

**BOARD OF EDUCATION
UPPER SADDLE RIVER, NEW JERSEY
REGULAR MEETING
Monday, March 15, 2021, 8:00 p.m.
Media Center, 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. Johnston |
| II. | Flag salute and Pledge of Allegiance | Mrs. Johnston |
| III. | Opening statement by presiding officer | Mrs. Johnston |
| IV. | REPORTS | |
| A. | Superintendent's Report | Dr. Siegel |
| B. | Board Secretary's Report | Mrs. Imbasciani |
| C. | Board President's Report | Mrs. Johnston |
| D. | Committee Reports | Chairpersons |
| E. | PTO Report | Mrs. DeGenaars/Mrs. Apostolou |
| F. | USREF Report | Mrs. Mueller |
| V. | PRESENTATIONS: | |
| A. | Careers and Volunteerism - 1st Grade Social Studies Unit | Mrs. Severs/Ms. Policastro/Mrs. Maginnis |
| B. | 8th Grade Special Event: Passion Projects | Mrs. D'Ambola/Mrs. Zeccardi |
| C. | Ethics Presentation | Mrs. Imbasciani |
| VI. | PUBLIC COMMENT (for Agenda Items only) | |

VII. ADMINISTRATION

Dr. Siegel

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

A. Second reading of the following Policies and Regulations:

Policy 2468 Independent Educational Evaluations (revised)
Policy 5111 Eligibility of Resident/NonResident Students (revised)
Policy 8420.30 School Clearance Following Crisis Situation (revised)

B. Approve the Collective Bargaining Agreement between the Upper Saddle River Administrators Association and the Upper Saddle River Board of Education for contract years 2021/22 through 2023/24.

§ C. Approve the following Sidebar Agreement:

**SIDEBAR AGREEMENT
BETWEEN
The Upper Saddle River Board of Education
and
The Upper Saddle River Education Association**

WHEREAS, the Upper Saddle River Board of Education ("Board") and the Upper Saddle River Education Association ("Association") are signatories to a collective negotiations agreement for the period of July 1, 2019 through June 30, 2022; and

WHEREAS, the Board desires an adjustment to the Bogert and Reynolds Elementary School schedule during a global pandemic that has resulted in a hybrid (in-person and remote) schedule exceeding the total minutes of weekly student contact time from the USREA contract for certain members by nineteen (19) minutes (roughly four (4) minutes/day) at Bogert and forty-five (45) minutes (roughly nine (9) minutes/day) at Reynolds.

WHEREAS, the Association accepts the proposal to adjust the Bogert and Reynolds Elementary School schedule during a global pandemic that allows for USREA members who are affected by the excess minutes to leave work early commensurate to the time where student contact time is exceeded.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD AND ASSOCIATION AGREE AS FOLLOWS:

Following adjustments to the Bogert and Reynolds Elementary School schedule accounting for excess minutes, the Board acknowledges that certain USREA members may exceed the total student contact time by nineteen (19) minutes per week at Bogert and forty-five (45) minutes per week at Reynolds. The Board and USREA agree those USREA members impacted by the excess minutes are permitted to leave work early by the number of minutes exceeded per day, only on the weeks that student contact time is exceeded.

The two parties consent to the terms of the agreement for the duration of the hybrid schedule in a global pandemic for the 2020-21 school year.

VIII. **PERSONNEL**

Dr. Siegel

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

A. Create/Abolish

1. Create one 1.0 FTE K-5 Elementary Classroom Teacher, effective March 8, 2021 through June 30, 2021.

B. Resignations

1. Accept the resignation for the purpose of retirement of Denise Blaikie, Paraprofessional, effective July 1, 2021.
2. Accept the resignation of Colleen Moran, Spanish Teacher, effective July 1, 2021.
3. Accept the resignation for the purpose of retirement of Stephanie Pirsos, 4th Grade Teacher, effective July 1, 2021.
4. Revise the resignation effective date of Elizabeth Waladt, PE/Health Teacher from February 12, 2021 to February 26, 2021.

C. Leaves

1. Approve the unpaid FMLA/NJFLA leave of Employee ID #0728, paraprofessional, effective March 15, 2021 through April 16, 2021.
2. Motion to terminate the unpaid child care leave of Employee ID #1217, effective March 8, 2021.
3. Approve unpaid FMLA/NJFLA leave for Employee ID #1334, effective September 1, 2021 through approximately November 26, 2021.
4. Approve paid medical leave and unpaid FMLA/NJFLA leave for Employee ID #1825, effective on or about May 20, 2021 through approximately November 26, 2021.

D. Lateral Guide Moves (not applicable)

E. Appointments

1. Appoint Erika Blumenfeld to the position of team member in the After Care Experience Program for the 2020/21 school year.
2. Appoint Melissa Ruffilo to the position of team member in the After Care Experience Program for the 2020/21 school year.

F. Change in Assignment

1. Approve the transfer of Leigh Ann Weil from the position of a 1.0 FTE long term leave replacement 3rd Grade Classroom Teacher, effective September 1, 2020 through June 30,

2021 to the position of a 1.0 FTE K-5 Elementary Classroom Teacher, effective March 8, 2021 through June 30, 2021.

2. Approve the transfer of Leigh Ann Weil from the position of a 1.0 FTE K-5 Elementary Classroom Teacher, effective March 16, 2021 through June 30, 2021 to the position of a 1.0 FTE 3rd grade classroom teacher, effective March 8, 2021 through June 30, 2021.
3. Approve the transfer of Carla LaBarbera from a 1.0 FTE 3rd grade classroom teacher to a 1.0 FTE K-5 elementary classroom teacher, effective March 8, 2021 through June 30, 2021.

G. Substitutes/Consultants/Volunteers

1. Approve Barbara Abdulsalam as a substitute teacher/paraprofessional for the 2020/21 school year subject to the satisfactory completion of the criminal history records check required by law. Ms. Abdulsalam's NJ Substitute Teacher Credentials are pending.
2. Approve Despina Anastasopoulos as a substitute teacher/paraprofessional for the 2020/21 school year subject to the satisfactory completion of the criminal history records check required by law. Ms. Anastasopoulos' NJ Substitute Teacher Credentials are pending.
3. Approve Rebecca Diamond as a as a substitute teacher/paraprofessional for the 2020/21 school year subject to the satisfactory completion of the criminal history records check required by law. Ms. Diamond's NJ Substitute Teacher Credentials are pending.
4. Approve Fran Gordon as a substitute teacher/paraprofessional for the 2020/21 school year subject to the satisfactory completion of the criminal history records check required by law. Ms. Gordon's NJ Substitute Teacher Credentials are pending.
5. Approve Milana Lieberman as a substitute teacher/paraprofessional for the 2020/21 school year. Ms. Lieberman's NJ Substitute Teacher Credentials are pending.
6. Approve Jamie Rosenkrantz as a substitute teacher/paraprofessional for the 2020/21 school year subject to the satisfactory completion of the criminal history records check required by law. Ms. Rozenkrantz's NJ Substitute Teacher Credentials are pending.
7. Approve Danielle Serronico as a substitute teacher/paraprofessional for the 2020/21 school year subject to the satisfactory completion of the criminal history records check required by law. Ms. Serronico's NJ Substitute Teacher Credentials are pending.

IX. **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 PRELIMINARY 2021/22 SCHOOL YEAR BUDGET

BE IT RESOLVED that the Upper Saddle River Board of Education, County of Bergen, approves the 2021/22 school year budget as follows:

	Budget	Local Tax Levy
Total General Fund	\$27,289,790	\$23,588,981
Total Special Revenue Fund	\$547,313	-
Total Debt Service Fund	\$290,962	\$220,901
Totals	\$28,128,065	\$23,809,882

and

BE IT FURTHER RESOLVED that the **GENERAL FUND** tax levy, \$23,588,981 is approved to support Current General Expense and \$220,901 to support Debt Service, for the 2021/22 school year budget.

BE IT FURTHER RESOLVED that the Upper Saddle River Board of Education requests the approval of a capital reserve withdrawal in the amount of \$560,000. The district intends to utilize these funds for the final phase of the Partial Window Replacement Project at Reynolds School.

WHEREAS, school district Policy 6471 and *NJAC 6A:23B-1.2(b)* provides that the Board of Education shall establish in the annual school budget a maximum expenditure amount that may be allotted for such travel and expense reimbursement for 2021/22.

WHEREAS, the Upper Saddle River Board of Education appropriated \$40,900 for travel during the 2020/21 school year and has spent \$0.00 as of March 12, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Upper Saddle River Board of Education hereby establishes the School District travel maximum for the 2021/22 school year at the sum of \$29,100; and

BE IT FURTHER RESOLVED that the School Business Administrator shall track and record these costs to insure that the maximum amount is not exceeded.

X. FINANCE

Mrs. Imbasciani

This motion will be one motion which encompasses Items A through S 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 8, February 26 (Special Meeting), 2021

B. Approve the Bills List for February 2021 as follows:

10	General Current Expense	\$77,950.58
11	General Current Expense	\$2,029,473.24
20	Special Revenue Funds	\$33,404.01
60	Enterprise Fund	\$7,996.15
	Total	\$2,148,823.98

C. Approve the Transfers for February 2021.

D. Approve the Board Secretary and Treasurer's Reports dated January and February 2021 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:

WHEREAS, the Superintendent of Schools has requested that the Upper Saddle River Board of Education ("Board") disenroll two students ("Students") based on information that the Students are not entitled to a tuition free education from the Board;

WHEREAS, the Superintendent provided the Students' parents with notice of their right to a disenrollment hearing in the event that they did not agree with the Superintendent's determination;

WHEREAS, the Students' parents did not request a hearing;

WHEREAS, the Board considered the evidence presented by the administration in support of the Superintendent's recommendation to disenroll the Students; and

WHEREAS, the Board has determined that the Students are not entitled to a tuition-free education from the Board.

NOW, THEREFORE, BE IT RESOLVED that the Students shall be disenrolled from the Upper Saddle River School District, effective 21 days from the notice of disenrollment, and the Board Secretary shall provide the parents with notice of the disenrollment decision; provided, however, that if the Students' parents contest the Board's decision before the Commissioner of Education within 21 days of the notice of disenrollment, then the Students shall remain enrolled in the Upper Saddle River School District while the appeal is pending before the Commissioner of Education, subject to the right of the Board to collect tuition in the event that the parents are unsuccessful in their appeal or withdraw their appeal.

F. Approve the following Resolution:

WHEREAS, the Upper Saddle River Board of Education ("Board") advertised for bids regarding the Partial Window Replacement at Reynolds School –Phase 3 Project ("Project"); and

WHEREAS, on March 4, 2021, the Board accepted bids for the Project; and

WHEREAS, the lowest responsible bid for this Project was submitted by Premier Group Inc. (hereinafter referred to as "Premier"), with a total bid in the amount of \$720,000; and

WHEREAS, the bid submitted by Premier is responsive in all material respects and it is the Board's desire to award the contract for the Project to Premier.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Board hereby awards the contract for the Project to Premier in a total contract amount of \$720,000.
2. This award is expressly conditioned upon the contractor furnishing the requisite insurance certificate and labor and materials/performance bond as required in the project specifications, together with an AA201-Project Manning Report, and an executed A-101, Standard Form of Agreement

Between Owner and Contractor, and an A-201, General Conditions of the Contract for Construction, as prepared by the Board Attorney, within ten (10) days of the date hereof.

BE IT FURTHER RESOLVED that the Board Attorney is hereby directed to draft the agreement with the successful bidder consistent with this Resolution and with the terms contained in the bid documents approved by the Board for the Project. The Board President and the Board Secretary are hereby authorized to execute such agreement and any other documents necessary to effectuate the terms of this Resolution.

- G. Approve the Partial Window Replacement at Reynolds - Phase 2 Change Order ARA-GC-01 for Panoramic Window & Door Systems, Inc., in the amount of \$14,175.00. The cost of this change order will be deducted from Allowance #1. The remaining balance in Allowance #1 after this change order will be \$15,825.00.
- H. Approve the cancellation of the Cavallini Student Activities checks as follows:
- | <u>Date</u> | <u>Check Number</u> | <u>Amount</u> |
|-------------|---------------------|---------------|
| 10/21/2019 | 5007 | \$80.00 |
| 01/04/2020 | 5044 | \$9.00 |
| 01/24/2020 | 5058 | \$9.00 |
- I. Approve submission of the FY22 CRRSA - ESSER II, CRRSA - Learning Acceleration, and CRRSA - Mental Health Grant applications.
- J. Approve the out-of-district placement of a child whose name is on file in the Board Office at Learn Well Education, ten (10) hours per week, effective February 26, 2021. \$40/hour
- K. Approve the out of district placement of a child whose name is on file in the Board office at the Paramus School District, effective March 3, 2021.
- L. Approve the purchase and installation of one (1) 30 Ton Packaged Commercial Rooftop and one (1) 40 Ton Packaged Commercial Rooftop to replace RTU-8 and RTU-2 at Bogert/Reynolds from Trane in the amount of \$162,664.91. (This will be funded with proceeds from the CRRSA-ESSER II grant. Pricing based on US Communities Contract USC 15-JLP-023)
- M. Approve the purchase and installation of two (2) VUVE Unit Ventilators and two (2) Split System Air Conditioning Units for the Bogert Media Center from Trane in the amount of \$106,748.83. (This will be partially funded with proceeds from the CRRSA-ESSER II grant. Pricing based on US Communities Contract USC 15-JLP-023)
- N. Approve Richard D. Lavoie, to present Batteries Not Included: The Parent's Role in Student Motivation to the Upper Saddle River Parent Wellness Academy on Zoom on April 20, 2021 at a cost of \$2,500.00.
- O. Approve Dr. Michael Fowlin, to present "You Don't Know Me Until You Know Me" to the Upper Saddle River Parent Wellness Academy on Zoom on May 3, 2021 at a cost of \$1,500.00. The cost will be split between the USRBOE and the USRA Coalition.
- P. Accept the donation of 6 rolls of HDMI cable (valued at \$250.00) from the Carrero family.

Q. Accept the donation of \$54,609 from the USR PTO to cover the cost to rent six (6) 20' x 40' tents from Taylor Rentals. These tents will be used as additional outdoor learning spaces for the schools for the remainder of the 2020/21 school year.

§ R. Approve Roots & Wings, LLC to provide a three part evening staff development series on March 9, 16, and 23, 2021 at a cost of \$1,492.50.

S. Approve the following Travel Expenses:

Program Name	Date	Employee	Registration Fee	Travel Cost
Guiding Pre-K and Kindergarten Students to Better Behavior and Increased Learning (Online)	March 25, 2021	Amanda Feijo	\$279.00	\$0.00
Guiding Pre-K and Kindergarten Students to Better Behavior and Increased Learning (Online)	March 26, 2021	Stacy Schiff	\$279.00	\$0.00
How to Support Families with Children Who Use AAC (Online)	May 13, 2021	Sheila Barry	\$75.00	\$0.00
NJ Teachers of English to Speakers of Other Languages (NJTESOL) Annual Spring Conference (Online)	May 25, 2021	Jacqueline Valdes	\$399.00	\$0.00
NJ Teachers of English to Speakers of Other Languages (NJTESOL) Annual Spring Conference (Online)	May 26, 2021	Jessica Molinaro	\$399.00	\$0.00

XI. **PUBLIC COMMENT**

XII. **ADJOURNMENT**

Mrs. Johnston

2468- INDEPENDENT EDUCATIONAL EVALUATIONS

The Board of Education recognizes that the special education regulations permit a parent/guardian or an adult pupil to request an independent educational evaluation ("IEE") if there is a disagreement with any assessment conducted as part of an initial evaluation, or a reevaluation and shall ensure compliance with the requirements of N.J.A.C. 6A:14-2.5(c). An IEE means an evaluation conducted by a skilled and qualified examiner who is not employed by the public agency responsible for the education of the child in question. Such IEE shall be at no cost to the parent/guardian if it is conducted in compliance with the New Jersey Administrative Code, unless the Board initiates a due process hearing to show that its evaluation is appropriate and a final determination to that effect is made following the hearing. The Individualized Education Program ("IEP") team shall consider any IEE submitted to it when making decisions regarding special education and/or related services.

Upon receipt of the parental request, the District shall provide the parent/guardian with information about where the IEE may be obtained and advise that the evaluation must comply with the special education regulations. Specifically, an IEE shall be conducted according to N.J.A.C. 6A:14-3.4 and be obtained from another public school District, educational services commission, jointure commission, a clinic or agency approved under N.J.A.C. 6A:14-5, or a private practitioner who is appropriately certified and/or licensed, where a license is required. Independent medical evaluations may be obtained pursuant to N.J.A.C. 6A:14- 5.1(e). The criteria under which the evaluation is obtained, including the location of the evaluation, the qualifications of the examiner and reasonable cost criteria, shall be the same as the criteria that the District uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's/guardian's right to an IEE. Since the relevant criteria, including the maximum allowable cost, may change, the Board delegates the authority to establish said criteria to the Superintendent of Schools and Director of Special Services. The Superintendent of Schools and Director of

Special Services shall promulgate regulations consistent with this Policy and the N.J.A.C. 6A:14 et seq., which shall be reviewed at least annually. The District shall provide the parent/guardian with a comprehensive list of approved evaluators and shall take steps to ensure that the IEE is provided without undue delay.

If a parent/guardian identifies an alternate evaluator(s), the parent/guardian should first notify the District prior to scheduling an evaluation so that the District can ensure the individual(s) meets the foregoing criteria and that the cost of the evaluation is not unreasonably excessive. In the event that the parent/guardian is seeking an IEE from an evaluator who does not satisfy the foregoing criteria, the parent/guardian shall be given the opportunity to demonstrate that unique circumstances justify a waiver of the criteria. If unique circumstances do not justify a waiver of the criteria, including the cost criteria, the Board may seek due process to demonstrate that the evaluation sought by the parent/guardian did not meet the requisite criteria for IEEs and/or that there is no justification for selecting such an evaluator. Notwithstanding the foregoing, where the parent/guardian/adult student seeks an evaluation that exceeds the cost criteria, the parent/guardian/adult student may nevertheless request the

Program
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INDEPENDENT EDUCATIONAL EVALUATIONS

alternate evaluator provided that he/she agrees to pay the costs of the evaluation in excess of the established maximum allowable cost.

N.J.A.C. 6A:14-2.5
N.J.A.C. 6A:14-3.4
N.J.A.C. 6A:14-5
N.J.A.C. 6A:14-5.1(e)
34 C.F.R. 300.502(a), (e)

Adopted: 16 June 2014
Revised: 15 March 2021

DRAFT

Students
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ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

M

The Board of Education shall admit to its schools, free of charge, persons over five and under twenty years of age, pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education.

Eligibility to Attend School

The Board shall admit students eligible to attend school free of charge that are domiciled within the district as defined in N.J.A.C. 6A:22-3.1.

A child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in a time of war or national emergency shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 18A:38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.

The Board shall also admit any student that is kept in the home of a person other than the student's parent or guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child in accordance with N.J.A.C. 6A:22-3.2. A student is only eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 if the student's parent or guardian files, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the student due to family or economic hardship and the student is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the student must file, if so required by the Board of Education, a sworn statement that he or she: is domiciled within the school district; is supporting the child without remuneration and intends to do so for a time longer than the school term; will assume all personal obligations for the student relative to school requirements; and provides a copy of his or her lease if a tenant, a sworn



ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner. Pursuant to N.J.S.A. 18A:38-1.c, any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of his or her child to a person in another district commits a disorderly persons offense.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.b if the student is kept in the home of a person domiciled in the school district, who is not the parent or guardian and the parent or guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency. Eligibility under this provision shall cease at the end of the current school year during which the parent or guardian returns from active military duty.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.d if the student's parent or guardian temporarily resides within the school district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere. When required by the Board of Education, the parent or guardian shall demonstrate the temporary residence is not solely for purposes of a student attending the school district of temporary residence. When one of a student's parents or guardians temporarily resides in the school district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance with the criteria of N.J.A.C. 6A:22-3.1(a)1.i.

A student is eligible to attend this school district free of charge:

1. If the student's parent or guardian moves to another school district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2 - Education of Homeless Children;
2. If the student is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2;



ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

3. If the student previously resided in the school district and if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the student out of the school district, pursuant to N.J.S.A. 18A:38-3.b. The school district shall not be obligated for transportation costs; and
4. If the student resides on Federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other law, rule, or regulation to the contrary, a student who moves out of the school district as a result of domestic violence, sexual abuse, or other family crises shall be permitted to remain enrolled in the school district for the remainder of the school year in pursuant to N.J.S.A. 18A:38-1.1 and in accordance with the provisions of N.J.A.C. 6A:22-3.2(h). If the student remains enrolled in the school district for the remainder of the school year, the school district shall provide transportation services to the student, provided the student lives remote from school, and the State shall reimburse the school district for the cost of the transportation services. Nothing in N.J.S.A. 18A:38-1.1 shall be construed to affect the rights of homeless students pursuant to N.J.S.A. 18A:7B-12, N.J.S.A. 18A:7B-12.1, or any other applicable State or Federal law.

A student's eligibility to attend this school shall not be affected by the physical condition of an applicant's housing or his or her compliance with local housing ordinances or terms of lease.

Except as set forth in N.J.A.C. 6A:22-3.3(b)1, immigration/visa status shall not affect eligibility to attend school and the school district shall not condition enrollment in the school district on immigration status. A student's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b) and Regulation 5111.

Proof of Eligibility

The Board of Education shall accept a combination of forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.A.C. 6A:22-3.4. The Board of



ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

Education shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form or subset of documents without regard to other evidence presented.

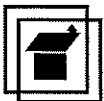
The Board of Education shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school as outlined in N.J.A.C. 6A:22-3.4(d). The Board of Education may consider, in a manner consistent with Federal law, documents or information referenced in N.J.A.C. 6A:22-3.4(d) or pertinent parts thereof if voluntarily disclosed by the applicant. The Board of Education may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment.

In the case of a dispute between the school district and the parent of a student in regard to the student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission (NJMVC) the parent or guardian's name and address for use in verifying a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.S.A. 18A:38-1.3. The NJMVC shall disclose to a school district the information requested in accordance with procedures established by the NJMVC. However, the school district shall not condition enrollment in the district on immigration status or on the fact that the NJMVC does not have the name or address of the parent on file.

Registration Forms and Procedures for Initial Assessment

Registration and initial determinations of eligibility will be in accordance with N.J.A.C. 6A:22-4.1. The Board of Education shall use Commissioner-provided registration forms or locally developed forms that are consistent with the forms provided by the Commissioner. A district-level administrator designated by the Superintendent shall be clearly identified to applicants and available to assist persons who experience difficulties with the enrollment process.

Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials. Enrollment shall take place immediately when an applicant has



ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.

When a student appears ineligible based on the information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district's determination and an intent to appeal to the Commissioner of Education. An applicant whose student is enrolled pursuant to this provision shall be notified that the student will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws. When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement, designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of "neglect" for the purposes of ensuring compliance with compulsory education law, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student's name, the name(s) of the parent/guardian/resident, and the student's address to the extent known. Staff shall also indicate admission to the school district has been denied based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.

Enrollment or attendance at the school shall not be conditioned on advance payment of tuition when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2,



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Education of Homeless Children. Enrollment or attendance in the school district shall not be denied based upon the absence of the certified copy of the student's birth certificate or other proof of a student's identity as required within thirty days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.

Enrollment in the school district shall not be denied based upon absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.

When enrollment in the school district, attendance at school, or the receipt of educational services in the regular education program appears inappropriate, the student shall not be denied based upon the absence of a student's prior educational record. However, the applicant shall be advised the student's initial educational placement may be subject to revision upon the school district's receipt of records or further assessment of the student.

Notice of Ineligibility

When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22 or the student's initial application is found to be deficient upon subsequent review or investigation, the school district immediately shall provide to the applicant notice that is consistent with Commissioner-provided sample form(s) and meets requirements of N.J.A.C. 6A:22-4 et seq. Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside. Notices of ineligibility shall include information as outlined in N.J.A.C. 6A:22-4.2.

Removal of Currently Enrolled Students

Nothing in N.J.A.C. 6A:22 et seq. and this Policy shall preclude the Board of Education from identifying through further investigation or periodic requests for revalidation of eligibility, students enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances, or newly discovered information.

When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board of Education for the student's removal in



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accordance with the provisions of N.J.A.C. 6A:22-4.3. No student shall be removed from school unless the parent, guardian, adult student, or resident keeping an “affidavit student” (as defined in N.J.A.C. 6A:22-1.2) has been informed of his or her entitlement to a hearing before the Board of Education. Once the hearing is held, or if the parent, guardian, adult student or resident keeping an “affidavit student”, does not respond within the designated time frame to the Superintendent’s notice or appear for the hearing, the Board of Education shall make a prompt determination of the student’s eligibility and shall immediately provide notice in accordance with N.J.A.C. 6A:22-4.2 Hearings required pursuant to N.J.A.C. 6A:22-4.3 may be conducted by the full Board or a Board Committee, at the discretion of the full Board. If the hearing(s) is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. No student may be removed except by vote of the Board taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

Appeal to the Commissioner

An applicant may appeal to the Commissioner of Education the school district’s determination that a student is ineligible to attend its schools. Appeals shall be initiated by petition which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 and shall proceed as a contested case pursuant to N.J.A.C. 6A:3. Pursuant to N.J.S.A. 18A:38-1.b(1), appeals of “affidavit student” eligibility determinations shall be filed by the resident keeping the student.

Assessment and Calculation of Tuition

If no appeal to the Commissioner is filed following notice of an ineligibility determination, the Board of Education may assess tuition, for up to one year of a student’s ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 et seq. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.



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If an appeal to the Commissioner is filed and the petitioner does not sustain the burden of demonstrating the student's right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition in accordance with the provisions of N.J.A.C. 6A:22-6.2(a). Upon the Commissioner's finding that an appeal has been abandoned, the Board of Education may remove the student from school and seek tuition in accordance with N.J.A.C. 6A:22-6.2.

Nonresident Students

The admission of a nonresident student to school free of charge must be approved by the Board. No student otherwise eligible shall be denied admission on the basis of the student's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The continued enrollment of any nonresident student shall be contingent upon the student's maintenance of good standards of citizenship and discipline.

Children Who Anticipate Moving to or from the District

A nonresident student otherwise eligible for attendance whose parent or guardian anticipate school district residency and has entered into a contract to buy, build, or rent a residence in this school district may be enrolled provided they sign the Upper Saddle River Board of Education Non-Resident Tuition Agreement form and submit it to the District with a check for 25% of the total cost of tuition. If any such student becomes a resident within four weeks of enrollment, 100% of the tuition paid will be refunded. If any such student does not become a resident of the school district within four weeks after admission to school, tuition will continue to be charged for attendance as per the terms of Section 3 of the Non-Resident Tuition Agreement until such time as the student becomes a resident or withdraws from school.

Students whose parent or guardian have moved away from the school district on or after April 1 will be permitted to finish the school year in this school district without payment of tuition.



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Children of District Employees

Upon recommendation of the Superintendent, eligible children of nonresident employees, may be enrolled in the schools of this district upon the approval of the Board on a case-by-case basis. Approval is not guaranteed. If the child(ren) is/are deemed to need special services, the employee will be billed separately for these additional costs. Employees with children admitted as non-resident students shall not interfere with the instructional day by visiting the children's classroom or contacting the child's teacher during the school day. Eligibility for enrollment will be considered upon receipt of a written request to the Superintendent from the USRBOE staff member along with a signed Non-Resident USRBOE Staff Member Tuition Agreement.

Children of Nonresident Staff Members, Municipal and Northern Highlands High School Employees

Upon recommendation of the Superintendent, eligible children of nonresident municipal employees, and Northern Highlands High School employees may be enrolled in the schools of this district with payment of 25% of nonresident tuition upon the approval of the Board on a case-by-case basis. Approval is not guaranteed. If the child(ren) is/are deemed to need special services, the employee will be billed separately for these additional costs.

Other Nonresident Students

Upon recommendation of the Superintendent, other nonresident students, otherwise eligible for attendance, may be admitted to this school district with payment of tuition and Board approval. Approval is not guaranteed. If the student (s) is/are deemed to need special services, the family will be billed separately for these additional costs.

N.J.S.A. 18A:38-1 et seq.; 18A:38-1.3; 18A:38-3; 18A:38-3.1
N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.; 6A:22-1.1 et seq.
8 CFR 214.3

Adopted: 16 June 2008
Revised: 18 October 2010



POLICY

UPPER SADDLE RIVER BOARD OF EDUCATION

Students

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Operations
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SCHOOL CLEARANCE FOLLOWING CRISIS SITUATION

8420.30 SCHOOL CLEARANCE FOLLOWING CRISIS SITUATION

The Board is committed to protecting the health, safety and welfare of students during the school day, and will take any action necessary to provide for the safety and security of its students, staff and/or property. In "crisis situations," the Board reserves the right to exclude from school any student who has been determined to pose an imminent or potential threat to student or staff safety, pending appropriate mental health clearance.

1. Examples of "Crisis Situations" (not exclusive)
 - A. Actions creating an imminent danger to the student or others, e.g., suicidal or homicidal ideation(s) or attempt(s) (See also Policy No. 5350 Suicide);
 - B. Verbalization(s) or other action(s) threatening the health, safety or well-being of the student, staff or other students;
 - C. Verbalization(s) or other actions(s) reflecting an intent or plan to harm the student or others;
 - D. Verbalization(s) or other actions(s) indicating that the student may be at risk of causing harm to the student or others; or
 - E. Possession of objects(s) or material(s) posing a threat to the health, safety or well-being of the student, staff or other students.
2. Discipline
 - A. A student's exclusion based upon an identified crisis situation shall not be considered a disciplinary consequence.
 - B. This Policy is intended to address mental health related issues only (i.e., to ensure that the student does not represent a danger to him/herself or others.) and does not supersede the implementation of appropriate disciplinary action for infractions of school regulations or action required by N.J.S.A. 18A:40A-12 or N.J.A.C. 6A:16-43 as described in policies and explained in student handbooks and/or Code of Student Conduct.
 - C. Depending on the nature of the incident, however, the student may also be subject to disciplinary consequences as a result of his or her conduct.



SCHOOL CLEARANCE FOLLOWING CRISIS SITUATION

3. Procedures

- A. In situations where a student presents as an imminent danger to himself or others, school emergency procedures will be followed, and supersede the provisions of Section 3c of this Policy.
- B. Staff members shall immediately notify the Administrator, or designee, of any potential crisis situations.
- C. In response to every report, the Administrator, or designee, shall immediately:
 - 1) Notify the Crisis intervention team or other designated team/individual responsible for the initial assessment of the student or trained in suicide prevention.
 - 2) Notify the student's parent or legal guardian.
- D. In response to every report, a member of the Crisis Intervention Team, consisting of the Administrator, or designee, guidance counselor, school psychologist, student assistance coordinator, social worker and/or designee trained in suicide prevention, shall conduct a student interview to assess whether the student presents as a potential danger to him/herself or others, and to determine whether or not the student requires a mental health assessment prior to reinstatement.
- E. Provisions shall be made for the appropriate care and supervision of the student pending either: (1) a determination by the Crisis Intervention Team that the student's exclusion is not required; or (2) the student's release to his or her parent/guardian.
- F. Law enforcement officials will be notified in accordance with the New Jersey Duty to Warn Law (P.L. 2018, Chapter 34).

4. Assessment and Reinstatement

- A. If the Crisis Intervention Team determines that the student presents as a potential danger to him/herself or others and requires a mental health



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assessment prior to reinstatement, the Administrator, or designee, shall notify the student's parent/guardian of this determination. In addition, the Superintendent of Schools will be notified.

- B. The assessment must be completed by a licensed or certified mental health professional outside of the school system (e.g., psychologist, psychiatrist, social worker or advanced practice nurse). The Administrator, or designee, shall provide the student's parents/guardians with appropriate referral information for qualified mental health providers.
 - 1) Assessments completed by evaluators selected by the school district shall be at the expense of the school district.
 - 2) Assessments completed by evaluators selected by the student's parent/guardian shall be at the expense of the parent/guardian.
- C. For purposes of the assessment, it is necessary for the evaluator to have access to all relevant information regarding the student and the incident giving rise to the exclusion. The student's parent/guardian shall be asked to provide consent for a member of the Crisis Intervention Team to contact the professional completing the evaluation to provide necessary background information.
 - 1) If a parent/guardian cannot be reached and the student is screened and/or assessed by the appropriate school personnel as being in imminent danger of harming him/herself or other, the school may initiate an immediate assessment.
 - 2) In such circumstances, the Bergen County Juvenile Family Crisis Intervention Unit can authorize the policy to transport the student to the hospital for an assessment.
- D. The assessment must include:
 - 1) Identifying information;
 - 2) Medical and family history;
 - 3) Review of presenting problem or incident;



SCHOOL CLEARANCE FOLLOWING CRISIS SITUATION

- 4) Mental status examination;
- 5) Diagnosis, as appropriate;
- 6) Triggers for reoccurrence, as appropriate;
- 7) Recommendations for follow-up services, as appropriate; and
- 8) Other information deemed relevant by the evaluator.

E. Clearance letter must include:

- 1) Evaluator's name and license number;
- 2) Student's name and date of birth;
- 3) Confirmation that the evaluator assessed the student in accordance with the standards set forth in Section 4d of this Policy following and in connection with the precipitating school-based incident;
- 4) The date of the assessment; and
- 5) A specific statement that the student does not present as a danger to him/herself or others and is able to return to school.

F. If the parents or guardians assume the cost of the assessment (through a provider of their own choosing), the resulting report is their property and will require their consent before being released to the school district. Parents/Guardians are encouraged to share such information with the school district. However, parents/guardians are not required to produce the report in its entirety, so long as the essential elements (See Section E above) are included in the clearance letter. .

5. Re-Entry to School

Following receipt of the school clearance letter, the District shall schedule a re-entry meeting with the student and his/her parents/guardians and an appropriate school district designee. Discussion may include, but is not limited to:



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- A. Consideration of CST referral, as appropriate
 - B. Discussion with parents/guardians regarding follow-up treatment, as necessary
 - C. Discussion with parents/guardians regarding access to additional evaluative information (beyond clearance letter).
6. Instruction During Exclusion:

Students will be provided with appropriate home or other out-of-school instruction in accordance with N.J.A.C. 6A:16-10.1 et seq.

NJ.S.A.18A:40A-12
NJ.A.C.6A:16-10.1

Adopted: 15 October 2012
Revised: 15 March 2021

