UPPER SADDLE RIVER
BOARD OF EDUCATION

Operations
8330/Page 6 of 6
STUDENT RECORDS (M)

20 U.S.C. §8528

Adopted: 16 June 2008
Revised: 20 March 2017
Revised: 14 June 2021
Revised: 13 March 2023



DRAFT REGULATION

OPERATIONS
R 8420.2/Page 1 of 1
BOMB THREATS (M)

BOMB THREATS (M)

R 8420.2

M

A bomb threat consists of a message regardless of the source or form or truth of the message, that someone has placed or intends to place in the school an explosive device or any material that will cause significant harm to persons in the school or damage to school property. The procedures to be enacted when a bomb threat is received shall be included in the school district's plans, procedures, and mechanisms for school safety and security in accordance with the provisions of N.J.A.C. 6A:16-5.1 and Policy 8420.

Adopted: 13 December 2010

Revised: 28 March 2011

Revised: 13 March 2023



DRAFT REGULATION

OPERATIONS
R 8420.7/Page 1 of 1
LOCKDOWN PROCEDURES (M)

LOCKDOWN PROCEDURES (M)

R 8420.7

M

In the event it is determined by the Principal or designee a circumstance or situation requires the school building's occupants to remain secure within the school building, the Principal or designee may implement lockdown procedures. The procedures to be enacted during a lockdown shall be included in the school district's plans, procedures, and mechanisms for school safety and security in accordance with the provisions of N.J.A.C. 6A:16-5.1 and Policy 8420.

Adopted: 13 December 2010

Revised: 28 March 2011

Revised: 13 March 2023



DRAFT REGULATION

OPERATIONS
R 8420.10/Page 1 of 1
ACTIVE SHOOTER (M)

ACTIVE SHOOTER (M)

R 8420.10

M

An active shooter or armed assault in a school building or on school grounds involves one or more individuals' intent on causing physical harm to students and school staff. Intruders may possess weapons or other harmful devices. The procedures to be enacted during an active shooter or armed assault situation shall be included in the school district's plans, procedures, and mechanisms for school safety and security in accordance with the provisions of N.J.A.C. 6A:16-5.1 and Policy 8420.

Adopted: 28 March 2011
Revised: 13 March 2023

