

JANUARY 22, 2024

7:00 pm

Executive Meeting

Attachments

# BERGENFIELD BOARD OF EDUCATION

## BOARD OF EDUCATION

### MINUTES FOR THE CAUCUS MEETING

Monday December 18, 2023	7:00 PM	District Conference Room
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#### 1. Meeting Called to Order by the President

#### 2. Roll Call

Attendee Name	Organization	Title	Status	Arrived
Joseph Amara	Bergenfield Board of Education	President	Present	
Guadalupe Ruiz-Catala	Bergenfield Board of Education	Vice President	Present	
Nelson Reynoso	Bergenfield Board of Education	Trustee	Present	
Deborah Podwin	Bergenfield Board of Education	Trustee	Present	
Ovelis Munoz	Bergenfield Board of Education	Trustee	Present	

Also present: C. Tully, D. Markman, J. Khoury-Frias, S. Biggins

**Flag Salute: Waived**

**Statement of the President: Waived**

"The New Jersey Open Public Meetings Law was enacted to insure the right of the public to have advance notice of and to attend meetings of this Board, except where specifically exempted by law, at which any business affecting their interest is discussed or acted upon. In accordance with the provisions of this act, the Board of Education has caused notice of this meeting to be published by having same advertised in The Record on June 30, 2023; also notice of this meeting has been mailed to the members of the Board, the Borough Clerk, all Elementary Schools, Roy W. Brown Middle School, the High School and District the Website on December 1, 2023."

#### 3. Verbal Comments: None

The Bergenfield Board of Education now opens the floor for our first public comment session. Public comments regarding tonight's agenda items only will be heard at this time. Participants shall be limited to a three minutes time limit and shall identify themselves before speaking. There will be a limit of 30 minutes for this public comment period. You will have an opportunity to make any other comments during the 2nd public comment session later in the meeting.

#### 4. Discussion of Evening Agenda

#### 5. Discussion of Committee Reports

A. Finance Committee

B. Policy Committee

Attachment: Minutes for 12-18-2023 (10932 : Minutes for December 2023)

## 6. Verbal Comments: None

The Bergenfield Board of Education now opens the floor for our 2nd public comment for any other comments at this time. Participants shall be limited to a three minutes time limit and shall identify themselves before speaking. There will be a limit of 30 minutes for this public comment period.

## 7. Motion to go to Private Session at 7:30 PM

1. Tonight's personnel.
2. Open Litigation.
3. HIB.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>SECONDER:</b>	Deborah Podwin, Trustee
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

## 8. Motion to Adjourn

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>SECONDER:</b>	Deborah Podwin, Trustee
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

## 2. INFORMATIONAL ITEMS

1. Informational Item (ID # 10858)

Posting for 12/18/23 Meeting.

Attachments:

Posting for 12-18-23 Meeting(PDF)

2. Informational Item (ID # 10866)

Custodial/Maintenance OT November 2023.

Attachments:

Custodial-Maintenance OT - November 2023 (PDF)

Attachment: Minutes for 12-18-2023 (10932 : Minutes for December 2023)

# BERGENFIELD BOARD OF EDUCATION

## BOARD OF EDUCATION

### MINUTES FOR THE REGULAR MEETING

Monday December 18, 2023

8:00 PM

District Conference Room

#### 1. Meeting called to order by the President

#### 2. Roll Call

Attendee Name	Organization	Title	Status	Arrived
Joseph Amara	Bergenfield Board of Education	President	Present	
Guadalupe Ruiz-Catala	Bergenfield Board of Education	Vice President	Present	
Nelson Reynoso	Bergenfield Board of Education	Trustee	Present	
Deborah Podwin	Bergenfield Board of Education	Trustee	Present	
Ovelis Munoz	Bergenfield Board of Education	Trustee	Present	

Also present: C. Tully, D. Markman, J. Khoury-Frias, S. Biggins

#### B. 2023/2024 Board Goals

1. Continue to raise academic achievement levels of all students all subject areas to maintain ranking as a top tier school district
2. Continue to promote a supportive environment that promotes diversity, equity, and inclusive programming and curriculum for all
3. Continue to provide opportunities to expand critical thinking skills, SEL competencies, civic involvement, environmental awareness, and information literacy skills
4. Review, modify, and expand co-curricular activities, experiential learning, and community service opportunities
5. Continue to broaden public engagement with parents, students, and community while increasing parental engagement in the educational process

#### Flag Salute

#### Statement of the President

"The New Jersey Open Public Meetings Law was enacted to insure the right of the public to have advance notice of and to attend meetings of this Board, except where specifically exempted by law, at which any business affecting their interest is discussed or acted upon. In accordance with the provisions of this act, the Board of Education has caused notice of this meeting to be published by having same advertised in The Record on June 30, 2023; also notice of this meeting has been mailed to the members of the Board, the Borough Clerk, all Elementary Schools, Roy W. Brown Middle School, the High School and District the Website on December 1, 2023."

Attachment: Minutes for 12-18-2023 (10932 : Minutes for December 2023)



### 3. Minutes

1. Motion to accept and approve the Minutes for November 2023.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Deborah Podwin, Trustee
<b>SECONDER:</b>	Nelson Reynoso, Trustee
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

### 4. Written Communication: None

### 5. Verbal Comments

The Bergenfield Board of Education now opens the floor for our first public comment session. Public comments regarding tonight's agenda items only will be heard at this time. Participates shall be limited to a three minutes time limit and shall identify themselves before speaking. There will be a limit of 30 minutes for this public comment period. You will have an opportunity to make any other comments during the 2nd public comment session later in the meeting.

Ligia Alberto - Parent  
Attachments for the agenda.

### 6. Report and Recommendations of Superintendent of Schools

#### A. Student Representative Report

Vanessa Wood was absent, the following report was read at the meeting.

As the school community prepares for the upcoming Holiday Break, student involvement is at an all-time high! Progress reports for marking period 2 were released today in anticipation of parent teacher conferences, which will be held on Thursday, January 4th.

The numerous honor societies of BHS have been involved in a multitude of fundraisers and activities. The National Art Honor Society recently held a pottery sale in which the members' pottery creations ranging from mugs to figurines were up for sale. Students' works were sold for \$5 each. On the 14th, the Science National Honor Society held a bake sale for the STEM open house- an informational event for incoming BHS students interested in the rigorous program. The National English Honor Society is hosting a Holiday Party this Thursday for all current and prospective members. Additionally, the National Honor Society has elected its inductee Vice President: junior Sara Bilici!

In club related news, HOSA, also known as Health Occupations Students of America, will be holding a bake sale tomorrow. The French Club will be hosting a holiday party for club members on Wednesday. Activities will include making and decorating gingerbread cookies, board games and music, and the entrance fee is \$5. The Botany Club is holding a holiday plant sale on Tuesday and Wednesday during lunch and after school. Plants will be sold for as low as \$2. The

Congress Class of 2026 hosted a holiday bake sale after school today, and they are holding a holiday-themed spirit week throughout the week to boost holiday spirit here at BHS!

Finally, the annual Holiday Concert featuring performances from the Honors Symphony Orchestra, Honors Vocal Ensemble, Chamber Orchestra, and Concert Choir will be held this Wednesday at 1:15 PM and again at 8:00 PM in the BHS Auditorium. Tickets can be purchased at <http://bergenfield.ludus.com/>. Tickets are \$5 for adults and \$3 for students and senior citizens. A reception for senior citizens will be held immediately following the 1:15pm performance.

## **B. General Recommendations**

1. Motion to accept and approve the attached Personnel Recommendations.

Motions 2 - 13 were blocked voted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>SECONDER:</b>	Deborah Podwin, Trustee
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

2. Motion to accept and approve the December 12, 2023, Special Education Monthly Report as per the attached.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Nelson Reynoso, Trustee
<b>SECONDER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

3. Motion to accept and approve the continuation of student suspensions for students whose names are annexed in the Superintendent's Office.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Nelson Reynoso, Trustee
<b>SECONDER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

4. Motion to accept and approve the attached HIB Report.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Nelson Reynoso, Trustee
<b>SECONDER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

## 5. Motion to accept and approve the Abolishment of the following Policies and Regulation:

Policy 3432 Policy 4432	Sick Leave	To be replaced with 1st Reading of New Policy 1642.01
Policy 8540 Policy 8550	School Nutrition Meal Charges/Outstanding Food Bill Service	To be combined with 1st Reading of Revised Policy 8500
Policy 5462.02 Regulation 5462.02	Bridge Year Pilot Program	Eligibility expired June 2023

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Nelson Reynoso, Trustee  
**SECONDER:** Guadalupe Ruiz-Catala, Vice President  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

## 6. Motion to accept and approve the First Reading of the following Revised Policies and Regulations:

Policy 2270	Religion in Schools
Policy 2419	School Threat Assessment Teams
Policy 3161 Policy 4161	Examination for Cause
Policy 3212 Policy 4212	Attendance - Teaching Staff Attendance - Support Staff
Policy 5111 Regulation 5111	Eligibility of Resident/Nonresident Students
Policy 5116 Regulation 5116	Education of Homeless Children and Youths
Policy 8500	Food Services

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Nelson Reynoso, Trustee  
**SECONDER:** Guadalupe Ruiz-Catala, Vice President  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

## 7. Motion to accept and approve the First Reading of the following New Policies and Regulations:

Policy 1642.01 Regulation 1642.01	Sick Leave
Regulation 2419	School Threat Assessment Teams

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Nelson Reynoso, Trustee  
**SECONDER:** Guadalupe Ruiz-Catala, Vice President  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

8. Motion to accept and approve the Revised Independent Special Education Consultants as per the attached.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Nelson Reynoso, Trustee  
**SECONDER:** Guadalupe Ruiz-Catala, Vice President  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

9. Motion to accept and approve the 2022/2023 Final Expenditure Report and Carry-over ESSA Funds.

<u>2022-2023 ESSA Grant</u>	<u>Allocation</u>	<u>Final Expenditures</u>	<u>Carry-Over Amount</u>
Title I, Part A	\$ 530,463	\$ 493,303	\$ 37,160
Title IIA	\$ 113,822	\$ 75,440	\$ 38,382
Title III	\$ 52,265	\$ 42,021	\$ 10,244
Title III Immigrant	\$ 0	\$ 0	\$ 0
Title IV	\$ 41,943	\$ 31,873	\$ 10,070

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Nelson Reynoso, Trustee  
**SECONDER:** Guadalupe Ruiz-Catala, Vice President  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

10. Motion to accept and approve the ESEA Amendment for Title I, Title IIA, Title III, and Title IV based on the redistribution of Carryover Funds.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Nelson Reynoso, Trustee  
**SECONDER:** Guadalupe Ruiz-Catala, Vice President  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

11. Motion to accept and approve the High Impact Tutoring Grant for \$114,983.00.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Nelson Reynoso, Trustee  
**SECONDER:** Guadalupe Ruiz-Catala, Vice President  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

12. Motion to accept and approve the amendment for the ARP ESSER Safe Return Plan.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Nelson Reynoso, Trustee  
**SECONDER:** Guadalupe Ruiz-Catala, Vice President  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

13. Motion to accept and approve the following conferences payable out of LEA and Title II Funds.

<u>Name(s)</u>	<u>Position</u>	<u>Conference</u>	<u>Account Number</u>	<u>Cost</u>	<u>Source of Funds</u>
A. Hilburn	English Teacher	NJ Writing Project, Madison, NJ January 10, 2024	-	-	-
S. Machin	Director of Guidance Counseling and Support Services	Summit on Combating the Loneliness Epidemic, Teaneck, NJ, January 11, 2024	-	-	-
L. Zapata	Guidance Counselor	Introduction to Solution Focused School Counseling, January 11 and 25, 2024	20-273-200-500-15-270	\$117.00	Title II
E. Valera	Guidance Counselor	Farleigh Dickinson University Counselor Luncheon, Teaneck, NJ, February 2, 2024	-	\$0.00	-
Z. Bacha	French Teacher	Northeast Conference on the Teaching of Foreign Languages, Hilton Midtown, New York, NY February 23, 2024	20-273-200-500-15-270	\$190.00	Title II
R. Churn	Spanish Teacher	Northeast Conference on the Teaching of Foreign Languages, Hilton Midtown, New York, NY February 23, 2024	20-273-200-500-15-270	\$190.00	Title II

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S. Liguori	Spanish Teacher	Northeast Conference on the Teaching of Foreign Languages, Hilton Midtown, New York, NY February 23-24, 2024	20-273-200-500-15-270	\$200.00	Title II
M. Weigl	Director of Transportation	STS 54 <sup>th</sup> Annual NJ Pupil Transportation Conference, Atlantic City, NJ March 20-22, 2024	11-000-270-593-10-000	\$475.00	LEA
A. Hilburn	English Teacher	The NJ Ed Summit 2023-2024, Monroe Township, NJ March 21, 2024	20-273-200-500-15-270	\$150.00	Title II
K. Stevenson	Guidance Counselor	Turnbridge Professional Development & Networking Event, New Haven, CT, May 2-3, 2024	-	\$0.00	-

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Nelson Reynoso, Trustee  
**SECONDER:** Guadalupe Ruiz-Catala, Vice President  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

14. Motion to accept and approve the new TriValley Multiple Disabilities Class at Lincoln Elementary School beginning January 8, 2024.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Nelson Reynoso, Trustee  
**SECONDER:** Guadalupe Ruiz-Catala, Vice President  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

## 7. Old Business: None

## 8. New Business

Motions A-O were block voted.

- A. Motion to accept and approve the attached Tuition Contracts for Received Students for the 2023/2024 School Year.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>SECONDER:</b>	Nelson Reynoso, Trustee
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

- B. Motion to accept and approve the attached Tuition Contracts with Bergen County Special Services for the 2023/2024 School Year.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>SECONDER:</b>	Nelson Reynoso, Trustee
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

- C. Motion to accept and approve the attached Transportation Contracts as Host District for the 2023/2024 School Year.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>SECONDER:</b>	Nelson Reynoso, Trustee
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

- D. Motion to accept and approve the attached Transportation Contract(s) as the Joiner District for the 2023/2024 School Year.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>SECONDER:</b>	Nelson Reynoso, Trustee
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

- E. Motion to accept and approve the attached Specialty Contracts for the 2023/2024 School Year.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>SECONDER:</b>	Nelson Reynoso, Trustee
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

Attachment: Minutes for 12-18-2023 (10932 : Minutes for December 2023)

- F. Motion to accept and approve the attached Tuition Contract(s) for Sent Student for the 2023/2024 School Year.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Guadalupe Ruiz-Catala, Vice President  
**SECONDER:** Nelson Reynoso, Trustee  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

- G. Motion to accept and approve the attached Use of Facilities.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Guadalupe Ruiz-Catala, Vice President  
**SECONDER:** Nelson Reynoso, Trustee  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

- H. Motion to accept and approve the proposal from Academy Construction for the asbestos abatement at Bergenfield High School, Roy W. Brown Middle School and Washington Elementary School at a cost of \$19,387.16 on cooperative bid HCESC-SER-22-15.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Guadalupe Ruiz-Catala, Vice President  
**SECONDER:** Nelson Reynoso, Trustee  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

- I. Motion to accept and approve Change Order #1 from Shore Top Construction to reduce the contract price by \$18,099.60 for the Bergenfield High School Tennis Court Improvement Project. The revised contract amount will be \$154,700.40.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Guadalupe Ruiz-Catala, Vice President  
**SECONDER:** Nelson Reynoso, Trustee  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

- J. Motion to accept and approve the following resolution:

**BE IT RESOLVED**, that the Bergenfield Board of Education continue its membership in the Bergen County Region V Council for Special Education for the 2024-2025 school year; does hereby accept, adopt, and agree to comply with the Region V Bylaws; designates Christopher Tully, Superintendent, as its representative to Region V; and empowers him to cast all votes and take all other actions necessary to represent its interest in Region V.



**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Guadalupe Ruiz-Catala, Vice President  
**SECONDER:** Nelson Reynoso, Trustee  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

K. Motion to accept and approve the following donation(s):

Ms. Bellotti donated a violin that was used by her daughter when she was in the Bergenfield Music Department. The violin is in good condition and has an approximate value of \$200. The violin will be used by the Bergenfield Elementary music students.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Guadalupe Ruiz-Catala, Vice President  
**SECONDER:** Nelson Reynoso, Trustee  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

L. Motion to accept and approve the proposal from Frontline Education for the Employee Evaluation Management Tool at a cost of \$12,557.27.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Guadalupe Ruiz-Catala, Vice President  
**SECONDER:** Nelson Reynoso, Trustee  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

M. Motion to accept and approve the proposal from Dell Technologies for KACE System Management at a cost of \$15,051.14 on NJ State Contract# 20-TELE-01510.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Guadalupe Ruiz-Catala, Vice President  
**SECONDER:** Nelson Reynoso, Trustee  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

N. Motion to accept and approve the volunteer visitation services of The Bright & Beautiful Therapy Dogs District Wide for the 2023-2024 year.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Guadalupe Ruiz-Catala, Vice President  
**SECONDER:** Nelson Reynoso, Trustee  
**AYES:** Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

- O. Motion to accept and approve the General Fund and Fund 20 Inter-Account Transfers as per the attached list.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>SECONDER:</b>	Nelson Reynoso, Trustee
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

## 9. Report and Recommendations of Business Administrator/Board Secretary

Motion to accept and approve the following as presented:

- A. The Secretary's Report of Cash Balances as of November 30, 2023 reflecting a balance of \$19,476,445.71 and The Treasurer's Report of Cash Balances as of November 30, 2023 reflecting a balance of \$19,476,445.71.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Nelson Reynoso, Trustee
<b>SECONDER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

- B. Final Vouchers for payment in the month of November 2023 in the total amount of \$9,148,586.93.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Nelson Reynoso, Trustee
<b>SECONDER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

- C. Partial Vouchers for payment in the month of December 2023 in the total amount of \$6,366,228.74.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Nelson Reynoso, Trustee
<b>SECONDER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

- D. Motion to accept and approve the following:

Pursuant to N.J.A.C. 6A:23-2.11(c)3, the Board of Education Secretary certifies that as of November 30, 2023 that no line item account has encumbrances and expenditures, which in total exceed the line item appropriation in violation of N.J.A.C. 6A:23-2.11(a).



Pursuant to N.J.A.C. 6A:23-2.11(c)4, the Board of Education Secretary certifies that as of November 30, 2023, after review of the District's monthly financial reports, no major account or fund has been over expended in violation of N.J.A.C. 6A:23-2.11(b) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Nelson Reynoso, Trustee
<b>SECONDER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

#### 10. Verbal Comments

The Bergenfield Board of Education now opens the floor for our 2nd public comment for any other comments at this time. Participates shall be limited to a three minutes time limit and shall identify themselves before speaking. There will be a limit of 30 minutes for this public comment period.

Ligia Alberto - Parent  
OPRA Requests.

Domingo Almonte - Parent  
Attachments from the agenda.

Hernando Rivera - Parent  
Attachments from the agenda.

Merlo -  
TriValley opening at Lincoln.  
Covering of teacher duties.

Julissa Acevedo - Parent  
Placement of special education programs.

Ely Taveras - Parent  
Streaming meetings.

Henry Alberto - Parent  
Give time to his wife, Ligia Alberto - attachments from the agenda.

Attachment: Minutes for 12-18-2023 (10932 : Minutes for December 2023)

## 11. Adjournment

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Guadalupe Ruiz-Catala, Vice President
<b>SECONDER:</b>	Nelson Reynoso, Trustee
<b>AYES:</b>	Amara, Ruiz-Catala, Reynoso, Podwin, Munoz

### A. Private Session:

1. Motion to accept and approve going to Private Session in the Superintendent's Office. The Board will not reconvene to Public Session.

Attachment: Minutes for 12-18-2023 (10932 : Minutes for December 2023)

**BCSS Tuition Contracts for Board Approval in January 2024  
FOR 2023-2024**

[illegible]

# Tuition Contracts for Board Approval for January 2024

### Receiving Students from Other School Districts

[illegible]

Transportation Contracts for Board Approval in January 2024  
Bergenfield as Host District

<u>Name of School</u>	<u>Contract Date</u>	<u>Cost</u>
New Milford Board of Education (Joiner)	9/1/2023 – 6/30/2024	\$12,461.10

Attachment: Transportation Contract as Host District (10922 : Transportation Contracts as Host District)



Specialty Contracts for Board Approval in January 2024  
For 2023-2024

Name/Place of Service	Type of Service	Rate	# of Students	Comments/Remarks
LearnWell	Bedside Instruction	\$61.75 per hour	Student name on file in Board Office	Start 1/17/2024

Attachment: Specialty Contracts (10934 : Specialty Contracts)

Use Of Facilities  
Monday, January 29, 2024  
TO: Bergenfield Board of Ed.

Organization	Function	Location	Event Date	Event Time	Int	Ext	Cost Org	Cost To Board	Schedule
RWB Staff	RWB March Madness	Bergenfield High School   BHS Main Gym	Friday, March 8, 2024	3:30 PM - 5:30 PM	X			None	4605
Borough of Bergenfield	Bergenfield Zoning Board Meeting	Bergenfield High School   BHS Front Cafeteria	Monday, February 5, 2024	8:00 PM - 10:00 PM		X		None	4608
Borough of Bergenfield	Bergenfield Planning Board Meeting	Bergenfield High School   BHS Classroom 122	Monday, February 26, 2024	8:00 PM - 10:00 PM		X		None	4609
BHS Staff	Dance team practice	Bergenfield High School   BHS Front Cafeteria	Thursday, February 15, 2024 Thursday, February 22, 2024	3:15 PM - 5:00 PM	X			None	4611
BHS Staff	DWTS dress rehearsal	Bergenfield High School   BHS Auditorium	Tuesday, February 20, 2024	3:00 PM - 6:00 PM	X			None	4612
BHS Staff	BHS Assembly	Bergenfield High School   BHS Auditorium	Tuesday, January 30, 2024 Wednesday, February 7, 2024 Wednesday, March 6, 2024 Wednesday, April 10, 2024 Wednesday, May 1, 2024	8:30 AM - 12:00 PM	X			None	4613
BHS Staff	Faculty Meeting	Bergenfield High School   BHS Front Cafeteria	Wednesday, February 21, 2024 Thursday, February 22, 2024	3:00 PM - 3:45 PM	X			None	4614
BHS Staff	DWTS practice	Bergenfield High School   BHS Front Cafeteria	Thursday, February 22, 2024	4:00 PM - 5:30 PM	X			None	4633

*[Signature]* \_\_\_\_\_  
Signature Date

\* Pending receipt of insurance documents

**COMBUSTION SERVICE CORP.**  
Industrial/Commercial · Gas/Oil Burner Sales and Service  
Mechanical Contractor  
*"For maximum boiler efficiency"*

---

Tel: 973-334-2200  
Fax: 973-334-2238

429 Rockaway Valley Road, Suite 100  
Boonton Township, NJ 07005

Bergenfield Board of Education  
225 W. Clinton Ave.  
Bergenfield, NJ 07621

January 8, 2024

ATTN: Ms. JoAnn Khoury-Frias

RE: Boiler repairs.

Our quotation is as follows:

**Roy Brown School:**

- 1) Replace one blower motor on one CB boiler that stopped working.

***Our price for this is \$10,750.00. (Material: \$6,739.14 plus 15% markup equals \$7,750.00.  
Labor: Three mechanics @ \$125.00 per hour each for eight hours each equals \$3,000.00).***

**NOTE:** *Delivery is 5 to 10 days from receipt of purchase order*

***As per our EDS contract Bid # 12191 titled Boiler Inspection, Cleaning and Repair Package #4.***

Please contact this office with any questions you have regarding this quote.

Respectfully,

Donnell K. Sanders

Combustion Service Corp.

Attachment: Combustion Service Proposal (10909 : Combustion Services - RWB Boiler Repair)



## QUOTE

Send POs to: Really Good Stuff LLC  
P.O. Box 1111 Shelton CT 06484-1110  
Tel: 877-867-1920 Fax: 203-268-1796

e-mail: reallygoodstuffsales@reallygoodstuff.com  
web: www.reallygoodstuff.com

## QUOTE NUMBER

8072235

## ACCOUNT NUMBER

0013196

BILL TO: BERGENFIELD BOARD OF EDUCATION  
ACCOUNTS PAYABLE  
225 W CLINTON AVE  
BERGENFIELD, NJ, 07621-1962  
United States of America

SHIP TO: BERGENFIELD SCHOOL DISTRICT  
SASHA LEON  
100 S PROSPECT AVE  
BERGENFIELD, NJ, 07621-1909  
United States of America

QUOTE DATE	SHIP VIA	ACCOUNT MANAGER
01/11/2024	Ground & Residential	Avan Sheridan

QTY ORDERED	ITEM NO.	DESCRIPTION	UNIT PRICE	EXT. PRICE
1	165636	Get Moving Sticks	14.30	14.30
10	171162	Decision-Making Journal 12pk	25.80	258.00
1	172396	Social Skills Labyrinths 12pk	13.80	13.80
1	171481	SEL Inspirational Desktop Pad	15.30	15.30
10	171712	WklyWhe! SelfAware Jorنال 12pk	23.80	238.00
1	707676	DS Translucent Bricks 206pc	69.30	69.30
1	167502	EZ Stick-Hopscotch	28.80	28.80
2	706110	Fidgets Pencils - 36-Pack	57.30	114.60
2	165672	RTD Chameleon Posters	5.31	10.62
10	168811	Well-Being Log - Set of 12	15.30	153.00
1	172127	LtleEnlghtnmntPositiveSiftlkCd	14.30	14.30
2	165897	Growth Mindset Lined Journals	28.80	57.60
1	171757	A Klds Book About: Set 4	103.30	103.30
10	166329	RTD GrowthMindset DesktopTents	11.80	118.00
10	166425	RTD Diversity Iceberg	8.30	83.00
1	172219	Meditation Flip Chart-All Ages	26.80	26.80
1	708282	Stay Engaged-PracticingEmpathy	20.21	20.21
1	708276	Breathe in, Breathe Out	21.26	21.26
1	708281	Reach Out-Being Compassionate	20.21	20.21
1	708278	Chill Out-Practicing Calm	21.26	21.26
1	708279	Feel Rooted-Being Connected	20.21	20.21
1	171991	Social Skills Kit Upper Grades	23.80	23.80
1	167734	DS YOGA & FITNESS MAT SET OF 5	146.30	146.30



Pricing is valid for 60 days.  
Please submit a copy of this quote with the purchase order.

PAGE: 1 of 2

Tel: 877-867-1920  
Fax: 203-268-1796

Attachment: Really Good Stuff Quote 8072235 (10913 : Really Good Stuff LLC - SEL - Title I)

**QUOTE**

Send POs to: Really Good Stuff LLC  
 P.O. Box 1111 Shelton CT 06484-1110  
 Tel: 877-867-1920 Fax: 203-268-1796  
 e-mail: reallygoodstuffsales@reallygoodstuff.com  
 web: www.reallygoodstuff.com

**QUOTE NUMBER**

8072235

**ACCOUNT NUMBER**

0013196

**BILL TO:** BERGENFIELD BOARD OF EDUCATION  
 ACCOUNTS PAYABLE  
 225 W CLINTON AVE  
 BERGENFIELD, NJ, 07621-1962  
 United States of America

**SHIP TO:** BERGENFIELD SCHOOL DISTRICT  
 SASHA LEON  
 100 S PROSPECT AVE  
 BERGENFIELD, NJ, 07621-1909  
 United States of America

QUOTE DATE	SHIP VIA	ACCOUNT MANAGER
01/11/2024	Ground & Residential	Avan Sheridan

NJ ED DATA #11792

<b>MERCHANDISE TOTAL</b>	1,591.97
<b>SHIPPING &amp; PROCESSING</b>	238.80
<b>TAX</b>	0.00
<b>Promotion Disc:RGSFS</b>	-238.80
<b>TOTAL</b>	1,591.97

Attachment: Really Good Stuff Quote 8072235 (10913 : Really Good Stuff LLC - SEL - Title I)

*Thank you for being a Really Good Stuff Customer!*



Pricing is valid for 60 days.  
 Please submit a copy of this quote with the purchase order.

PAGE: 2 of 2

Tel: 877-867-1920  
 Fax: 203-268-1796



## Quote

Dynamic Learning Experiences  
1040 Kings Highway North  
Suite 201B  
Cherry Hill, NJ 08034

Bergenfield Public School District  
225 West Clinton Avenue  
Bergenfield, NJ 07621

Reference: 20231130-162633187  
Quote created: November 30, 2023  
Quote expires: January 29, 2024

Dominick Rotante  
drotante@bergenfield.org

Comments

## Products & Services

Attachment: DL Quote (10916 : Dynamic Learning Experiences LLC - STEM Supplies - Title IV)

Item & Description	Quantity	Unit Price	Total
STEM Fundamentals - Essentials (1-yr license)	1	\$5,499.00	\$5,499.00
5x Tello Boost Combos			
10x Spare Batteries			
10x Replacement Props (4 pack)			
5x Replacement Prop Guards (4 pack)			
1x Construction Builder Set			
1x Mechanical Pencils (24 pack)			
1x Sticky Notes (8 pack)			
2x Clipboards (set of 6)			
8x Launch and Landing Pads			
1x Safety Goggles (12 pack)			
6x 3D Printed Cups			
2x Spiky Hedge Balls (12 pack)			
2x Measuring tapes (5 pack)			
6x 5.7 Liter Storage Boxes			
24x Koala Clip On			
36x Drone Legends Pilot Wing Pins			
100x Drone Legends Stickers			
12x Safety Cards w/ Lanyards			
12x Student Mission Guides			
2x Lesson Planners			
6x Operations Manuals			
1x 12-month Site License & Portal Access			
Drone Legends ExtraCare (1-year)	1	\$249.00	\$249.00
OPTIONAL - Tello drone protection on drones included with one STEM Fundamentals package. Drone Legends will repair or replace damaged drones at no charge for one year after date of purchase.			
Professional Development	1	\$0.00	\$0.00
No additional charge. Unlimited access to training by videoconference.			
Shipping A	1	\$99.00	\$99.00
<b>Total</b>			<b>\$5,847.00</b>

Attachment: DL Quote (10916 : Dynamic Learning Experiences LLC - STEM Supplies - Title IV)

12/15/23, 6:58 AM

Essentials x1 + ExtraCare 1-yr @ Bergenfield Public School District

### Questions? Contact us

Scott Buell

Founder & CEO

[scott@dronelegends.com](mailto:scott@dronelegends.com)

Please email purchase orders to [orders@dronelegends.com](mailto:orders@dronelegends.com).

#belegendary

Attachment: DL Quote (10916 : Dynamic Learning Experiences LLC - STEM Supplies - Title IV)



Staff

# Staff Development Workshops

January 5, 2024

Darlene Markman  
Bergenfield Public Schools

**Development Workshops, Inc.**  
**1427 Fourteenth St.**  
**Lakewood, NJ 08701**  
**Voice: 732.367.8030**  
**Fax: 732.370.4978**

## Quote for Professional Development

**Email: [info@sdworkshops.org](mailto:info@sdworkshops.org)**

Staff Development Workshops, Inc (SDW) agrees to provide Bergenfield Public Schools with staff development math training for Elementary level teachers (one day in each building) presented by Ceire Monahan on the following dates in the Spring of 2024:

February 1, 2024

February 23, 2024

March 21, 2024

April 17, 2024

And one more date (to be determined)

Bergenfield Public Schools agrees to pay \$1800.00 for each day of staff development training provided by Ceire Monahan in the Spring of 2024 for a total of \$9000.00

Leah Danziger

Staff Development Workshops

Please Note: All purchase orders, invoices, and checks are payable to Staff Development Workshops, Inc.

Attachment: Staff Development Workshops - PD Esser III (10917 : Staff Development PD - Math Teachers - ESSER III)

Staff

# Staff Development Workshops

January 10, 2024

Darlene Markman  
Bergenfield Public Schools

**Development Workshops, Inc.**  
**1427 Fourteenth St.**  
**Lakewood, NJ 08701**  
**Voice: 732.367.8030**  
**Fax: 732.370.4978**

**Quote for Professional Development**

**Email: [info@sdworkshops.org](mailto:info@sdworkshops.org)**

Staff Development Workshops, Inc (SDW) agrees to provide Bergenfield Public Schools with staff development training on Tiered Interventions for secondary level teachers ( a series of three after school virtual sessions from 3:30-4:30 pm) presented by Meredith Alvaro on the following dates in the Spring of 2024:

February 27, 2024  
 March 12, 2024  
 March 26, 2024

Bergenfield Public Schools agrees to pay \$1200.00 for each virtual staff development training session provided by Meredith Alvaro in the Spring of 2024 for a total of \$3600.00

Leah Danziger

Staff Development Workshops

Please Note: All purchase orders, invoices, and checks are payable to Staff Development Workshops, Inc.

Attachment: Staff. Dev. Wksp - PD Quote (10918 : Staff Development Workshops PD - Title II)



Lectura, Inc.

DBA: Lectura Books

DBA: The Latino Family Literacy

Project: 1107 Fair Oaks Ave. #225, South Pasadena, CA

91030

4.C.7.a

Quote

<b>Name/Address</b>
Bergenfield Board of Education 225 W. Clinton Ave. Bergenfield, NJ 07621

Date	Estimate No.	Project
01/08/24	4197	

Item	Description	Quantity	Unit Price	Total
Webinar/OS (Middle/High School)	Middle/High School Webinar Registration	1	200.00	200.00
	Out-of-State Sale, Exempt from Sales Tax		0.00%	0.00
For Billing Questions, email our office at: <a href="mailto:info@LatinoLiteracy.com">info@LatinoLiteracy.com</a>			Total \$200.00 \$200.00	

Attachment: Lectura Inc. - Title III Immigrant (10930 : Literacy Project facilitator training - Title III Immigrant)



## Checkout (55 items)



<b>1 Group</b>	Bergenfield High School Group under Bergenfield Public School District	
<b>2 Business order information</b>	PO number: No value entered	Change
<b>3 Shipping address</b>	Bergenfield Public School District Bergenfield High School 80 S. Prospect Avenue Bergenfield, New Jersey 07621	Change
<b>4 Payment method</b>	Pay by Invoice	Change
<a href="#">^ Add a promotional code</a> <input type="text" value="Enter code"/> <input type="button" value="Apply"/>		

### 5 Review items and shipping

#### Your order requires approval

- You can place the order but please note that it may not comply with your organization buying policies [View admin notes \(1\)](#) ✓
- To add comments for your approver or to add an approver, go to the Business order Information step

#### Important message

If tax exemption is applied to this order, you acknowledge your tax exemption certificate may be provided to any marketplace seller you purchase from when applicable.

#### Estimated Delivery: Depends on Approval For example, if approved now:

Monday, Jan. 22

Items shipped from Amazon.com



**MiroSan 50Pcs I Love Reading Stickers Inspiring Book Decals Motivational Sticker for Teacher Classroom Incentives, Reading 50pcs**  
**\$6.90 & FREE Returns** ✓

Qty: 2 ✓

Sold by: Patch Men

Add gift options

Tax Exemption Applied.



**Alvin Ho: Allergic to Girls, School, and Other Scary Things**

by Look, Lenore

**\$6.99 & FREE Returns** ✓

15

Sold by: Amazon.com Services, Inc

Add gift options

Tax Exemption Applied.

#### Choose a delivery option:

☒ **Monday, Jan. 22**

FREE Shipping

☐ **Tomorrow, Jan. 18 and Friday, Jan. 19**

\$30.76 - Shipping

#### Submit order for approval

By placing your order, you agree to the Amazon Business Accounts Terms and Conditions and Amazon's privacy notice.

#### Order Summary

Items (55):	\$527.19
Shipping & handling:	\$24.85
Free Shipping:	-\$24.85
Total before tax:	\$527.19
Estimated tax to be collected:	\$0.00

**Order total: \$527.19**

#### Qualifying offers:

- Free Shipping

How are shipping costs calculated?

Attachment: Amazon.com LLC - Supplies (10931 : Amazon.com LLC - Supplies - Title III Funds)



**Fun Express I Love To Read  
Pencils - Bulk set of 24 -  
Classroom Teacher  
Handouts for Kids**

**\$9.99 & FREE Returns** ▾

Qty: 2 ▾

Sold by: CatchADeal LLC

Add gift options

Tax Exemption Applied.



**Rosmonde Composition  
Notebooks Wide Ruled 5  
Pack, 200 Pages (100  
Sheets), 9-3/4 x 7-1/2",  
Black & White Marble  
Composition Notebook,  
Sewn Binding Hard Cover,  
School & Office Supplies,  
Composition Book**

**\$16.47 & FREE Returns** ▾

Quantity Price ▾

Qty: 4 ▾

Sold by: Trade Partners US

Add gift options

Tax Exemption Applied.



**Stella Díaz Has Something  
to Say (Stella Díaz, 1)**

by Domínguez, Angela

**\$8.24 & FREE Returns** ▾

15

Sold by: Amazon.com Services,  
Inc

Add gift options

Tax Exemption Applied.



**Reading Stickers for Kids,  
Motivational Teacher  
Reward Chart Labels, 1,080  
Count**

**\$9.99 & FREE Returns** ▾

Business Price ▾

Qty: 2 ▾

Sold by: Distinctivs

Add gift options

Tax Exemption Applied.



**Diary of a Wimpy Kid (Diary  
of a Wimpy Kid #1)**

by Kinney, Jeff

**\$11.94 & FREE Returns** ▾

Quantity Price ▾

15

Sold by: Amazon.com Services,  
Inc

Add gift options

Tax Exemption Applied.

Submit order for approval

**Order total: \$527.19**

By placing your order, you agree to the Amazon Business Accounts  
Terms and Conditions and Amazon's privacy notice.

\*Why has sales tax been applied? See tax and seller information.

Need help? Check our Help pages or contact us

1/17/24, 2:38 PM

Amazon.com Checkout

4.C.8.a

For an item sold by Amazon.com: When you click the "Place your order" button, we'll send you an email message acknowledging receipt of your order. Your contract to purchase an item will not be complete until we send you an email notifying you that the item has been shipped.

Important information about sales tax you may owe in your state

You may return new, unopened merchandise in original condition within 30 days of delivery. Exceptions and restrictions apply. See Amazon.com's Returns Policy.

Need to add more items to your order? Continue shopping on the Amazon.com homepage.

Attachment: Amazon.com LLC - Supplies (10931 : Amazon.com LLC - Supplies - Title III Funds)

# POLICY GUIDE

## PROGRAM

2270/page 1 of 2

Religion in the Schools

First Reading: December 18, 2023

Second Reading: January 29, 2024

### 2270 RELIGION IN THE SCHOOLS

The Board of Education recognizes that religious belief and disbelief are matters of personal conviction rather than governmental authority and the students of this district are protected by the First Amendment of the United States Constitution and by Article I, Paragraph 4 of the New Jersey State Constitution from the establishment of religion in the schools. The First Amendment requires public school officials to show neither favoritism toward nor hostility against religious expression such as prayer.

As a condition of receiving Elementary and Secondary Education Act of 1965 (ESEA) funds, the Board of Education must annually certify in writing to the New Jersey Department of Education that no Board policy prevents, or otherwise denies participation in, constitutionally protected prayer in public elementary and secondary schools, as detailed in the United States Department of Education's Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools (USDOE Guidance). The Board must provide this certification to the New Jersey Department of Education by October 1 of each year during which the Board participates in an ESEA program. The USDOE Guidance provides information on the current state of the law concerning constitutionally protected prayer and religious expression in public elementary and secondary schools.

The following activities as outlined in the USDOE Guidance will be permitted upon applying the governing constitutional principles in particular public school contexts related to prayer: prayer and religious exercise during non-instructional time; organized prayer groups and activities; teachers, administrators, and other school employees; moments of silence; accommodations of prayer and religious exercise during instructional time; student assemblies and noncurricular events; prayer at graduation; and/or baccalaureate ceremonies.

The following activities as outlined in the USDOE Guidance will be permitted upon applying constitutional principles regarding religious expression other than prayer in particular public school contexts: religious literature; teaching about religion; student dress codes and policies; religious expression in class assignments and homework; and/or excusals for religious activities.



# POLICY GUIDE

PROGRAM  
2270/page 2 of 2  
Religion in the Schools

In addition to the constitutional principles outlined in this Policy and the USDOE Guidance, public schools may also be subject to requirements under Federal and State laws relevant to prayer and religious expression. Such Federal and State laws may not; however, obviate or conflict with a public school's Federal constitutional obligations described in the USDOE Guidance. The Equal Access Act, 20 U.S.C. Section 4071, is designed to ensure that student religious activities are accorded the same access to Federally funded public secondary school facilities as are student secular activities.

The United States Department of Justice has developed guidance for interpreting the Equal Access Act's requirements outlined in the USDOE Guidance in the area of general provisions, prayer service and worship exercises, means of publicized meetings, lunch-time and recess, and leadership of religious student groups.

Any issues regarding prayer and religious expression in the schools, the USDOE Guidance, and the provisions of this Policy shall be referred to the Superintendent of Schools who may consult with the Board Attorney.

U.S. Const. Amend. 1

The Equal Access Act, 20 U.S.C. Section 4071

U.S. Department of Education - Guidance on Constitutionally Protected

Prayer and Religious Expression in Public Elementary and Secondary Schools –  
May 15, 2023

N.J. Const. (1947) Art. 1, para. 4

N.J.S.A. 18A:35-4.6 et seq.; 18A:36-16

Adopted:





# POLICY GUIDE

PROGRAM

2419/page 1 of 3

School Threat Assessment Teams

First Reading: December 18, 2023

Second Reading: January 29, 2024

M

## 2419 SCHOOL THREAT ASSESSMENT TEAMS

The Board of Education shall establish a threat assessment team at each school in the district pursuant to N.J.S.A. 18A:17-43.4. The purpose of a threat assessment team shall be to provide school teachers, administrators, and other staff with assistance in identifying students of concern, assessing those students' risk for engaging in violence or other harmful activities, and delivering intervention strategies to manage the risk of harm for students who pose a potential safety risk, to prevent targeted violence in the school, and ensure a safe and secure school environment that enhances the learning experience for all members of the school community.

Threat assessment teams established pursuant to N.J.S.A. 18A:17-43.4.a., this Policy, and Regulation 2419 must be multidisciplinary in membership and, to the extent possible, must include the following individuals:

1. A school psychologist, school counselor, school social worker, or other school employee with expertise in student counseling;
2. A teaching staff member;
3. A Principal or other senior school administrator;
4. A safe schools resource officer or school employee who serves as a school liaison to law enforcement; and
5. The school safety specialist designated pursuant to N.J.S.A. 18A:17-43.3. and Policy 7440, in the event that the school safety specialist is not already a school administrator or school employee required to be a part of the threat assessment team pursuant to N.J.S.A. 18A:17-43.4.

Additional school employees may serve as regular members of the threat assessment team or may be consulted during the threat assessment process, as determined to be appropriate by the team.



# POLICY GUIDE

## PROGRAM

2419/page 2 of 3

### School Threat Assessment Teams

Nothing contained in N.J.S.A. 18A:17-43.4 shall be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the effective date pursuant to N.J.S.A. 18A:17-43.3 (August 1, 2022).

This Policy and Regulation 2419, pursuant to N.J.S.A. 18A:17-43.5, are aligned with the Guidance on the Establishment of Behavioral Threat Assessment and Management Teams (BTAM) 2023 (Guidance) developed by the New Jersey Department of Education (NJDOE) pursuant to N.J.S.A. 18A:17-43.6.

The school district shall structure the threat assessment teams to best meet the needs and resources available, which may include school-based teams and/or district-level teams.

The Superintendent or designee will build a behavioral threat assessment and management program that will: establish a multi-disciplinary team; define prohibited and concerning behaviors; create a central reporting mechanism; define a threshold for law enforcement intervention; establish threat assessment procedures; develop risk management options; create and promote safe school climates; and conduct training for all stakeholders.

The threat assessment and management process will include: the threat assessment team's actions when first learning of a new report or threat; screening the case; gathering information; organizing and analyzing information; making the assessment; developing and implementing a case management/intervention plan; re-assessing and case monitoring; and documenting and closing the case.

When assessing a student whose behavior may pose a threat to the safety of the school community, in the case of a student with an Individualized Education Program (IEP) or 504 Plan, the threat assessment team shall consult with the IEP team or 504 team to determine whether the aberrant behavior is a threat to school safety and is being properly addressed in a manner that is required by N.J.A.C. 6A:14 and all Federal and State special education laws.

Each member of the threat assessment team must attend training in accordance with N.J.S.A. 18A:17-43.4, this Policy, and Regulation 7440 that is consistent with the Guidance developed by the NJDOE pursuant to N.J.S.A. 18A:17-43.6. Training must be coordinated with the New Jersey Department of Education, Office of School Preparedness and Emergency Planning (OSPEP). The training shall ensure the threat assessment team is able to accurately assess student behavior and to ensure that threat assessment teams do not have a disparate



# POLICY GUIDE

## PROGRAM

2419/page 3 of 3

### School Threat Assessment Teams

impact on students based on their race, ethnicity, homelessness status, religious belief, gender, gender identity, sexual orientation, or socioeconomic status. The training shall, at a minimum, include training on adverse childhood experiences, childhood trauma, cultural competency, and implicit bias.

Should a threat assessment team become aware of an allegation of HIB when considering or conducting assessments, they must follow Policy 5512 – Harassment, Intimidation, or Bullying for addressing allegations of HIB in alignment with the Anti-Bullying Bill of Rights Act.

Should a threat assessment team become aware of a bias-related act, the team should implement Policy and Regulation 8465 – Bias Crimes and Bias-Related Acts on reporting bias-related acts to law enforcement in accordance with the Memorandum of Agreement Between Education and Law Enforcement Officials and Policy and Regulation 9320 – Cooperation With Law Enforcement Agencies.

Questions and concerns about Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA) protections often arise as part of the threat assessment planning process. The threat assessment teams must understand how to balance the safety of the school with the privacy of individual students. These laws should not be an impediment to threat assessment and management.

N.J.S.A. 18A:17-43.3; 18A:17-43.4; 18A:17-43.5; 18A:17-43.6

Guidance on the Establishment of Behavioral Threat Assessment and Management Teams (BTAM) 2023

Adopted: July 31, 2023

Attachment: Policy #2419 - School Threat Assessment Teams (10885 : Second Reading of Revised Policies & Regulations)



# POLICY GUIDE

## TEACHING STAFF MEMBERS

3161/page 1 of 4

Examination for Cause

First Reading: December 18, 2023

Second Reading: January 29, 2024

### 3161 EXAMINATION FOR CAUSE

- A. Pursuant to N.J.S.A. 18A:16-2 and N.J.A.C. 6A:32-6.3, the Board of Education may require physical or psychiatric examinations of a teaching staff member whenever, in the judgment of the Board, a teaching staff member shows evidence of deviation from normal physical or mental health, to determine the teaching staff member's physical and mental fitness to perform, with reasonable accommodation, the position the teaching staff member currently holds, or to detect any health risk(s) to students and other employees. When the Board requires a teaching staff member to undergo a physical or psychiatric examination:
1. The Board shall provide the teaching staff member with a written statement of the reasons for the required examination; and
  2. The Board shall provide the teaching staff member with a hearing, if requested.
    - a. Notice of the teaching staff member's right to a hearing shall be provided with the statement of reasons for the required examination;
    - b. The teaching staff member must request the Board hearing, in writing, within five working days of the teaching staff member's receipt of the written statement of reasons:
      - (1) The teaching staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the teaching staff member failed to timely request a hearing before the Board;
    - c. The Board hearing shall be conducted in accordance with the provisions of N.J.S.A. 18A:25-7 and will offer the teaching staff member the opportunity to appear before the Board to refute the reason(s) for the required examination(s);



# POLICY GUIDE

## TEACHING STAFF MEMBERS

3161/page 2 of 4

Examination for Cause

- d. The teaching staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the teaching staff member failed to persuade the Board at the hearing that the teaching staff member should not be required to submit to the appropriate examination(s); and
    - e. The determination of such a hearing shall be appealable to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4 – Appeals.
  3. The teaching staff member may refuse, without reprisal, to waive their right to protect the confidentiality of medical information, in accordance with P.L. 104-191, Health Insurance Portability and Accountability Act of 1996.
- B. Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of examinations made by a physician or institution designated by the Board. However, the teaching staff member shall bear the cost if the examination is performed by a physician or institution designated by the teaching staff member with approval of the Board.
  1. If the teaching staff member submits names of physicians or institutions to the Board for consideration to complete the appropriate examination(s), the Board is not required to designate the physician or institution submitted for consideration by the teaching staff member, but shall not act unreasonably in withholding its approval of the physician or institution.
  2. The teaching staff member shall authorize the physician or institution performing the examination to immediately release the examination results to the Superintendent.
  3. All records and reports relating to any such examination shall be the property of the Board, in accordance with N.J.S.A. 18A:16-5.
    - a. Health records of teaching staff members, including computerized records, shall be secured, stored, and maintained separately from other personnel files; and



# POLICY GUIDE

## TEACHING STAFF MEMBERS

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### Examination for Cause

- b. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5.
  4. If the results of any such examination indicate mental abnormality or communicable disease, the teaching staff member shall be ineligible for further service until proof of recovery, satisfactory to the Board, is furnished, but if the teaching staff member is under contract or has tenure, they may be granted sick leave with compensation as provided by law and shall, upon satisfactory recovery, be permitted to complete the term of their contract, if they are under contract, or be reemployed with the same tenure as they possessed at the time their services were discontinued, if they have tenure, unless their absence shall exceed a period of two years in accordance with N.J.S.A. 18A:16-4.
- C. In order to return to work, the teaching staff member must submit to an appropriate examination and submit the results of the examination to the Superintendent.
  1. The examination must be conducted by a physician or institution upon which the Board and teaching staff member confer and agree;
  2. If the physician or institution conducting the examination is conducted by the Board's choice, the cost shall be borne by the Board; if the physician or institution conducting the examination is conducted by the teaching staff member's choice, the cost shall be borne by the teaching staff member; and
  3. The teaching staff member shall authorize the physician or institution performing the examination to immediately release the examination results to the Superintendent.



# POLICY GUIDE

## TEACHING STAFF MEMBERS 3161/page 4 of 4 Examination for Cause

- D. A teaching staff member who refuses to submit to an examination required by the Board in accordance with this Policy and has exhausted the hearing procedures established by law and this Policy shall be subject to discipline, which may include, but is not limited to, termination or certification of tenure charges to the Commissioner of Education, as applicable.

42 U.S.C.A. 12101

N.J.S.A. 18A:6-10; 18A:16-2; 18A:16-3; 18A:16-4; 18A:16-5  
18A:25-7; 18A:28-5; 18A:30-1 et seq.

N.J.A.C. 6A:32-6.2; 6A:32-6.3

Adopted: October 15, 2007



# POLICY GUIDE

## SUPPORT STAFF MEMBERS

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Examination for Cause

First Reading: December 18, 2023

Second Reading: January 29, 2024

### 4161 EXAMINATION FOR CAUSE

- A. Pursuant to N.J.S.A. 18A:16-2 and N.J.A.C. 6A:32-6.3, the Board of Education may require physical or psychiatric examinations of a support staff member whenever, in the judgment of the Board, a support staff member shows evidence of deviation from normal physical or mental health, to determine the support staff member's physical and mental fitness to perform, with reasonable accommodation, the position the support staff member currently holds, or to detect any health risk(s) to students and other employees. When the Board requires a support staff member to undergo a physical or psychiatric examination:
1. The Board shall provide the support staff member with a written statement of the reasons for the required examination; and
  2. The Board shall provide the support staff member with a hearing, if requested.
    - a. Notice of the support staff member's right to a hearing shall be provided with the statement of reasons for the required examination;
    - b. The support staff member must request the Board hearing, in writing, within five working days of the support staff member's receipt of the written statement of reasons:
      - (1) The support staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the support staff member failed to timely request a hearing before the Board;
    - c. The Board hearing shall be conducted in accordance with the provisions of N.J.S.A. 18A:25-7 and will offer the support staff member the opportunity to appear before the Board to refute the reason(s) for the required examination(s);





# POLICY GUIDE

## SUPPORT STAFF MEMBERS

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Examination for Cause

- d. The support staff member shall be ordered to submit to the appropriate examination(s) by the physician or institution designated by the Board if the support staff member failed to persuade the Board at the hearing that the support staff member should not be required to submit to the appropriate examination(s); and
  - e. The determination of such a hearing shall be appealable to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4 - Appeals.
3. The support staff member may, without reprisal, refuse to waive their right to protect the confidentiality of medical information, in accordance with P.L. 104-191, Health Insurance Portability and Accountability Act of 1996.
- B. Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of examinations made by a physician or institution designated by the Board. However, the support staff member shall bear the cost if the examination is performed by a physician or institution designated by the support staff member with approval of the Board.
1. If the support staff member submits names of physicians or institutions to the Board for consideration to complete the appropriate examination(s), the Board is not required to designate the physician or institution submitted for consideration by the support staff member, but shall not act unreasonably in withholding its approval of the physician or institution.
  2. The support staff member shall authorize the physician or institution performing the examination to immediately release the examination results to the Superintendent.
  3. All records and reports relating to any such examination shall be the property of the Board, in accordance with N.J.S.A. 18A:16-5.
    - a. Health records of support staff members, including computerized records, shall be secured, stored, and maintained separately from other personnel files; and

Attachment: Policy #4161 - Examination for Cause - Support Staff Members (10885 : Second Reading of Revised Policies & Regulations)



# POLICY GUIDE

## SUPPORT STAFF MEMBERS

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### Examination for Cause

- b. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5.
  4. If the results of any such examination indicate mental abnormality or communicable disease, the support staff member shall be ineligible for further service until proof of recovery, satisfactory to the Board, is furnished, but if the support staff member is under contract or has tenure, they may be granted sick leave with compensation as provided by law and shall, upon satisfactory recovery, be permitted to complete the term of their contract, if they are under contract, or be reemployed with the same tenure as they possessed at the time their services were discontinued, if they have tenure, unless their absence shall exceed a period of two years in accordance with N.J.S.A. 18A:16-4.
- C. In order to return to work, the support staff member must submit to an appropriate examination and submit the results of the examination to the Superintendent.
  1. The examination must be conducted by a physician or institution upon which the Board and support staff member confer and agree;
  2. If the physician or institution conducting the examination is conducted by the Board's choice, the cost shall be borne by the Board; if the physician or institution conducting the examination is conducted by the support staff member's choice, the cost shall be borne by the support staff member; and
  3. The support staff member shall authorize the physician or institution performing the examination to immediately release the examination results to the Superintendent.



# POLICY GUIDE

## SUPPORT STAFF MEMBERS

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Examination for Cause

- D. A support staff member who refuses to submit to the examination required by the Board in accordance with this Policy and has exhausted the hearing procedures established by law and this Policy shall be subject to discipline, which may include, but is not limited to, termination or certification of tenure charges to the Commissioner of Education, as applicable.

42 U.S.C.A. 12101

N.J.S.A. 18A:6-10; 18A:16-2; 18A:16-3; 18A:16-4; 18A:16-5

18A:25-7; 18A:28-5; 18A:30-1 et seq.

N.J.A.C. 6A:32-6.2; 6A:32-6.3

Adopted: October 15, 2007



# POLICY GUIDE

## TEACHING STAFF MEMBERS

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Attendance

First Reading: December 18, 2023

Second Reading: January 29, 2024

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### 3212 ATTENDANCE

The regular and prompt attendance of teaching staff members is an essential element in the efficient operation of the school district and the educational program. Teaching staff member absenteeism disrupts the educational program and the Board of Education considers attendance an important component of a teaching staff member's job performance.

Teaching staff members shall provide notice for the use of sick time as required in N.J.S.A. 18A:30-4 and Policy and Regulation 1642.01 in accordance with the district's procedure for teaching staff members to report the use of sick leave and other absences. A teaching staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with statute, administrative code, or Board policy; falsifies the reason for an absence; is absent without authorization; is repeatedly tardy; or accumulates an excessive number of absences may be subject to appropriate consequences, which may include, but not be limited to, the withholding of a salary increment, termination, nonrenewal, and/or certification of tenure charges.

Sick leave is defined in accordance with N.J.S.A. 18A:30-1 and Policy and Regulation 1642.01. No teaching staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for by statute; administrative code; collective bargaining agreement; an individual employment contract; or the policies of the Board. The Superintendent or Board of Education may require verification to be filed with the Secretary of the Board in order to obtain sick leave in accordance with the provisions of N.J.S.A. 18A:30-4 and Policy and Regulation 1642.01.

The Superintendent, in consultation with administrative staff members, will review the rate of absence among teaching staff members. The review will include the collection and analysis of attendance patterns, the training of teaching staff members in their attendance responsibilities, and the counseling of teaching staff members for whom regular and prompt attendance is a problem.

N.J.S.A. 18A:27-4; 18A:28-5; 18A:30-1; 18A:30-2; 18A:30-4

Adopted:



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## SUPPORT STAFF MEMBERS

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Attendance

First Reading: December 18, 2023

Second Reading: January 29, 2024

M

### 4212 ATTENDANCE

The regular and prompt attendance of support staff members is an essential element in the efficient operation of the school district and the effective conduct of the educational program. Support staff member absenteeism disrupts the educational program and the Board of Education considers attendance an important component of a support staff member's job performance.

Support staff members shall provide notice for the use of sick time as required in N.J.S.A. 18A:30-4 and Policy and Regulation 1642.01 in accordance with the district's procedure for support staff members to report the use of sick leave and other absences. A support staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with statute, administrative code, or Board policy; falsifies the reason for an absence; is absent without authorization; is repeatedly tardy; or accumulates an excessive number of absences may be subject to appropriate consequences, which may include, but not be limited to, the withholding of a salary increment, termination, nonrenewal, and/or certification of tenure charges.

Sick leave is defined in accordance with N.J.S.A. 18A:30-1 and Policy and Regulation 1642.01. No support staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for by statute; administrative code; the collective bargaining agreement; in an individual employment contract; or the policies of the Board. The Superintendent or Board of Education may require verification to be filed with the Secretary of the Board in order to obtain sick leave in accordance with the provisions of N.J.S.A. 18A:30-4 and Policy and Regulation 1642.01.

The Superintendent, in consultation with administrative staff members, will review the rate of absence among support staff members. The review will include the collection and analysis of attendance patterns, the training of support staff members in their attendance responsibilities, and the counseling of support staff members for whom regular and prompt attendance is a problem.

N.J.S.A. 18A:30-1; 18A:30-2; 18A:30-4

Adopted: October 15, 2007



# POLICY GUIDE

## STUDENTS

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Eligibility of Resident/Nonresident Students

First Reading: December 18, 2023

Second Reading: January 29, 2024

M

### 5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

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 – N.J.A.C. 6A:22-3.1, 3.2, and 3.3

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 and Regulation 5111 – Section B.

The Board shall also admit any student that is kept in the home of a person other than the student's parent or guardian, and the person is domiciled in the school district and is supporting the student without remuneration as if the student were their own child in accordance with N.J.A.C. 6A:22-3.2 and Regulation 5111–Section-C.

Pursuant to N.J.S.A. 18A:38-1.c., any person who fraudulently allows a child of another person to use their residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of their 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.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 pursuant to N.J.A.C. 6A:22-3.1(a)4. and Regulation 5111 – Section B.

A student is eligible to attend this school district free of charge in accordance with N.J.A.C. 6A:22-3.2 and Regulation 5111 – Section C.



# POLICY GUIDE

## STUDENTS

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### Eligibility of Resident/Nonresident Students

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 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) and Regulation 5111 – Section C.

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. Any student who is domiciled in the school district or otherwise eligible to attend school in the school district pursuant to N.J.A.C. 6A:22-3.2 shall be enrolled without regard to, or inquiry concerning, 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 – Section D.

#### Proof of Eligibility – N.J.A.C. 6A:22-3.4

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 and Regulation 5111 – Section E.

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.

#### Registration Forms and Procedures for Initial Assessment – N.J.A.C. 6A:22-4.1

Registration and procedures for initial determinations of eligibility will be in accordance with N.J.A.C. 6A:22-4.1 and Regulation 5111 – Section F.

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 provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if



# POLICY GUIDE

## STUDENTS

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### Eligibility of Resident/Nonresident Students

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 and Regulation 5111 – Section F.

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 in accordance with N.J.A.C. 6A:22-4.1(c)2. and Regulation 5111 – Section F.

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws in accordance with N.J.A.C. 6A:22-4.1(d) and Regulation 5111 – Section F.

Enrollment or attendance at the school shall not be conditioned or denied pursuant to N.J.A.C. 6A:22-4.1(e) through (i) and Regulation 5111 – Section F.

#### Notices of Ineligibility – N.J.A.C. 6A:22-4.2

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:22-4.2 and Regulation 5111 – Section G.

#### Removal of Currently Enrolled Students – N.J.A.C. 6A:22-4.3

Nothing in N.J.A.C. 6A:22-4, this Policy, and Regulation 5111 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 pursuant to N.J.A.C. 6A:22-4.3 and Regulation 5111 – Section H.

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 for the student's removal in accordance with the provisions of N.J.A.C. 6A:22-4.3 and Regulation 5111 – Section H.





# POLICY GUIDE

## STUDENTS

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### Eligibility of Resident/Nonresident Students

#### Appeal to the Commissioner – N.J.A.C. 6A:22-5.1

An applicant may appeal to the Commissioner of Education the school district's determination that a student is ineligible to attend its schools in accordance with N.J.A.C. 6A:22-5.1 and Regulation 5111 – Section I.

#### Assessment and Calculation of Tuition – N.J.A.C. 6A:22-6

If no appeal to the Commissioner is filed by the parent, guardian, adult student, or district resident keeping an affidavit student 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 in accordance with N.J.A.C. 6A:22-6.1 and Regulation 5111 – Section J. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 and Regulation 5111 – Section J.

If an appeal to the Commissioner is filed by the parent, guardian, adult student, or district resident keeping an affidavit student 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) and Regulation 5111 – Section J. Upon the Commissioner's finding that an appeal has been abandoned, the Board may remove the student from school and seek tuition in accordance with N.J.A.C. 6A:22-6.2(a)1. and Regulation 5111 – Section J.

#### Nonresident Students – N.J.S.A. 18A:38-3.a.

Any person not resident in the school district, if eligible except for residence, may be admitted to the schools of the district with the consent of the Board of Education upon such terms, and with payment of tuition, as the Board prescribes. The Board of Education, with the approval of the Executive County Superintendent, shall establish a uniform tuition amount for any nonresident student admitted to the schools of the district pursuant to N.J.S.A. 18A:38-3.a. The continued enrollment of any nonresident student shall be contingent upon the student's maintenance of good standards of citizenship, discipline, attendance, and payment of tuition. The non-resident student shall be admitted on a tuition-free basis but the parent is responsible for providing transportation at his/her own expense.



# POLICY GUIDE

## STUDENTS

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### Eligibility of Resident/Nonresident Students

#### A. Legal Residence

All children attending school must be domiciled within the school district or otherwise included in the provisions of the Revised Statutes of New Jersey.

Within Bergenfield: elementary pupils whose residence changes before April 1 must transfer to the school within his/her new residency.

#### B. Non Residents

As a choice school district, non-residents may not be admitted on a tuition or tuition free basis except:

(1) if the person was previously a resident and the person's parent or guardian is a member of the New Jersey National Guard or a member of the reserve component of the armed forces for the United States and has been ordered into active military service in any of the armed forces of the United States in time of war or national emergency, resulting in the relocation of the student outside the district;

(2) the person previously attended school in the district as a non-resident student on a tuition free basis and the school district in which the student resides agrees to pay the tuition for the non-resident student to attend school in the district.

C. The Board may admit foreign exchange students into district schools in order to promote cultural awareness and global perspectives among students. Decisions regarding the most appropriate educational placement of these student(s) shall be the responsibility of the superintendent.

The Board requires that each board-approved exchange program must:

1. Maintain a network of qualified and trained local representatives living in or near the community, with responsibility for each student and provide an orientation and ongoing support for both the host family and student.
2. Provide continuing hands-on monitoring and responsiveness, from local representatives to national headquarters, with student selection and preparation, selection and screening of host families, ongoing contact with host family and student, and communication with the district and responsiveness to district needs.
3. Receive school enrollment authorization for placements each year



# POLICY GUIDE

## STUDENTS

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### Eligibility of Resident/Nonresident Students

- prior to contacting potential host families.
4. Arrange host family placements before exchange students leave their home country. Exchange students are expected to be in their host family and district placements by the first day of classes.
  5. Personally interview and screen all potential host families, matching student and family interests and personalities.
  6. All potential host families must have a high school student currently enrolled with the district to help acclimate the exchange student.
  7. In the event that tutoring/ESL help is needed, the organization will make arrangements and ensure that the student accepts financial responsibility for it.
  8. Demonstrate students have medical and accident insurance that meets or exceeds U.S. Department of State guidelines.
  9. Provide the district with a complete student application, which includes:
    - a. personal letter from the student
    - b. detailed information on student and natural family
    - c. proof that the student has sufficient English proficiency, in accordance to the J-1 language requirement

J-1 Visa students will not be admitted to this district.

F-1 Visa students will not be admitted to this district.

N.J.S.A. 18A:38-1; 18A:38-1.1; 18A:38-1.3; 18A:38-3;  
18A:38-3.1; 18A:7B-12

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: June 19, 2006



# REGULATION GUIDE

STUDENTS

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Eligibility of Resident/Nonresident Students

First Reading: December 18, 2023

Second Reading: January 29, 2024

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## R 5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

### A. Definitions - N.J.A.C. 6A:22-1.2

1. "Affidavit student" means a student attending, or seeking to attend, school in a district pursuant to N.J.S.A. 18A:38-1.b and N.J.A.C. 6A:22-3.2(a).
2. "Appeal" means contested case proceedings before the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
3. "Applicant" means a parent, guardian, or a resident supporting an affidavit student who seeks to enroll a student in a school district; or an unaccompanied homeless youth or adult student who seeks to enroll in a school district.
4. "Commissioner" means the Commissioner of Education or their designee.
5. "Guardian" means a person to whom a court of competent jurisdiction has awarded guardianship or custody of a child, provided that a residential custody order shall entitle a child to attend school in the residential custodian's school district unless it can be proven that the child does not actually live with the custodian. "Guardian" also means the Department of Children and Families for purposes of N.J.S.A. 18A:38-1.e.

### B. Students Domiciled in the District – N.J.A.C. 6A:22-3.1

1. A student 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, is eligible to attend school in this school district if the student is domiciled within the district:



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## STUDENTS

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### Eligibility of Resident/Nonresident Students

- a. A student is domiciled in the school district when the student is the child of a parent or guardian whose domicile is located within the school district.
  - (1) When a student's parents or guardians are domiciled within different school districts and there is no court order or written agreement between the parents designating the school district of attendance, the student's domicile is the school district of the parent or guardian with whom the student lives for the majority of the school year. N.J.A.C. 6A:22-3.1(a)1. and B.1.a. above shall apply regardless of which parent has legal custody.
  - (2) When a student's physical custody is shared on an equal-time, alternating week/month, or other similar basis so the student is not living with one parent or guardian for a majority of the school year and there is no court order or written agreement between the parents designating the school district of attendance, the student's domicile is the present domicile of the parent or guardian with whom the student resided on the last school day prior to October 16 preceding the application date.
    - (a) When a student resided with both parents or guardians, or with neither parent or guardian, on the last school day prior to the preceding October 16, the student's domicile is the domicile of the parent or guardian with whom the parents or guardians indicate the student will be residing on the last school day prior to the ensuing October 16. When the parents or guardians do not designate or cannot agree upon the student's likely residence as of that date, or if on that date the student is not residing with the parent or guardian previously indicated, the student shall attend school in the school



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## STUDENTS

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### Eligibility of Resident/Nonresident Students

district of domicile of the parent or guardian with whom the student actually lives as of the last school day prior to October 16.

- (b) When the domicile of a student with disabilities as defined in N.J.A.C. 6A:14 cannot be determined pursuant to N.J.A.C. 6A:22-3.1, nothing shall preclude an equitable determination of shared responsibility for the cost of such student's out-of-district placement.
- (3) When a student is living with a person other than a parent or guardian, nothing in N.J.A.C. 6A:22-3.1 is intended to limit the student's right to attend school in the parent or guardian's school district of domicile pursuant to the provisions of N.J.A.C. 6A:22, Policy 5111, and this Regulation.
- (4) No school district shall be required to provide transportation for a student residing outside the school district for all or part of the school year unless transportation is based upon the home of the parent or guardian domiciled within the school district or otherwise required by law.
- b. A student is domiciled in the school district when the student has reached the age of eighteen or is emancipated from the care and custody of a parent or guardian and has established a domicile within the school district.
- c. A student is domiciled in the school district when the student has come from outside the State and is living with a person domiciled in the school district who will be applying for guardianship of the student upon expiration of the six-month "waiting period" of State residency required pursuant to N.J.S.A. 2A:34-54 ("home state" definition)



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### Eligibility of Resident/Nonresident Students

and 2A:34-65.a(1). However, a student may later be subject to removal proceedings if application for guardianship is not made within a reasonable period of time following expiration of the mandatory waiting period or if guardianship is applied for and denied.

- d. A student is domiciled in the school district when the student's parent or guardian resides within the school district on an all-year-round basis for one year or more, notwithstanding the existence of a domicile elsewhere.
  - e. A student is domiciled in the school district if the Department of Children and Families is acting as the student's guardian and has placed the student in the school district.
2. When a student's dwelling is located within two or more school districts, or bears a mailing address that does not reflect the dwelling's physical location within a municipality, the school district of domicile for school attendance purposes shall be the municipality to which the majority of the dwelling's or unit's property tax is paid.
- a. When property tax is paid in equal amounts to two or more municipalities and there is no established assignment for students residing in the affected dwellings, the school district of domicile for school attendance purposes shall be determined through assessment of individual proofs of eligibility provided pursuant to N.J.A.C. 6A:22-3.4 and E. below.
  - b. N.J.A.C. 6A:22-3.1(b) and B.2. above shall not preclude the attendance of currently enrolled students who were permitted to attend the school district prior to December 17, 2001.



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## STUDENTS

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### Eligibility of Resident/Nonresident Students

3. When a student's parent or guardian elects to exercise such entitlement, nothing in N.J.A.C. 6A:22-3.1 shall exclude a student's right to attend the school district of domicile although the student is qualified to attend a different school district pursuant to N.J.S.A. 18A:38-1.b. or the temporary residency (less than one year) provision of N.J.S.A. 18A:38-1.d.
4. Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other section of law to the contrary, 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 any of the armed forces of the United States 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. The school district shall not be responsible for providing transportation for the child if the child lives outside of the district. 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.

#### C. Other Students Eligible to Attend School – N.J.A.C. 6A:22-3.2

1. A student 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, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.b. if that student is kept in the home of a person other than the student's parent or guardian, and the person is domiciled in the school district and is supporting the student without remuneration as if the student were their own child.
  - a. A student is not eligible to attend this school district pursuant to N.J.A.C. 6A:22-3.2(a) and C.1. above:





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### Eligibility of Resident/Nonresident Students

- (1) The student's parent or guardian has filed, together with documentation to support its validity, a sworn statement that the parent or guardian is not capable of supporting or providing care for the student due to family or economic hardship and that the student is not residing with the other person solely for the purpose of receiving a free public education; and
- (2) The person keeping the student has filed, if so required by the Board of Education:
  - (a) A sworn statement that the person is domiciled within the school district, is supporting the child without remuneration and intends to do so for a longer time than the school term, and will assume all personal obligations for the student pertaining to school requirements; and
  - (b) A copy of their lease if a tenant, a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner.
- b. A student shall not be deemed ineligible under N.J.A.C. 6A:22-3.2 because required sworn statement(s) cannot be obtained when evidence is presented that the underlying requirements of the law are being met, notwithstanding the inability of the resident or student to obtain the sworn statement(s).
- c. A student shall not be deemed ineligible under N.J.A.C. 6A:22-3.2 when evidence is presented that the student has no home or possibility of school attendance other than with a school district resident who is not the student's parent or guardian, but is acting as the sole caretaker and supporter of the student.



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### Eligibility of Resident/Nonresident Students

- d. A student shall not be deemed ineligible under N.J.A.C. 6A:22-3.2 solely because a parent or guardian gives occasional gifts or makes limited contributions, financial or otherwise, toward the student's welfare provided the resident keeping the student receives from the parent or guardian no payment or other remuneration for regular maintenance of the student.
    - e. Pursuant to N.J.S.A. 18A:38-1.c., any person who fraudulently allows a child of another person to use their residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of their child to a person in another school district commits a disorderly persons offense.
  2. A student 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, is eligible to attend school in this school district 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.
    - a. Eligibility under N.J.A.C. 6A:22-3.2(b) and C.2. above shall cease at the end of the school year during which the parent or guardian returns from active military duty.
  3. A student 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, is eligible to attend school in this school district 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.



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### Eligibility of Resident/Nonresident Students

- a. When required by the Board, the parent or guardian shall demonstrate the temporary residence is not solely for purposes of the student attending the school district of temporary residence;
  - b. When one of a student's parents or guardians temporarily resides in a school district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance with N.J.A.C. 6A:22-3.1(a)1.i. However, no student shall be eligible to attend school based upon a parent or guardian's temporary residence in a school district unless the parent or guardian demonstrates, if required by the Board, the temporary residence is not solely for purposes of a student's attending the school district.
4. A student 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, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.f. 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.
5. A student 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, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-2 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. As used in this section, "court order" shall not encompass orders of residential custody under which claims of entitlement to attend a school district are governed by provisions of N.J.S.A. 18A:38-1 and the applicable standards set forth in N.J.A.C. 6A:22.



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### Eligibility of Resident/Nonresident Students

6. A student 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, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-3.b. 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. A school district admitting a student pursuant to N.J.S.A. 18A:38-3.b. shall not be obligated for transportation costs.
7. A student 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, is eligible to attend the school district pursuant to N.J.S.A. 18A:38-7.7 et seq. if the student resides on Federal property within the State.
8. In accordance with N.J.S.A. 18A:38-1.1, a student who is not considered homeless under N.J.S.A. 18A:7B-12 and who moves to a new school district during the academic year as a result of a family crisis shall be permitted to remain enrolled in the original school district of residence for the remainder of the school year without the payment of tuition. A student attending an academic program during the summer, who is otherwise eligible except for the timing of the move, shall be permitted to remain in the school district for the remainder of the summer program if it is considered an extension of the preceding academic year.
  - a. For purposes of N.J.A.C. 6A:22-3.2(h), Policy 5111, and this Regulation, "family crisis" shall include, but not be limited to:
    - (1) An instance of abuse such as domestic violence or sexual abuse;
    - (2) A disruption to the family unit caused by death of a parent or guardian; or



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### Eligibility of Resident/Nonresident Students

- (3) An unplanned displacement from the original residence such as fire, flood, hurricane, or other circumstances that render the residence uninhabitable.
- b. Upon notification of the move by the parent or guardian, the original school district of residence shall allow the student to continue attendance and shall provide transportation services to and from the student's new domicile in accordance with N.J.S.A. 18A:39-1. The original school district of residence may request from the parent or guardian and may review supporting documentation about the reason(s) for the move; however, any such review shall not interrupt the student's continued enrollment in the school district and in the current school of attendance with the provision of transportation.
- (1) Examples of documentation include, but are not limited to, newspaper articles, insurance claims, police or fire reports, notes from health professionals, custody agreements, or any other legal document.
- c. If the parent or guardian or the relevant documentation indicates the child is homeless pursuant to N.J.S.A. 18A:7B-12, the school district liaison shall assume the coordination of enrollment procedures pursuant to N.J.A.C. 6A:17-2.5 and the student shall not be eligible for enrollment under N.J.S.A. 18A:38-1.1.
- d. If the original school district of residence determines the situation does not meet the family crisis criteria outlined in C.8.a. above, the Superintendent or designee shall notify the parent or guardian in writing. The notification shall inform the parent or guardian of their right to appeal the decision within twenty-one calendar days of the parent's or guardian's receipt of the notification, and shall state that if such appeal is denied, the parent or guardian may be assessed the costs for



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### Eligibility of Resident/Nonresident Students

transportation provided to the new residence during the period of ineligible attendance. It shall also state whether the parent or guardian is required to withdraw the student by the end of the twenty-one day appeal period in the absence of an appeal.

- (1) The parent or guardian may appeal by submitting the request in writing with supporting documentation to the Executive County Superintendent of the county in which the original school district of residence is situated.
  - (2) Within thirty calendar days of receiving the request and documentation, the Executive County Superintendent shall issue a determination whether the situation meets the family crisis criteria set forth at C.8.a. above. The original school district of residence shall continue to enroll the student and provide transportation to the current school of attendance in accordance with N.J.S.A. 18A:39-1 until the determination is issued.
  - (3) If the Executive County Superintendent determines the situation does not constitute a family crisis, the school district may submit to the Executive County Superintendent for approval the cost of transportation to the ineligible student's new domicile. The Executive County Superintendent shall certify the transportation costs to be assessed to the parent or guardian for the period of ineligible attendance.
- e. When the original school district of residence determines the situation constitutes a family crisis pursuant to N.J.S.A. 18A:38-1.1, the Superintendent or designee shall immediately notify the parent or guardian in writing.



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- (1) When the original school district of residence anticipates the need to apply for reimbursement of transportation costs, it shall send to the Executive County Superintendent a request and documentation of the family crisis for confirmation the situation meets the criteria at 8.a. above.
  - (2) Within thirty days of receiving the school district's request and documentation, the Executive County Superintendent shall issue a determination of whether the situation meets the criteria for a family crisis. The original school district of residence shall continue to enroll the student and provide transportation to the current school of attendance in accordance with N.J.S.A. 18A:39-1 until the determination is issued, and shall not be reimbursed for additional transportation costs unless the Executive County Superintendent determines the situation is a family crisis or as directed by the Commissioner upon appeal.
- f. In providing transportation to students under N.J.S.A. 18A:38-1.1, the Board shall use the most efficient and cost-effective means available and in conformance with all laws governing student transportation.
- g. At the conclusion of the fiscal year in which the Executive County Superintendent has determined the situation constitutes a family crisis, the original school district of residence may apply to the Executive County Superintendent for a reimbursement of eligible costs for transportation services.
- (1) Eligible costs shall include transportation for students who are required to be transported pursuant to N.J.S.A. 18A:39-1.



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- (2) The school district shall provide documentation of the transportation costs for the eligible student(s) to the Executive County Superintendent who shall review and forward the information to the New Jersey Department of Education's Office of School Facilities and Finance for reimbursement payment(s) to the school district.
    - (3) Payment to the school district shall be made in the subsequent fiscal year and shall equal the approved cost less the amount of transportation aid received for the student(s).
  - h. Nothing in N.J.A.C. 6A:22-3.2 shall prevent a parent or school district from appealing the Executive County Superintendent's decision(s) to the Commissioner in accordance with N.J.A.C. 6A:3-1.3. If the Commissioner of Education determines the situation is not a family crisis, their decision shall state which of the following shall pay the transportation costs incurred during the appeal process: the State, school district, or parent.
- D. Housing and Immigration Status – N.J.A.C. 6A:22-3.3
1. A student's eligibility to attend school shall not be affected by the physical condition of an applicant's housing or their compliance with local housing ordinances or terms of lease.
  2. Except as set forth in D.2.a. below, immigration/visa status shall not affect eligibility to attend school. Any student 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, who is domiciled in the school district or otherwise eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 and C. above shall be enrolled without regard to, or inquiry concerning, immigration status.





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### Eligibility of Resident/Nonresident Students

- a. However, the provisions of N.J.S.A. 18A:38-1 and N.J.A.C. 6A:22 shall not apply to students who have obtained, or are seeking to obtain, a Certificate of Eligibility for Nonimmigrant Student Status (INS Form I-20) from the school district in order to apply to the INS for issuance of a visa for the purpose of limited study on a tuition basis in a United States public secondary school ("F-1" Visa).

#### 3. F-1 Visa Students

F-1 Visa students will not be admitted to this school district.

#### 4. J-1 Visa Students

J-1 Visa students will not be admitted to this school district.

#### E. Proof of Eligibility – N.J.A.C. 6A:22-3.4

1. The Board of Education shall accept a combination of any of the following or similar forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district:
  - a. Property tax bills; deeds; contracts of sale; leases; mortgages; signed letters from landlords; and other evidence of property ownership, tenancy, or residency;
  - b. Voter registrations; licenses; permits; financial account information; utility bills; delivery receipts; and other evidence of personal attachment to a particular location;
  - c. Court orders; State agency agreements; and other evidence of court or agency placements or directives;



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### Eligibility of Resident/Nonresident Students

- d. Receipts; bills; cancelled checks; insurance claims or payments; and other evidence of expenditures demonstrating personal attachment to a particular location, or to support the student;
  - e. Medical reports; counselor or social worker assessments; employment documents; unemployment claims; benefit statements; and other evidence of circumstances demonstrating family or economic hardship, or temporary residency;
  - f. Affidavits, certifications and sworn attestations pertaining to statutory criteria for school attendance, from the parent, guardian, person keeping an affidavit student, adult student, person(s) with whom a family is living, or others, as appropriate;
  - g. Documents pertaining to military status and assignment; and
  - h. Any other business record or document issued by a governmental entity.
2. The Board may accept forms of documentation not listed in N.J.A.C. 6A:22-3.4(a) and E.1. above, and shall not exclude from consideration any documentation or information presented by an applicant.
  3. The Board 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.
  4. The Board 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. They include, but are not limited to:



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- a. Income tax returns;
  - b. Documentation or information relating to citizenship or immigration/visa status, except as set forth in N.J.A.C. 6A:22-3.3(b) and D.2. above;
  - c. Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
  - d. Social security numbers.
5. The Board may consider, in a manner consistent with Federal law, documents or information referenced in N.J.A.C. 6A:22-3.4(d) and E.4. above, or pertinent parts thereof if voluntarily disclosed by the applicant. However, the Board may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment.
  6. In the case of a dispute between the school district and the parents of a student in regard to a 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. 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.
- F. Registration Forms and Procedures for Initial Assessment – N.J.A.C. 6A:22-4.1
1. The Board of Education shall use Commissioner-provided registration forms pursuant to N.J.A.C. 6A:22-4.1(a), or locally developed forms that:



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### Eligibility of Resident/Nonresident Students

- a. Are consistent with the Commissioner-provided forms;
  - b. Do not seek information prohibited by N.J.A.C. 6A:22-4 or any other provision of statute or rule;
  - c. Summarize, for the applicant's reference, the criteria for attendance set forth in N.J.S.A. 18A:38-1, and specify the nature and form of any sworn statement(s) to be filed;
  - d. Clearly state the purpose for which the requested information is being sought in relation to the criteria; and
  - e. Notify applicants that an initial eligibility determination is subject to a more thorough review and evaluation, and that an assessment of tuition is possible if an initially admitted applicant is later found ineligible.
2. The Board shall make available sufficient numbers of registration forms and trained registration staff to ensure prompt eligibility determinations and enrollment. Enrollment applications may be taken by appointment, but appointments shall be promptly scheduled and shall not unduly defer a student's attendance at school.
- a. If the school district uses separate forms for affidavit student applications rather than a single application form for all types of enrollment, affidavit student forms shall comply in all respects with N.J.A.C. 6A:22-4.1(a) and G.1. above. When affidavit student forms are used, the school district shall provide them to any person attempting to register a student of whom they are not the parent or guardian, even if not specifically requested.
    - (1) The Board or its agents shall not demand or suggest that guardianship or custody must be obtained before enrollment will be considered for a student living with a person other than the parent or guardian since such student may qualify as an affidavit student.



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### Eligibility of Resident/Nonresident Students

- (2) The Board or its agents shall not demand or suggest that an applicant seeking to enroll a student of whom the applicant has guardianship or custody produce affidavit student proofs.
  - b. 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.
3. 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.
  - a. Enrollment shall take place immediately when an applicant has 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 and G. below.
  - b. When a student appears ineligible based on 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 school district's determination and intent to appeal to the Commissioner.
- (1) An applicant whose student is enrolled pursuant to N.J.A.C. 6A:22-4.1(c)2.i. and F.3.b. above 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.



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### Eligibility of Resident/Nonresident Students

4. 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 the applicant's written statement that the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school, 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 purposes of ensuring compliance with compulsory education laws, 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.
5. Enrollment or attendance in the school district shall not be conditioned on advance payment of tuition in whole or part when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information.
6. The Board 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 - Education of Homeless Children.
7. Enrollment or attendance in the school district shall not be denied based upon absence of a certified copy of the student's birth certificate or other proof of their identity as required within thirty days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.



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8. Enrollment in the school district shall not be denied based upon the 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.
9. 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.

#### G. Notices of Ineligibility – N.J.A.C. 6A:22-4.2

1. When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22, Policy 5111, and this Regulation or the student's initial application is found to be deficient upon subsequent review or investigation, the school district shall immediately provide notice to the applicant that is consistent with Commissioner-provided sample form(s) and meets the requirements of N.J.A.C. 6A:22-4.2 and F. above and H. below.
  - a. 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.
2. Notices of ineligibility shall include:
  - a. In cases of denial, a clear description of the specific basis on which the determination of ineligibility was made:
    - (1) The description shall be sufficient to allow the applicant to understand the basis for the decision and determine whether to appeal; and



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### Eligibility of Resident/Nonresident Students

- (2) The description shall identify the specific subsection of N.J.S.A. 18A:38-1 under which the application was decided.
- b. In cases of provisional eligibility, a clear description of the missing documents or information that still must be provided before a final eligibility status can be attained under the applicable provision of N.J.S.A. 18A:38-1;
- c. A clear statement of the applicant's right to appeal to the Commissioner of Education within twenty-one days of the notice date, along with an informational document provided by the Commissioner describing how to file an appeal;
- d. A clear statement of the student's right to attend school for the twenty-one day period during which an appeal can be made to the Commissioner. It also shall state the student will not be permitted to attend school beyond the twenty-first day following the notice date if missing information is not provided or an appeal is not filed;
- e. A clear statement of the student's right to continue attending school while an appeal to the Commissioner is pending;
- f. A clear statement that, if an appeal is filed with the Commissioner and the applicant does not sustain the burden of demonstrating the student's right to attend the school district, or the applicant withdraws the appeal, fails to prosecute or abandons the appeal by any means other than settlement, the applicant may be assessed, by order of the Commissioner enforceable in Superior Court, tuition for any period of ineligible attendance, including the initial twenty-one day period and the period during which the appeal was pending before the Commissioner;
- g. A clear statement of the approximate rate of tuition, pursuant to N.J.A.C. 6A:22-6.3, J.2. and J.3. below, that an applicant may be assessed for the year at issue if the applicant does not prevail on appeal, or elects not to appeal:





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- (1) If removal is based on the student's move from the school district, the notice of ineligibility shall also provide information as to whether district Policy permits continued attendance, with or without tuition, for students who move from the school district during the school year.
  - h. The name of a contact person in the school district who can assist in explaining the notice's contents; and
  - i. When no appeal is filed, notice that the parent or guardian shall still comply with compulsory education laws. In the absence of a written statement from the parent or guardian that the student will be attending school in another school district or non-public school, or receiving instruction elsewhere than at a school, school district staff shall notify the school district of actual domicile/residence, or the Department of Children and Families, of a potential instance of "neglect" pursuant to N.J.S.A. 9:6-1. For purposes of facilitating enforcement of the State compulsory education requirement (N.J.S.A. 18A:38-25), staff shall provide the student's name, the name(s) of the parent/guardian/resident, address to the extent known, denial of admission based on residency or domicile, and absence of evidence of intent to attend school or receive instruction elsewhere.
- H. Removal of Currently Enrolled Students – N.J.A.C. 6A:22-4.3
1. Nothing in N.J.A.C. 6A:22-4, Policy 5111, and this Regulation 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.
  2. 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 for the student's removal.



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- a. The Superintendent shall issue a preliminary notice of ineligibility meeting the requirements of N.J.A.C. 6A:22-4.2 and G. above. However, the notice shall also provide for a hearing before the Board prior to a final decision on removal.
  3. No student shall be removed from school unless the parent, guardian, adult student, or resident keeping an affidavit student, has been informed of their entitlement to a hearing before the Board.
  4. 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 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 and G. above.
  5. 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 is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. However, no student shall 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.
- I. Appeal to the Commissioner – N.J.A.C. 6A:22-5.1
1. An applicant may appeal to the Commissioner of Education a school district 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.
    - a. Pursuant to N.J.S.A. 18A:38-1.b.(1), appeals of "affidavit student" ineligibility determinations shall be filed by the resident keeping the student.



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### Eligibility of Resident/Nonresident Students

#### J. Assessment and Calculation of Tuition – N.J.A.C. 6A:22-6

1. If no appeal to the Commissioner is filed by the parent, guardian, adult student, or school district resident keeping an affidavit student 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.
  - a. If the responsible party does not pay the tuition assessment, the Board 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 pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.
2. If an appeal to the Commissioner is filed by the parent, guardian, adult student, or school district resident keeping an affidavit student 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 for the period during which the hearing and decision on appeal were pending, and for up to one year of a student's ineligible attendance in a school district prior to the appeal's filing and including the twenty-one day period to file an appeal.
  - a. Upon the Commissioner's finding that an appeal has been abandoned, the Board may remove the student from school and seek tuition for up to one year of ineligible attendance pursuant to N.J.A.C. 6A:22-6.1(a) and J.1. above plus the period of ineligible attendance after the appeal was filed. If the record of the appeal includes a calculation reflecting the tuition rate(s) for the year(s) at issue, the per diem tuition rate for the current year and the



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### Eligibility of Resident/Nonresident Students

date on which the student's ineligible attendance began, the Commissioner may order payment of tuition as part of their decision. In doing so, the Commissioner shall consider whether the ineligible attendance was due to the school district's error. If the record does not include such a calculation and the Board has filed a counterclaim for tuition, the counterclaim shall proceed to a hearing notwithstanding that the petition has been abandoned.

- b. An order of the Commissioner assessing tuition is enforceable through recording, upon request of the Board pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division, in accordance with N.J.S.A. 2A:58-10.
3. Tuition assessed pursuant to the provisions of N.J.A.C. 6A:22-6 shall be calculated on a per-student basis for the period of a student's ineligible enrollment, up to one year, by applicable grade/program category and consistent with the provisions of N.J.A.C. 6A:23A-17.1. The individual student's record of daily attendance shall not affect the calculation.
4. Nothing in N.J.A.C. 6A:22, Policy 5111, and this Regulation shall preclude an equitable determination by the Board or the Commissioner that tuition shall not be assessed for all or part of any period of a student's ineligible attendance in the school district when the particular circumstances of a matter so warrant. In making the determination, the Board or Commissioner shall consider whether the ineligible attendance was due to the school district's error.

Adopted:



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Education of Homeless Children and Youths

First Reading: December 18, 2023

Second Reading: January 29, 2024

## 5116 EDUCATION OF HOMELESS CHILDREN AND YOUTHS

The Board of Education will admit and enroll homeless children and youths in accordance with Federal and State laws and New Jersey Administrative Code. The Board of Education adopts this Policy to be in compliance with law and administrative code to ensure the enrollment of homeless children and youths in school and to respond to appeals made by parents or other parties related to the enrollment of homeless children and youths.

The Board shall determine that a child or youth is homeless when the child or youth resides in a publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers. A child or youth is also determined homeless when the child or youth resides in a public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles including mobile homes; tents or other temporary shelters; parks; abandoned buildings; bus or train stations; or temporary shelters provided to migrant workers and their children on farm sites. A child or youth is determined homeless when the child or youth resides in the residence of relatives or friends where the homeless child or youth resides out of necessity because the child's or youth's family lacks a regular or permanent residence of its own. A child or youth is also determined homeless when the child or youth resides in substandard housing.

The school district of residence for a homeless child or youth is responsible for the education of the child and shall assume all responsibilities as required in N.J.A.C. 6A:17-2.3. The school district of residence for a homeless child or youth means the school district in which the parent of a homeless child or youth resided prior to becoming homeless.

The school district liaison designated by the Superintendent of Schools for the education of homeless children and youths is School Business Administrator/Board Secretary. The school district liaison will facilitate communication and cooperation between the school district of residence and the school district where the homeless child or youth resides and shall assume all responsibilities as outlined in N.J.A.C. 6A:17-2.4(a).



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### Education of Homeless Children and Youths

When a homeless child or youth resides in a school district, the school district liaison shall notify the liaison of the school district of residence within twenty-four hours of receiving notification from the parent, a shelter director, or an involved agency. Upon notification of the need for enrollment of a homeless child or youth, the liaison in the school district of residence shall coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.5(b).

The Superintendent of the school district of residence or designee shall decide in which school district the homeless child or youth shall be enrolled in accordance with the provisions of N.J.A.C. 6A:17-2.5.

Unless parental rights have been terminated by a court of competent jurisdiction, the parent retains all rights under N.J.A.C. 6A:17-2.

When a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or the designee(s) of the involved district(s) or the child's or youth's parent(s) shall immediately notify the Executive County Superintendent of Schools, who, in consultation with the New Jersey Department of Education's (NJDOE) McKinney-Vento Homeless Education Coordinator or the Coordinator's designee, shall immediately decide the child's or youth's status. If a dispute remains between the parent and the involved school district(s) following the Executive County Superintendent's determination, the parent or the involved district Board(s) of Education may appeal to the Commissioner of Education for determination pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

When a school district designated as the school district of residence disputes its designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts shall immediately notify the Executive County Superintendent of Schools. The Executive County Superintendent shall make a determination immediately, if possible, but no later than within forty-eight hours and, when necessary, in consultation with the NJDOE's Homeless Education Coordinator or the Coordinator's designee.



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### Education of Homeless Children and Youths

If the dispute regarding determination of the school district of residence does not involve the determination of homelessness and/or school district of enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the NJDOE pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f) and request a determination from the NJDOE Division of Administration and Finance. If an appeal of a determination of school district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

Any dispute or appeal shall not delay the homeless child's or youth's immediate enrollment or continued enrollment in the school district. The homeless child or youth shall be enrolled in the school district in which enrollment or continued enrollment is sought by the parent, pending resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child or youth with a disability shall be made pursuant to N.J.A.C. 6A:14.

Notwithstanding the provisions of N.J.S.A. 18A:38-1, 18A:7B-12, or 18A:7B-12.1, or any other section of law to the contrary, any student who moves from one school district to another as a result of being homeless due to an act of terrorism or due to a natural disaster which results in the declaration of a state of emergency or disaster by the State or by the Federal government, may continue to enroll in the school district in which the parent or guardian last resided prior to becoming homeless for up to two full school years after the act of terrorism or natural disaster; and during the two-year period, if the student is enrolled in the district in which the parent last resided prior to becoming homeless and the student's parent remains homeless for that period, the student shall attend that district tuition-free and that district shall provide the student transportation to and from school in accordance with N.J.S.A. 18A:7B-12.3.

Financial responsibility, including the payment of tuition for the homeless child or youth, will be in accordance with N.J.A.C. 6A:17-2.8. The school district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence or the school district in



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### Education of Homeless Children and Youths

which the parent has been deemed domiciled shall no longer list the student on its ASSA. The State shall assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12.1 and shall pay the tuition to the school district in which the child or youth is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. under the circumstances outlined in N.J.A.C. 6A:17-2.8(c).

On or before December 31 of each year, the district shall report to the Office of Homelessness Prevention in the Department of Community Affairs an accounting of each instance in which the district is made aware that a student enrolled in the district because the student's parent moved to the district as a result of being homeless in accordance with N.J.S.A. 18A:38-1.f.

N.J.S.A. 18A:7B-12; 18A:7B-12.1; 18A:7B-12.3; 18A:38-1  
N.J.A.C. 6A:17-2.1 et seq.

Adopted:





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Education of Homeless Children and Youths

First Reading: December 18, 2023

Second Reading: January 29, 2024

## R 5116 EDUCATION OF HOMELESS CHILDREN AND YOUTHS

### A. Definitions – N.J.A.C. 6A:17-1.2

1. “Best interest determination” means the school placement decision made by Division of Child Protection and Permanency (DCP&P) based on the factors considered, as set forth at N.J.S.A. 30:4C-26b.
2. “Career or technical education” or “CTE” means as defined in N.J.A.C. 6A:19-1.2.
3. “DCP&P” means the Division of Child Protection and Permanency, which is a division in the New Jersey Department of Children and Families (DCF) that is responsible for the placement of children in resource family care, pursuant to N.J.S.A. 30:4C-26b.
4. “Educational stability school district notification” means the notification provided by DCP&P to the school district, pursuant to N.J.S.A. 30:4C-26b.h.
5. “Enroll” or “enrollment” means attending classes and participating fully in school activities.
6. “Homeless child” means a child or youth who lacks a fixed, regular, and adequate residence, pursuant to N.J.S.A. 18A:7B-12, N.J.A.C. 6A:17-2.2, and B. below.
7. “Immediate” or “immediately” means at the instant the need for placement is made known.
8. “Parent” means the natural or adoptive parent, legal guardian, resource family care parent, surrogate parent, or person acting in the place of a parent, such as the person with whom the child legally resides or a person legally responsible for the child’s welfare.



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9. "Point of contact" means the employee identified in each school district who facilitates all activities needed to ensure enrollment and attendance of children in resource family care.
10. "Resource family care" means twenty-four-hour substitute care for children placed away from their parent(s) and for whom DCP&P has placement and care responsibility. The term is synonymous with "foster care" as defined in the Federal Elementary and Secondary Education Act (ESEA), as reauthorized by the Every Student Succeeds Act (ESSA), and includes "resource family home" found elsewhere in the New Jersey Administrative Code and in the New Jersey Statutes Annotated.
11. "School district liaison for the education of homeless children and youths" means the person identified in each school district who facilitates all activities needed to ensure the enrollment and attendance of homeless children and youths.
12. "School district of residence" for a homeless child or youth means the school district in which the parent of a homeless child or youth resided prior to becoming homeless. It may not be the school district in which the student currently resides. This term is synonymous with "school district or origin" referenced in the McKinney-Vento Homeless Education Assistance Act. "School district of residence" for a student in a State facility means the school district in which the parent with whom the student lived prior to placement in a State facility currently resides, pursuant to N.J.S.A. 18A:7B-12.b. In the case of a child placed in resource family care prior to September 9, 2010, in accordance with N.J.S.A. 18A:7B-12, the "school district of residence" means the school district in which the resource family care parent(s) resides. In the case of a child placed in resource family care on or after September 9, 2010, in accordance with N.J.S.A. 18A:7B-12, the "school district of resident" means the present school district of residence of the parent(s) with whom the child lived prior to the most recent placement in resource family care.



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13. "School of origin" for a child in resource family care means the school district in which a child was enrolled prior to a change in the child's care, custody, or guardianship. If a child's resource family care placement changes, the school of origin would then be considered the school district in which the child is enrolled at the time of the placement change.
14. "State agency" means the New Jersey Department of Human Services, the New Jersey Department of Correction, the New Jersey Department of Children and Families, or the New Jersey Juvenile Justice Commission.
15. "State facility" means residential and day programs operated by, contracted with, or specified by the New Jersey Department of Human Services, the New Jersey Department of Correction, the New Jersey Department of Children and Families, or the New Jersey Juvenile Justice Commission.
16. "Transitional living facility" means a temporary facility that provides housing to a child due to domestic violence, pursuant to N.J.S.A. 18A:7B-12.1.
17. "Unaccompanied youth" means a youth not in the physical custody of a parent at the time of enrollment.

### B. Determination of Homelessness – N.J.A.C. 6A:17-2.2

1. The Board of Education for the school district of residence shall determine that a child or youth is homeless for the purposes of N.J.A.C. 6A:17-2, Policy 5116, and this Regulation when the child or youth resides in any of the following:
  - a. A publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers;
  - b. A public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles including mobile homes; tents or other



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### Education of Homeless Children and Youths

temporary shelters; parks; abandoned buildings; bus or train stations; or temporary shelters provided to migrant workers and their children on farm sites;

- c. The residence of relatives or friends where the homeless child or youth resides out of necessity because their family lacks a regular or permanent residence of its own; or
- d. Substandard housing.

#### C. Responsibilities of the School District of Residence – N.J.A.C. 6A:17-2.3

1. The school district of residence for a homeless child or youth shall be responsible for the education of the child and shall:
  - a. Determine the school district in which the child shall be enrolled after consulting with the parent pursuant to N.J.A.C. 6A:17-2.5 and E. below;
  - b. Pay the cost of tuition pursuant to N.J.S.A. 18A:38-19, when the child attends school in another school district; and
  - c. Provide for transportation for the child pursuant to N.J.A.C. 6A:27-6.2.
2. The determination of the homeless child's or youth's school district of residence shall be made by the Superintendent of the school district of residence or designee, pursuant to N.J.A.C. 6A:17-2.4 and D. below based upon information received from the parent, a shelter provider, another school district, or an involved agency.
3. The school district identified in accordance with N.J.S.A. 18A:7B-12 as the school district of residence for a homeless child or youth shall be the school district of residence until the parent establishes a permanent residence. Financial responsibility will remain with the homeless child's school district of residence until the family is deemed domiciled in another jurisdiction, pursuant to N.J.S.A. 18A:38-1.d.



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## D. Designation of School District Liaisons and Their Responsibilities – N.J.A.C. 6A:17-2.4

1. The Superintendent identifies School Business Administrator/Board Secretary as the school district liaison for the education of homeless children or youths. The school district liaison shall:
  - a. Facilitate communication and cooperation between the school district of residence and the school district where the homeless child or youth resides;
  - b. Develop procedures to ensure a homeless child or youth residing in the school district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.5 and E. below;
  - c. Ensure homeless families, children, and youths receive educational services for which they are eligible, including Head Start programs, preschool programs administered by the Board, and referrals to health care, dental, mental health, and other appropriate services;
  - d. Inform parents of homeless children and youths of the educational and related opportunities available to their children and ensure that parents are provided with meaningful opportunities to participate in the education of their children;
  - e. Ensure that public notice of the educational rights of homeless children and youths is disseminated where such children receive services, such as schools, family shelters, and soup kitchens;
  - f. Ensure enrollment disputes are resolved pursuant to N.J.A.C. 6A:17-2.7 and G. below;
  - g. Ensure the parent of a homeless child or youth, or any unaccompanied youth, is fully informed of all transportation services, including transportation to the



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### Education of Homeless Children and Youths

school district of residence, and is assisted in accessing transportation to the school selected under N.J.A.C. 6A:17-2.5 and E. below;

- h. Assist the parent to obtain the homeless child's or youth's medical records or required immunizations; and
  - i. Assist an unaccompanied youth to ensure the youth is enrolled in, and is receiving, all services pursuant to N.J.A.C. 6A:17, Policy 5116, and this Regulation.
2. When a homeless child or youth resides in a school district, the school district liaison shall notify the liaison of the school district of residence within twenty-four hours of receiving notification from the parent, a shelter director, or an involved agency.
  3. Upon notification of the need for enrollment of a homeless child or youth, the liaison in the school district of residence shall coordinate enrollment procedures immediately based upon the best interest of the child, pursuant to N.J.A.C. 6A:17-2.5(b) and E.2. below.

#### E. School District Enrollment – N.J.A.C. 6A:17-2.5

1. The Superintendent of the school district of residence or designee shall decide in which school district the homeless child or youth shall be enrolled as follows:
  - a. Enroll the homeless child or youth in the school district of residence to the extent feasible, except when doing so is contrary to the wishes of the homeless child's or youth's parent;
  - b. Continue the homeless child's or youth's education in the school district of last attendance if it is not the school district of residence; or
  - c. Enroll the homeless child in the school district where the child resides.



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### Education of Homeless Children and Youths

2. The Superintendent of the school district of residence or designee shall decide the school district of enrollment of a homeless child or youth based on what is determined to be in the best interest of the child or youth after considering:
  - a. The enrollment of the homeless child or youth in the school district of residence to the extent feasible, except when doing so is contrary to the wishes of the child's or youth's parent.
  - b. The continuity of the child's educational program;
  - c. The eligibility of the child for special instructional programs, including, but not limited to, bilingual, gifted and talented, special education, early childhood, and career and technical education programs; and
  - d. The distance, travel time, and safety factors in coordinating transportation services from the residence to the school.
3. The Superintendent of the school district of residence or designee shall determine the child's or youth's school district of enrollment immediately after consultation with the parent. The school district of residence shall adhere to the following procedures:
  - a. Enrollment decisions shall be made immediately upon notification of the need for enrollment. When the decision is made, the child or youth shall be enrolled immediately. If a dispute arises regarding enrollment of a homeless child or youth, the homeless child or youth shall be immediately enrolled in the school district in which enrollment is sought by the parent, pending resolution of the dispute pursuant to N.J.A.C. 6A:17-2.7 and G. below.
  - b. Consultation with the parent regarding the enrollment decision and the right to appeal the decision shall be documented in writing.
  - c. A decision to enroll a homeless child or youth in a school district other than the school district of residence or the



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### Education of Homeless Children and Youths

school district requested by the parent shall be explained in writing and provided to the parent.

4. When a decision is made to enroll the child or youth in a school district other than the school district of residence, the Superintendent or designee of the school district of residence shall forward to the new school district all relevant school and health records consistent with the provisions of N.J.A.C. 6A:32-7.
5. When a homeless child or youth with a disability is enrolled in a school district other than the school district of residence, the school district of enrollment shall treat the student as a transfer student pursuant to N.J.A.C. 6A:14, Special Education.
6. When the school district of residence for a homeless child or youth cannot be determined, the Superintendent or designee of the school district in which the child or youth currently resides shall enroll the child or youth immediately in the school district of the current residence or the school district of last attendance.
7. The school district selected pursuant to N.J.A.C. 6A:17-2, Policy 5116, and this Regulation shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment such as previous academic records, medical records, proof of residency, or other documentation.
8. Enrollment in the school district of residence; enrollment in the school district of last attendance, if not the school district of residence; or enrollment in the school district where the child or youth resides shall continue for the duration of homelessness, including when a family becomes homeless between academic years, and also for the remainder of the academic year if the homeless child or youth becomes permanently housed during the academic year.

#### F. Parental Rights – N.J.A.C. 6A:17-2.6

1. Unless parental rights have been terminated by a court of competent jurisdiction, the parent retains all rights under N.J.A.C. 6A:17-2, Policy 5116, and this Regulation.





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## G. Disputes and Appeals – N.J.A.C. 6A:17-2.7

1. When a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or designee(s) of the involved school district(s) or the child's or youth's parent(s) shall immediately notify the Executive County Superintendent. In consultation with the New Jersey Department of Education's (NJDOE) McKinney-Vento Homeless Education Coordinator or the Coordinator's designee, the Executive County Superintendent shall immediately decide the child's or youth's status. If a dispute remains between the parent and the involved school district(s) following the Executive County Superintendent's determination, the parent or the involved district Board(s) of Education may appeal to the Commissioner of Education for a determination pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
2. When a school district designated as the school district of residence disputes its designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts shall immediately notify the Executive County Superintendent. The Executive County Superintendent shall make a determination immediately, if possible, but no later than within forty-eight hours and, when necessary, in consultation with the NJDOE's Homeless Education Coordinator, or the Coordinator's designee.
  - a. If the dispute regarding determination of the school district of residence does not involve the determination of homelessness and/or school district of enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the NJDOE pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f), and request a determination from the Division of Finance.



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- b. If an appeal of a determination of the school district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
3. Any dispute or appeal shall not delay the homeless child's or youth's immediate enrollment or continued enrollment in the school district. The homeless child or youth shall be enrolled in the school district in which enrollment or continued enrollment is sought by the parent, pending resolution of the dispute or appeal.
4. Disputes and appeals involving the services provided to a homeless child or youth with a disability shall be made pursuant to N.J.A.C. 6A:14.

### H. Tuition – N.J.A.C. 6A:17-2.8

1. When the homeless child or youth is enrolled in a school district other than the school district of residence, the school district of residence shall pay to the school district of enrollment the tuition costs pursuant to N.J.S.A. 18A:38-19 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence or the school district in which the parent has been deemed domiciled shall pay tuition to the school district of enrollment.
2. The school district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence or the school district in which the parent has been deemed domiciled shall list the student on its ASSA.



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3. The State shall assume fiscal responsibility for the tuition of the child or youth pursuant to N.J.S.A. 18A:7B-12.1 and shall pay the tuition to the school district in which the child or youth is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d., under the following circumstances:
  - a. If the school district of residence cannot be determined for the homeless child or youth;
  - b. If the school district of residence is outside of the State; or
  - c. If a child or youth resides in a domestic violence shelter, homeless shelter, or transitional living facility located in a school district other than the school district of residence for more than a year during the placement pursuant to N.J.S.A. 18A:7B-12.d. and 12.1.
4. When the State assumes fiscal responsibility for the tuition of a homeless child or youth under the circumstances at N.J.A.C. 6A:17-2.8(c) and H.3. above, the State shall pay to the school district in which the child or youth is enrolled the weighted base per pupil amount calculated pursuant to N.J.S.A. 18A:7F-49 and the appropriate security and special education categorical aids per pupil pursuant to N.J.S.A. 18A:7F-55 and 56.

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Sep 23

First Reading: December 18, 2023  
Second Reading: January 29, 2024

## 8500 FOOD SERVICES

The Board of Education shall make school lunch available to all students enrolled in a school in the district unless less than five percent of enrolled students in the school are Federally eligible for a free or reduced price lunch in accordance with N.J.S.A. 18A:33-4. School lunches made available pursuant to N.J.S.A. 18A:33-4 and this Policy shall meet minimum nutritional standards, established by the Department of Education.

Free or reduced price breakfast and lunch, as required, shall be offered, under a school lunch program, school breakfast program, or a breakfast after the bell program, to all enrolled students who are determined to be Federally eligible for free or reduced price meals. As provided by N.J.S.A. 18A:33-4.a.(3) and N.J.S.A. 18A:33-14a.a.(2), any student who is eligible for a reduced price lunch and breakfast, pursuant to Federal income eligibility standards and criteria, shall not be required to pay for such lunch or breakfast. Free lunch or breakfast shall also be offered to each enrolled student who is Federally ineligible for free or reduced price meals, but who has an annual household income that is not less than one hundred and eighty-six percent, and not more than one hundred ninety-nine percent, of the Federal poverty level, as determined pursuant to N.J.S.A. 18A:33-21b1.

- A. Breakfast Program – N.J.S.A. 18A:33-10; 18A:33-10.1; 18A:33-11; 18A:33-11.1; 18A:33-11.3; 18A:33-14a.

If twenty percent or more of the students enrolled in a school in the district on October 1 of the preceding school year were Federally eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program, the district shall establish a school breakfast program in the school in accordance with the provisions of N.J.S.A. 18A:33-10.

Notwithstanding the provisions of N.J.S.A. 18A:33-10 to the contrary, if ten percent or more of the students enrolled in a school in the district on October 1 of the preceding school year were Federally eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program the district shall establish a breakfast program in accordance with the provisions of N.J.S.A. 18A:33-10.1.

Attachment: Policy #8500 - Food Services (10885 : Second Reading of Revised Policies & Regulations)



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If seventy percent or more of the students enrolled in a school in the district on or before the last school day before October 16 of the preceding school year were Federally eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program, the district shall establish a breakfast after the bell program pursuant to N.J.S.A. 18A:33-11.3.

In accordance with N.J.S.A. 18A:33-11, in implementing a school lunch program, pursuant to 18A:33-4 et seq., a school breakfast program, pursuant N.J.S.A. 18A:33-9 et seq., or N.J.S.A. 18A:33-10.1, or a breakfast after the bell program, pursuant to N.J.S.A. 18A:33-11.1 or N.J.S.A. 18A:33-11.3, the district shall:

1. Publicize, to parents and students, the availability of the respective school meals program, as well as the various ways in which a student may qualify to receive free or reduced price meals under the program, as provided by N.J.S.A. 18A:33-4 and N.J.S.A. 18A:33-14a;
2. Make every effort to ensure that subsidized students are not recognized as program participants, by the student body, faculty, or staff, in a manner that is different from the manner in which unsubsidized students are recognized as program participants. Such efforts shall include, but need not be limited to, the establishment of a neutral meal plan or voucher system that does not make a distinction between subsidized and unsubsidized students; and
3. Make every effort to:
  - a. Facilitate the prompt and accurate identification of categorically eligible students who may be certified to participate in the program, on a subsidized basis, without first submitting an application therefore, and, whenever an application is required to establish eligibility for subsidized meals, encourage students and their families to submit a subsidized school meals application for that purpose;

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- b. Facilitate and expedite, to the greatest extent practicable, the subsidized school meals application and income-eligibility determination processes that are used, by the district, to certify a student for free or reduced price school meals on the basis of income, and assist parents in completing the school meals application; and
- c. Encourage students who are neither categorically eligible nor income-eligible for free or reduced price school meals to nonetheless participate, on a paid and unsubsidized basis, in the program.

If the district participates in the Federal School Breakfast Program, the district is encouraged to increase the number of students participating in the program by establishing a breakfast after the bell program that incorporates school breakfast into the first-period classroom or the first few minutes of the school day pursuant to N.J.S.A. 18A:33-11.1.

Pursuant to N.J.S.A. 18A:33-14a., school breakfasts made available to students under a school breakfast program or a breakfast after the bell program shall meet minimum nutritional standards, established by the New Jersey Department of Education.

The State of New Jersey shall provide funding to each school in the district if the school operates a School Breakfast Program or a breakfast after the bell program, as may be necessary to reimburse the costs associated with the school's provision of free breakfasts, pursuant to N.J.S.A. 18A:33-14a.b., to students who are Federally ineligible for free or reduced price meals.

- B. Summer Food Service Program – N.J.S.A. 18A:33-23; 18A:33-24; 18A:33-25; 18A:33-26

In accordance with N.J.S.A. 18A:33-24, if fifty percent or more of the students enrolled in the school district on or before the last school day before October 16 of the preceding school year were Federally eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program, the district shall become a sponsor or site under the Federal Summer Food Service Program or apply for a waiver pursuant to N.J.S.A. 18A:33-26.



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In accordance with N.J.S.A. 18A:33-23, the district shall notify each student enrolled and the student's parent of the availability of, and criteria of eligibility for, the summer meals program and the locations in the district where the summer meals are available. The district shall provide this notification by distributing flyers provided by the New Jersey Department of Agriculture pursuant to subsection N.J.S.A. 18A:33-23.c. The district may also provide electronic notice of the information through the usual means by which the district communicates with parents and students electronically.

Pursuant to N.J.S.A. 18A:33-26.a., the New Jersey Department of Agriculture may grant a waiver of the requirements of N.J.S.A. 18A:33-24 et seq. To be granted a waiver, the district must show that it lacks the staff, facilities, or equipment to sponsor the Federal Summer Food Service Program, or the means to finance the hiring or acquisition of such staff, facilities, or equipment. The New Jersey Department of Agriculture also may grant a waiver for one year to the district if a different sponsor currently runs the Federal Summer Food Service Program within the district's community.

Pursuant to N.J.S.A. 18A:33-26.b., the district shall report to the New Jersey Department of Agriculture, in the manner prescribed by the New Jersey Department of Agriculture, its reasons for requesting a waiver of the requirements of N.J.S.A. 18A:33-24 et seq. The report shall include, but need not be limited to, a description of the specific impediments to implementing the program and actions that could be taken to remove those impediments or, where applicable, the identification of the sponsor that currently runs the program within the same community.

C. Information Provided to Parents Regarding the National School Lunch Program and the Federal School Breakfast Program — N.J.S.A. 18A:33-21b1

1. At the beginning of each school year, or upon initial enrollment, in the case of a student who enrolls during the school year, the school shall provide each student's parent with:
  - a. Information on the National School Lunch Program and the Federal School Breakfast Program, including, but not limited to, information on the availability of free or reduced price meals for eligible students, information on the



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- application and determination processes that are used to certify eligible students for subsidized school meals, and information on the rights that are available to students and their families under N.J.S.A. 18A:33-21b1 and N.J.S.A.18A:33-21; and
- b. A school meals application form, as well as instructions for completing the application, and, as necessary, assistance in completing the application.
2. The school meals information and application provided to parents, pursuant to N.J.S.A. 18A:33-21b1.a. shall:
    - a. Be communicated in a language that the parent understands;
    - b. Specify the limited purposes for which collected personal data may be used, as provided by N.J.S.A. 18A:33-21b1.c.; and
    - c. Be submitted to the parent either in writing or electronically. In the latter case, the school district shall use the usual means by which it communicates with parents electronically.
  3. A school meals application that is completed by a parent shall be confidential, and shall not be used or shared by the student's school or school district, except as may be necessary to:
    - a. Determine whether a student identified in the application is eligible for free or reduced price school meals;
    - b. Determine whether the school or school district is required, by N.J.S.A. 18A:33-11.3 or by N.J.S.A. 18A:33-24, to establish a breakfast after the bell program, or to participate as a sponsor or site in the Federal Summer Meals Service Program;

Attachment: Policy #8500 - Food Services (10885 : Second Reading of Revised Policies & Regulations)





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- c. Ensure that the school receives appropriate reimbursement, from the State and Federal governments, for meals provided to eligible students, free of charge, through a school lunch program, a school breakfast program, a breakfast after the bell program, a summer meals program, or an emergency meals distribution program; and
- d. Facilitate school aid determinations under the "School Funding Reform Act of 2008," N.J.S.A. 18A:7F-43 et seq.

## D. Free or Reduced Price Meals' Application Process – 7 CFR 245

School meals applications shall be reviewed in a timely manner. An eligibility determination will be made, the family will be notified of its status, and the status will be implemented as soon as possible within ten operating days of receipt of the completed application pursuant to 7 CFR 245.6(c)(6). Any student found eligible shall be offered free or reduced price meals or free milk immediately upon the establishment of their eligibility and shall continue to receive such meals during the pendency of any inquiry regarding their eligibility in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture. Carry-over of previous year's eligibility for students shall be in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

In accordance with 7 CFR 245.6(c)(1) and (2), eligibility for free or reduced price meals, as determined through an approved application or by direct certification, must remain in effect for the entire school year and for up to thirty operating days in the subsequent school year. Prior to the processing of an application or the completion of direct certification procedures for the current school year, children from households with approved applications or documentation of direct certification on file from the preceding year, shall be offered reimbursable free and reduced price meals, as appropriate.

In accordance with 7 CFR 245.6(c)(6)(iii), children from households that notify the local educational agency that they do not want free or reduced price benefits must have their benefits discontinued as soon as possible.



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Pursuant to 7 CFR 245.6(c)(7), if the district receives an incomplete school meals application or a school meals application that does not meet the eligibility criteria for free or reduced priced benefits, the school meals application must be denied. The district shall document and retain the denied school meals application and reasons for ineligibility for three years in accordance with 7 CFR 245.6(e).

In accordance with 7 CFR 245.6(c)(7), parents of students who are denied benefits must receive prompt, written notification of their denial. The notification may be provided by mail or e-mail to the individual who signed the school meals application. Posting the denial on the "notification" page of an online system does not meet this requirement. Likewise, informing the parent of denial via telephone does not meet this requirement. If the district uses an automated telephone information system to notify parents of denied benefits, the district must also provide the parents with written notification of the denial. The notification must provide the: reason for denial of benefits; right to appeal; instructions on how to appeal; and ability to reapply for free and reduced price benefits at any time during the school year.

In accordance with 7 CFR 245.6(e), the district shall record the eligibility determination and notification in an easily referenced format. The record shall include the: denial date; reason for denial; date the denial notice was sent; and signature or initials of the determining official (may be electronic, where applicable).

Any parents of students who have benefits that are to be reduced or terminated must be given ten calendar days' written notice of the change prior to the date the change will go into effect pursuant to 7 CFR 245.6a(j). The first day of the advance notice period shall be the day the notice is sent. The notice of adverse action may be sent via mail or to the e-mail address of the parent. The district cannot notify the household of adverse action by phone only.

Pursuant to 7 CFR 245.6a(j), the notice of adverse action must advise the parents of: change in benefits; reasons for the change; an appeal must be filed within the ten calendar days advance notice period to ensure continued benefits while awaiting a hearing and decision; instructions on how to appeal; and the parents may reapply for benefits at any time during the school year.



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If the district participates in any National School Lunch Program, School Breakfast Program, or provides free milk under the Special Milk Program, the district shall submit to the New Jersey Department of Agriculture a free and reduced price policy statement pursuant to 7 CFR 245.10.

In accordance with 7 CFR 245.1(b), the district shall avoid any policy or practice leading to the overt identification of students receiving free or reduced price meal benefits. Overt identification is any action that may result in a child being recognized as potentially eligible for or certified for free or reduced price school meals. Unauthorized disclosure or overt identification of students receiving free and reduced price meal benefits is prohibited. The district shall ensure that a child's eligibility status is not disclosed at any point in the process of providing free and reduced price meals, including: notification of the availability of free and reduced price benefits; certification and notification of eligibility; provision of meals in the cafeteria; and the point of service. In addition, the district shall ensure students who receive free and reduced price benefits are not overtly identified when they are provided additional services under programs or activities available to low-income students based on their eligibility for free and reduced price meals.

Pursuant to 7 CFR 245.2, disclosure means revealing or using individual student's program eligibility information obtained through the free and reduced price meal or free milk eligibility process for a purpose other than the purpose for which the information was obtained. Disclosure includes, but is not limited to, access, release, or transfer of personal data about students by means of print, tape, microfilm, microfiche, electronic communication, or any other means. It includes eligibility information obtained through the school meals application or through direct certification.

If the district accepts both cash and electronic payments, the district shall ensure students are not overtly identified through the method of payment pursuant to 7 CFR 245.8(b). To the maximum extent practicable, the district must ensure the sale of non-program foods and the method of payment for non-program foods do not inadvertently result in students being identified by their peers as receiving free and reduced price benefits.

The School Business Administrator/Board Secretary or designee will verify applications of those eligible for free or reduced price meals in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.



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## E. Meal Charge Program – N.J.S.A. 18A:33-21

In the event a student's school lunch or breakfast bill is in arrears in excess of \$20.00, the student will continue to receive lunch or breakfast and their account will be charged accordingly. The Principal or designee shall contact the student's parent to provide notice of the amount in arrears and shall provide the parent a period of ten school days to pay the full amount due. If the student's parent does not make full payment to the Principal or designee by the end of the ten school days, the Principal or designee shall again contact the student's parent to provide a second notice that their child's breakfast or lunch bill is in arrears. If payment in full is not made within one week from the date of the second notice, the student will be provided an alternate breakfast or lunch, as applicable, that will contain the essentials in balanced nutritional selections as prescribed by the Bureau of Child Nutrition Programs, New Jersey Department of Agriculture and the Food and Nutrition Services of the United State Department of Agriculture beginning the eighth calendar day from the date of the second notice. This alternate meal will be provided until the bill is in arrears in excess of \$20.00, at which time the student will not be served school breakfast or lunch, as applicable.

The school district shall not:

1. Publicly identify or stigmatize a student who cannot pay for a meal or whose school meal bill is in arrears. (For example, by requiring the student to sit at a separate table or wear a wristband, hand stamp, or identifying mark or by serving the student an alternative meal);
2. Require a student who cannot pay for a school meal or whose school meal bill is in arrears to do chores or other work to pay for the school meal; or
3. Require a student to discard a school meal after it has been served because of the student's inability to pay for a school meal or because money is owed for previously provided meals.

If a student owes money for the equivalent of five or more school meals at any time during the school year, the Principal or designee shall:

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1. Determine if the student is eligible for a free or reduced-price school meal;
2. Make at least two attempts, not including the application or instructions provided to the parent each school year pursuant to N.J.S.A. 18A:33-21b.; to contact the student's parent and have the parent fill out an application for the school lunch program and school breakfast program; and
3. Contact the student's parent to offer assistance with the application for the school lunch and school breakfast program; determine if there are other issues within the household that have caused the child to have insufficient funds to purchase a school breakfast or school lunch; and offer any other appropriate assistance.

F. Provision of Meals to Homeless Children – N.J.S.A. 18A:33-21c.

The district's liaison for the education of homeless children shall coordinate with district personnel to ensure that a homeless student receives free school meals and is monitored according to district policies pursuant to N.J.S.A. 18A:33-21c.

G. Provision of School Meals During Period of School Closure – N.J.S.A. 18A:33-27.2

In the event the Board is provided a written directive, by either the New Jersey Department of Health or the health officer of the jurisdiction, to institute a public health-related closure due to the COVID-19 epidemic, the district shall implement a program, during the period of the school closure, to provide school meals, at meal distribution sites designated pursuant to N.J.S.A. 18A:33-27.2.b., to all students enrolled in the district who are either categorically eligible or income-eligible for free or reduced price school meals.

In the event of an emergency closure, as described in N.J.S.A. 18A:33-27.2.a., the district shall identify one or more school meal distribution sites that are walkable and easily accessible to students in the district. The district shall collaborate with county and municipal government officials in identifying appropriate sites. A school meals distribution site may include, but need not be limited to: faith-based



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locations; community centers, such as YMCAs; and locations in the district where meals are made available through a summer meals program. In a district that includes high density housing, the district shall make every effort to identify a school meal distribution site in that housing area.

The district shall identify students enrolled in the district who are categorically eligible or income-eligible for free or reduced price meals, and for whom a school meal distribution site, identified pursuant to N.J.S.A. 18A:33-27.2.b., is not within walking distance. In the case of these students, the district shall distribute the school meals to the student's residence or to the student's bus stop along an established bus route, provided that the student or the student's parent is present at the bus stop for the distribution. Food distributed pursuant to N.J.S.A. 18A:33-27.2.c. may include up to a total of three school days' worth of food per delivery.

The district may use school buses owned and operated by the district to distribute school meals pursuant to N.J.S.A. 18A:33-27.2. If the district does not own and operate its own buses, the district may contract for the distribution of school meals, and these contracts shall not be subject to the public bidding requirements established pursuant to the "Public School Contracts Law," N.J.S.A. 18A:18A-1 et seq.

The district shall collaborate, as feasible, with other districts and with local government units to implement the emergency meals distribution program, as required by N.J.S.A. 18A:33-27.2, in order to promote administrative and operational efficiencies and cost savings.

School lunches and breakfasts that are made available, through an emergency meals distribution program operating pursuant to N.J.S.A. 18A:33-27.2, shall be provided to eligible students, free of charge, in accordance with the provisions of N.J.S.A. 18A:33-4.a. and N.J.S.A. 18A:33-14a.

Attachment: Policy #8500 - Food Services (10885 : Second Reading of Revised Policies & Regulations)



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## H. Statement of Compliance

All food service programs shall be operated pursuant to 7 CFR 245, as appropriate, and this Policy.

N.J.S.A. 18A:18A-42.1; 18A:33-4; 18A:33-5; 18A:33-10;  
18A:33-10.1; 18A:33-11; 18A:33-11.1; 18A:33-11.2;  
18A:33-11.3; 18A:33-14a.; 18A:33-21; 18A:33-21a.;  
18A:33-21b1; 18A:33-21c.; 18A:33-23; 18A:33-24;  
18A:33-25; 18A:33-26; 18A:33-27.2; 18A:58-7.1;  
18A:58-7.2

N.J.A.C. 2:36

N.J.A.C. 6A:23-2.6 et seq.

N.J.A.C. 8:24-2.1 through 7.5

7 C.F.R. 210.1 et seq.

Adopted:



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## ADMINISTRATION

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Sick Leave

First Reading: December 18, 2023

Second Reading: January 29, 2024

### 1642.01 SICK LEAVE

The Board of Education shall grant sick leave in accordance with N.J.S.A. 18A:30-2. All persons holding any office, position, or employment in the school district, who are steadily employed by the Board or who are protected by tenure in their office, position, or employment under the provisions of this or any other law, except persons in the classified service of the civil service under Title 11, Civil Service, of the Revised Statutes shall be allowed sick leave in accordance with N.J.S.A. 18A:30-2.

Pursuant to N.J.S.A. 18A:30-1.a., sick leave is defined as the absence from an employee's post of duty, for any of the following reasons:

1. The employee is personally ill or injured;
2. For diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;
3. For the employee to aid or care for a family member of the employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;
4. Absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member:
  - a. Medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence;
  - b. Services from a designated domestic violence agency or other victim services organization;





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## ADMINISTRATION

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- c. Psychological or other counseling;
  - d. Relocation; or
  - e. Legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic or sexual violence;
5. The death of a family member for up to seven days;
  6. To attend a child's school-related conference, meeting, function or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability;
  7. The school or place of care of a child of the employee is closed by order of a public official or because of a state of emergency declared by the Governor due to an epidemic or other public health emergency;
  8. The employee has been exposed to a contagious disease or is quarantined for the disease in the employee's immediate household.

N.J.S.A. 18A:30-1, this Policy, and Regulation 1642.01 shall not supersede any law providing collective bargaining rights for school district employees, and shall not reduce, diminish, or adversely affect an employee's collective bargaining rights pursuant to N.J.S.A. 18A:30-1.b.

The Board reserves the right to require of any employee who claims sick leave sufficient proof in accordance with N.J.S.A. 18A:30-4 and Section C. of Regulation 1642.01.

Attachment: Policy #1642.01 - Sick Leave Administration (10886 : Second Reading of New Policies & Regulations)



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### Sick Leave

The Superintendent or designee will prepare rules for the administration of N.J.S.A. 18A:30-1, N.J.S.A. 18A:30-4, this Policy, and Regulation 1642.01, which shall be binding on all employees.

The Superintendent or designee will submit to the Board the names of those employees absent for non-compensable cause or whose claim for sick leave pay cannot be justified. The willful misuse of sick leave may be subject to discipline.

29 U.S.C. 2601 et seq.

N.J.S.A. 18A:30-1; 18A:30-2; 18A:30-4

Attachment: Policy #1642.01 - Sick Leave Administration (10886 : Second Reading of New Policies & Regulations)

Adopted:



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Sick Leave

First Reading: December 18, 2023

Second Reading: January 29, 2024

## R 1642.01 SICK LEAVE

- A. Definitions – N.J.S.A. 18A:30-1.c. and 18A:30-4.i.
1. “Certified Domestic Violence Specialist” means a person who has fulfilled the requirements of certification as a Domestic Violence Specialist established by the New Jersey Association of Domestic Violence Professionals.
  2. “Child” means a biological, adopted or foster child, stepchild or legal ward of an employee, child of a domestic partner or civil union partner of the employee.
  3. “Designated domestic violence agency” means a county-wide organization whose primary purpose is to provide services to victims of domestic violence and which provides services that conform to the core domestic violence services profile as defined by the Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the division for the express purpose of providing the services.
  4. “Domestic or sexual violence” means stalking, any sexually violent offense, as defined in N.J.S.A. 30:4-27.26, or domestic violence as defined in N.J.S.A. 2C:25-19 and N.J.S.A. 17:29B-16.
  5. “Family member” means a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent of an employee, or a spouse, domestic partner, or civil union partner of a parent or grandparent of the employee, or a sibling of a spouse, domestic partner, or civil union partner of the employee, or any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship.
  6. “Health care professional” means any person licensed under Federal, State, or local law or the laws of a foreign nation, to provide health care services, or any other person who has been authorized to provide health care by a licensed health care professional including, but not limited to, doctors, nurses, and emergency room personnel.



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## ADMINISTRATION

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Sick Leave

7. "Supervisor" means the building or district administrative staff member designated by the Superintendent who is responsible for supervising the employee.

### B. Eligibility for Sick Leave – N.J.S.A. 18A:30-1

1. Sick leave is defined as the absence from an employee's post of duty, for any of the following reasons:
  - a. The employee is personally ill or injured;
  - b. For diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;
  - c. For the employee to aid or care for a family member of the employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;
  - d. Absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member:
    - (1) Medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence;
    - (2) Services from a designated domestic violence agency or other victim services organization;
    - (3) Psychological or other counseling;
    - (4) Relocation; or



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## ADMINISTRATION

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Sick Leave

- (5) Legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic or sexual violence;
    - e. The death of a family member for up to seven days;
    - f. To attend a child's school-related conference, meeting, function or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability;
    - g. The school or place of care of a child of the employee is closed by order of a public official or because of a state of emergency declared by the Governor, due to an epidemic or other public health emergency; or
    - h. The employee has been exposed to a contagious disease or is quarantined for the disease in the employee's immediate household.
  - 2. N.J.S.A. 18A:30-1, Policy 1642.01, and this Regulation shall not supersede any law providing collective bargaining rights for school district employees and shall not reduce, diminish, or adversely affect an employee's collective bargaining rights.
- C. Physician's Certificate Required for Sick Leave – N.J.S.A. 18A:30-4
- 1. In case of sick leave claimed due to personal illness or injury, the Board of Education may require a physician's certificate to be filed with the Secretary of the Board in order to obtain sick leave.

Attachment: Regulation #R1642.01 - Sick Leave - Administration (10886 : Second Reading of New Policies & Regulations)



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2. If an employee's need to use sick leave as defined pursuant to N.J.S.A. 18A:30-1 and B. above is foreseeable, the Board may require advance notice, not to exceed seven calendar days prior to the date the leave is to begin, of the intention to use the leave and its expected duration, and the employee shall make a reasonable effort to schedule the use of sick leave in a manner that does not unduly disrupt the operations of the Board.
3. If the reason for the leave is not foreseeable, the Board of Education may require an employee to give notice of the intention as soon as practicable, provided the Board of Education has notified the employee of this requirement.
4. The Board may prohibit an employee from using foreseeable sick leave on certain dates, and require reasonable documentation if sick leave that is not foreseeable is used during those dates.
5. In case of sick leave claimed for three or more consecutive days, the Board may require reasonable documentation that the leave is being taken for a purpose permitted pursuant to N.J.S.A. 18A:30-1.a. and B.1. above.
6. If the leave is permitted under N.J.S.A. 18A:30-1.a.(2) or (3) and B.1.b. or c. above, documentation signed by a health care professional who is treating the employee or the family member of the employee indicating the need for the leave and, if possible, the number of days of leave, shall be considered reasonable documentation.
7. If the leave is permitted under N.J.S.A. 18A:30-1.a.(4) and B.1.d. above because of domestic or sexual violence, any of the following shall be considered reasonable documentation of the domestic or sexual violence:
  - a. Medical documentation;
  - b. A law enforcement agency record or report;
  - c. A court order;

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- d. Documentation that the perpetrator of the domestic or sexual violence has been convicted of a domestic or sexual violence offense;
  - e. Certification from a certified Domestic Violence Specialist or a representative of a designated domestic violence agency or other victim services organization; or
  - f. Other documentation or certification provided by a social worker, counselor, member of the clergy, shelter worker, health care professional, attorney, or other professional who has assisted the employee or family member in dealing with the domestic or sexual violence.
8. If the leave is permitted under N.J.S.A. 18A:30-1.a.(7) and B.1.g. above, a copy of the order of the public official or the determination by the health authority shall be considered reasonable documentation.

## D. Sick Leave Charges

- 1. An employee who is absent prior to working  $\frac{1}{2}$  of their contractual work day shall be charged a full sick day if the employee's reason for absence is covered by N.J.S.A. 18A:30-1.
- 2. A sick leave day once commenced may be reinstated as a working day only with the approval of the Superintendent or designee.
- 3. An employee absent on sick leave on a day when the school is closed early for emergency reasons will be charged with a full sick leave day.
- 4. An employee scheduled for a sick leave absence on a day on which the schools do not open because of an emergency will not be charged with a sick leave day.

## E. Readmission After Disability

- 1. An employee absent on sick leave, covered under N.J.S.A. 18A:30-1.a.(1); (2); and (8) and B.1.a.; b.; and h., for more than five consecutive working days who wishes to return to work shall



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submit the signed statement of their physician or institution indicating the employee's fitness to perform their duties.

2. The Board may, at its discretion, require the employee submit to an examination by a physician or institution designated by the Board to confirm the information submitted by the employee's physician or institution.
  - a. The Board shall bear the cost of the examination if the examination is performed by a physician or institution designated by the Board.
3. If the results of the examination conducted pursuant to paragraph E.2. above are inconsistent with the statement of the employee's physician in E.1. above, the employee and the Board shall agree to a third physician or institution to conduct the examination. The Board shall bear the cost of this third examination.

## F. Accumulation of Sick Leave

1. If any employee requires in any school year less than the specified number of days of sick leave with pay allowed, all days of such minimum sick leave not utilized that year shall be accumulative to be used for additional sick leave as needed in subsequent years in accordance with N.J.S.A. 18A:30-3.

## G. Exhaustion of Sick Leave

1. The Superintendent or designee shall monitor employee accumulated sick leave and charge an employee's accumulated sick leave.
  - a. Sick leave will be charged, first, to the sick leave newly available in the employee's current contract year and, when that sick leave entitlement is exhausted, to the employee's accumulated sick leave.

## H. Records





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1. The personnel file of each person employed by this district will include an accurate record of the employee's use and accumulation of sick leave days.
  - a. The Superintendent or designee will maintain the employee's record of accumulated sick leave in accordance with Policy 1642.01 and this Regulation.
2. Each employee's attendance record will record the reason for any absence.

Issued:



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School Threat Assessment Teams

First Reading: December 18, 2023

Second Reading: January 29, 2024

M

## R 2419 SCHOOL THREAT ASSESSMENT TEAMS

### A. Definitions

1. "Aberrant behavior" means behavior atypical for the person or situation and causes concern for the safety or well-being of those involved. Aberrant behavior for an individual involves actions, statements, communications, or responses that are unusual for the person or situation; or actions which could lead to violence toward self or others; or are reasonably perceived as threatening or causing concern for the well-being of the person.
2. "Behavioral Threat Assessment and Management (BTAM)" means a proactive approach to identify, assess, and provide appropriate interventions and resources for individuals who display a behavior that elicits concern for the safety of themselves or others. (U.S. Secret Service National Threat Assessment Center.)
3. "Concerning behavior" means an observable behavior that elicits concerns in bystanders regarding the safety of an individual or those around them. Behaviors that may elicit concern can include unusual interests in violent topics, conflicts between classmates, increased anger, increased substance use, or other noteworthy changes in behavior (e.g., depression or withdrawal from social activities). Some concerning behaviors may be defined as prohibited behaviors and should trigger an immediate response. Prohibited behaviors can include threats, weapons violations, and other aggressive or violent behavior. Concerning behavior does not necessarily imply or predict that an individual or group will become violent. Instead, it serves as an indicator that the student may be in need of intervention or increased supports. Proactive intervention and de-escalation are key and should be part of any approach to violence prevention.

Attachment: Regulation #R2419 - School Threat Assessment Teams (10886 : Second Reading of New Policies &amp; Regulations)



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4. "Concerning communication" means unusual, bizarre, threatening, or violent communication made by an individual or a group that elicit concerns for the safety or wellbeing of the individual or others. Concerning communication may allude to violent intentions, violence as a means to solve a problem, justifying violent acts, unusual interest in weapons, personal grievances, or other inappropriate interests. Concerning communications may also allude to hopelessness or suicide. Concerning communications may be made in the form of written or oral statements, gestures, or visual/electronic media. Communications may be considered concerning regardless of whether a direct verbal threat is expressed. Concerning communication does not necessarily imply or predict that an individual or group will become violent. Instead, it serves as an indicator that the student may be in need of intervention or increased supports. Proactive intervention and de-escalation are key and should be part of any approach to violence prevention.
5. "Multidisciplinary Threat Assessment Team" means a team composed of highly trained school personnel with diverse positions, backgrounds, and experience. The team will receive reports about a concerning person and situations, gather additional information, assess the risk posed to the community, and develop intervention and management strategies to mitigate any risk of harm.
6. "Targeted violence" means a premeditated act of violence directed at a specific individual, group, or location regardless of motivation and generally unrelated to other criminal activity.

### B. Multidisciplinary Threat Assessment Team

1. Threat Assessment Team Members
  - a. In accordance with N.J.S.A. 18A:17-43.4, the threat assessment team established by the Board of Education shall be multidisciplinary in membership and, to the extent possible, must include the following individuals:

- (1) A Principal or other senior school administrator;



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### School Threat Assessment Teams

- (2) A school psychologist, school counselor, school social worker, or other school employee with expertise in student counseling;
    - (3) A safe-schools resource officer or school employee who serves as a school liaison to law enforcement;
    - (4) The school safety specialist (designated pursuant to N.J.S.A. 18A:17-43.3); and
    - (5) A teaching staff member.
  - b. Additional school employees may serve as regular members of the threat assessment team or may be consulted during the threat assessment process, as determined to be appropriate by the team. If a student has an Individualized Education Program (IEP), 504 plan, and/or functional behavioral assessment (FBA) plan, the threat assessment team must consult with the appropriate staff or team to determine whether the reported behavior is already part of known baseline behavior or is already being managed under the student's IEP, 504 plan, or FBA plan and addressed in a manner that is required by N.J.A.C. 6A:14 and all other Federal and State special education laws.
  - c. The district may choose to name the threat assessment team in a manner that suits the school community needs.
2. Threat Assessment Team Structure
- a. The district can structure the threat assessment teams to best meet the needs and resources available. This may include:
    - (1) School-Based Teams: The district may opt to develop teams for each school comprised of those members fulfilling the assigned roles identified in the law in each of its schools.



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- (2) District-Level Team: The district may choose to develop one central team designated to serve each school in cases where staffing at individual schools is not sufficient to meet the membership requirements of the law. In such cases, the district may choose to operate smaller teams trained in the threat assessment process in each school, which can screen cases to determine which situations to refer to the District-Level Team. If the district uses this model, the district must ensure representation of those staff members from the involved school as identified by the law to the fullest extent possible when conducting an assessment.
- (3) District-Level Team and School-Based Teams: The district may have one central team that provides oversight, consistency, and accountability for all threat assessment processes including threats impacting the entire district. School-Based Teams address cases in each school building, while ensuring all information is shared with the District-Level Team.

### C. Building a K-12 Behavioral Threat Assessment and Management Program

The district shall implement the following steps in developing a Behavioral Threat Assessment and Management Program.

1. Step 1: Establish a Multidisciplinary Team
  - a. Identify team membership pursuant to N.J.S.A. 18A:17-3.4.
  - b. Designate a team leader.
  - c. Establish team procedures and protocols.
  - d. Meet on a regular basis and as needed.



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2. Step 2: Define Prohibited and Concerning Behaviors
  - a. Establish policy defining prohibited behaviors
    - (1) These definitions should be included in the code of student conduct policy and shared with staff, parents, and students.
  - b. Identify other behaviors for screening or intervention.
  - c. Define threshold for intervention.
    - (1) The threshold should be relatively low so that teams can identify individuals in distress before the behavior escalates into a violent behavior.
3. Step 3: Create a Central Reporting Mechanism
  - a. Establish one or more anonymous reporting mechanisms.
    - (1) Examples include a mobile application, a dedicated email address or phone number, or on the district website.
  - b. Provide training and guidance to encourage reporting.
    - (1) Students, teachers, staff, school resource officers, and parents should be provided awareness training and guidance on recognizing behaviors of concern, their roles and responsibilities in reporting the behavior, and how to report the information.
  - c. Ensure availability to respond.
  - d. Utilize an Initial Report to collect the threat, concerning behavior, etc.
4. Step 4: Define Threshold for Law Enforcement Intervention
  - a. Most reports can be handled by the School-Based Team.



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- b. Establish which behaviors should be referred for law enforcement intervention (e.g., physical violence, threats of violence, etc.).
- 5. Step 5: Establish Threat Assessment Procedures
  - a. Decide how to document cases.
  - b. Create procedures to screen reports, gather information, make assessments, and decide on interventions.
  - c. Develop/adapt threat assessment forms to organize information around the 11 Investigative Questions referenced in D.4. below.
- 6. Step 6: Develop Risk Management Options
  - a. Identify all available resources for creating individualized management plans.
    - (1) The resources and supports the student needs will differ depending on the information gathered during the assessment.
    - (2) Resources to assist the student could take the form of peer support programs or therapeutic counseling to enhance social learning or emotional competency, life skills classes, tutoring in specific academic subjects, or mental health care. Most programs and supports will be available within the school, but the team may need to also access community resources to assist with the managing the student. Identify resources to assist targets/victims.
    - (3) Make efforts to address the safety of any potential targets by altering or improving security procedures for schools or individuals and providing guidance on how to avoid the concerning person.

Attachment: Regulation #R2419 - School Threat Assessment Teams (10886 : Second Reading of New Policies &amp; Regulations)



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- b. Establish points of contact for all resources.
- 7. Step 7: Create and Promote Safe School Climates
  - a. Assess current school climate.
    - (1) Anti-Bullying Bill of Rights Act (N.J.S.A. 18A:37-21) requires the school safety team in each school in the district "...to develop, foster, and maintain a positive school climate by focusing on the ongoing, systemic process and practices in the school and to address school climate issues..." and to "review and strengthen school climate and the policies of the school.
  - b. Enhance current school climate.
  - c. Strengthen students' connectedness.
    - (1) Encourage teachers and staff to build positive, trusting relationships with students by actively listening to students and taking an interest in what students say.
  - d. Break down "codes of silence" and help students feel empowered to come forward and share concerns and problems with a trusted adult.
  - e. Identify clubs or teams at school students can join or encourage students to start their own special interest group.
- 8. Step 8: Conduct Training for all Stakeholders
  - a. The training is for new threat assessment team members, refresher training, and professional development. This includes training on the screening and threat assessment forms and procedures.

Attachment: Regulation #R2419 - School Threat Assessment Teams (10886 : Second Reading of New Policies &amp; Regulations)





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- b. Training must be coordinated with the New Jersey Department of Education (NJDOE), Office of School Preparedness and Emergency Planning (OSPEP) to ensure that the threat assessment team is able to accurately assess student behavior and to ensure that threat assessment teams do not have a disparate impact on students based on their race, ethnicity, homelessness status, religious belief, gender, gender identity, sexual orientation, or socioeconomic status. This training includes training on adverse childhood experiences, childhood trauma, cultural competency, and implicit bias.
- c. Awareness training for students, teaching staff members, and all school staff members regarding the recognition of concerning or aberrant behavior in an individual that may represent a threat to the school community.
  - (1) Requests for awareness training can be coordinated by the district's School Safety Specialists through the OSPEP.
- d. Training for parents and other community stakeholders to anonymously report dangerous, violent, or unlawful activity to the district or school.

### D. Threat Assessment and Management Process

The district shall implement the following steps in the threat assessment and management process.

- 1. Step 1: Receive a Report of Concern
  - a. When the threat assessment team first learns of a new report of a threat or aberrant or concerning behavior, the team (or one member of the team) should collect initial intake information about the behavior, the concerning person (i.e., the person who engaged in the threatening behavior; the person to be assessed), and other information that is readily available.



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## 2. Step 2: Screen the Case

- a. Screen for imminency (of the threat or concerning behavior) and whether there is a need for a full threat assessment.
  - (1) If the threat assessment team believes the report does present an imminent danger or safety concern, immediately notify law enforcement. Once the emergency has been contained, the team should complete a full threat assessment and make all necessary notifications (i.e., anyone that is or may be directly impacted).
- b. If the team does not believe the report presents an imminent danger or safety concern, determine if there is a need for full threat assessment. If not, document the initial report and screening.
- c. If there is a need for a threat assessment, the team shall proceed with a full threat assessment using the steps outlined in D.3. through 8. below.
- d. The district's Title IX Coordinator must be notified immediately if a report involves sexual harassment, sexual assault, dating violence, stalking, or a domestic violence assault, or if engagement in these actions is uncovered when gathering additional information during the threat assessment process. Notifying the district's Title IX Coordinator is completed parallel to the threat assessment process and does not stop a team from moving forward with gathering information and initiating risk management strategies.

## 3. Step 3: Gather Information from Multiple Sources

- a. Gather information about the person displaying the concerning behavior and situation from various sources. These sources can include, but are not limited to, teachers, coaches, parents, and peers.

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4. Step 4: Organize and Analyze
  - a. Organize and analyze information using the 11 Investigative Questions detailed in the U.S. Secret Service and U.S. Department of Education threat assessment guide. The form is comprised of 11 investigative questions adapted from the U.S. Secret Services and U.S. Department of Education Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates and can be found at [www.secretservice.gov/nod/2559](http://www.secretservice.gov/nod/2559).
5. Step 5: Make the Assessment
  - a. Make an assessment about whether the individual of concern poses a threat of violence or self-harm, or if they are otherwise in need of intervention.
6. Step 6: Develop and Implement a Case Management/Intervention Plan
  - a. Develop and implement a case management plan to reduce risk.
  - b. As needed, refer individual of concern to the local mental health authority or healthcare provider for evaluation and/or treatment.
  - c. As needed, refer individual of concern for a full and individual evaluation (FIE) for special education services.
7. Step 7: Re-Assess (Case Monitoring)
  - a. Monitor, re-evaluate, and modify plan as needed to ensure that the identified intervention(s) is effective, and the individual of concern no longer poses a threat of violence or self-harm.
  - b. Re-assessing the person of concern, going through the assessment questions again.



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- c. If there are still concerns, the team shall continue to monitor, adjust plan, and re-assess as needed until there is no longer a concern of harm to self and/or others, and the individual is on a better path.

## 8. Step 8: Document and Close the Case

- a. When the team's assessment is that the concerning person no longer poses a threat of violence or self-harm, the team can close the case or place it on the in-active status.
- b. The threat assessment team should be sure to document the case, including scheduling any future dates to check-in or follow-up, as needed.
- c. The documentation should be stored in a confidential file, with only authorized personnel having access.

## E. Training

- 1. Each member of the threat assessment team must attend training in accordance with N.J.S.A. 18A:17-43.4. The district may also choose to provide awareness training to school community members on the threat assessment process. The awareness training is also outlined as part of one of the steps of the Building a K-12 Behavior Threat Assessment and Management Program.
- 2. Threat assessment team membership:
  - a. In accordance with N.J.S.A. 18A:17-43.4, the NJDOE shall provide training through the New Jersey School Safety Specialist Academy. All threat assessment team members must receive training consistent with the training and guidelines provided by the NJDOE. The school safety specialist, is a member of the threat assessment team and will assist in ensuring this training is provided to school staff in coordination with OSPEP.



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- b. Each new threat assessment team member must complete training by the OSPEP, which shall include training sessions as instructed by *Ontic/SIGMA as part of the Bureau of Justice Assistance (BJA) STOP School Violence Grant Program*.
  - c. The district shall determine membership on the threat assessment team in accordance with N.J.S.A. 18A:17-43.4, including adding and ensuring the training of new members, as needed. The district must ensure all threat assessment team members attend the required initial training and refresher training provided by OSPEP to advance their competency in conducting assessments.
    - (1) These trainings will be offered through the OSPEP for both in person and online platforms.
    - (2) Refresher training will be developed and facilitated by the OSPEP and will be made available through in-person and online platforms, as necessary.
  - 3. Awareness Training for Other School Community Stakeholders
    - a. Request for awareness training for school staff members should be directed to the OSPEP email at [school.security@doe.nj.gov](mailto:school.security@doe.nj.gov), which will provide training or coordinate sessions with approved instructors from the U.S. Department of Homeland Security National Threat Evaluation and Reporting Office's Certified Master Training Program.
- F. Other Considerations
- 1. Individualized Education Program (IEP) or 504 Plans
    - a. The district is required by law to meet the needs of students with special needs, who are afforded disciplinary protections not provided to the general education population, to reduce exclusionary practices for special



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education students. When assessing a student whose behavior may pose a threat to the safety of the school community, in the case of a student with an IEP or 504 plan, the threat assessment team shall consult with the IEP team or 504 team to determine whether the aberrant or concerning behavior is a threat to school safety and is being properly addressed in a manner that is required by N.J.A.C. 6A:14 and all Federal and State special education laws. Working with the IEP team or 504 team, the threat assessment team shall determine if the behavior is part of known baseline behavior, or is already being managed under the student's IEP, 504 plan, or FBA plan. If the behavior is not consistent with baseline behaviors or is not able to be effectively managed through current programming, then a threat assessment would need to be conducted. A special education representative must be part of the team and shall engage throughout the process.

2. Allegations of Harassment, Intimidation, & Bullying (HIB) or Bias-Related Acts
  - a. Should the threat assessment team become aware of an allegation of HIB when considering or conducting assessments, they must follow Policy 5512 for addressing allegations of HIB in alignment with the Anti-Bullying Bill of Rights Act. Additionally, during the threat assessment process, it is important to recognize that the student may need remedial services (e.g., counseling) to address behavior that may have prompted the need for the threat assessment and to ensure their well-being.
  - b. Should a threat assessment team become aware of a bias-related act, they should implement Policy and Regulation 8465 on reporting bias-related acts to law enforcement in accordance with the Memorandum of Agreement Between Education and Law Enforcement Officials and Policy and Regulation 9320.



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3. Information Sharing
  - a. The Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA) are two Federal laws protecting the privacy of an individual's personal records. FERPA refers specifically to educational records while HIPAA refers to medical records. Questions and concerns about FERPA and/or the HIPAA protections often arise as part of the threat assessment planning process. It is critical that threat assessment teams understand how to balance the safety of the school with the privacy of individual students. These laws should not be an impediment to threat assessment and management.
  - b. Threat assessment teams should consult with the Board Attorney on these elements as needed.
4. Family Education Rights & Privacy Act (FERPA) – Educational Records
  - a. FERPA is a Federal law that protects the privacy of student education records. FERPA does, however, authorize school officials to disclose information without consent in emergency situations where the health and/or safety of students is at risk. Relevant information can be released to law enforcement, public health, and medical officials, as well as other schools in the event a student transfers or matriculates. The U.S. Department of Education would not find a school in violation of FERPA for disclosing FERPA-protected information under the health or safety exception as long as the school had a rational basis, based on the information available at the time, for making its determination that there was an articulable and significant threat to the health or safety of the student or other individuals.
5. Health Insurance Portability and Accountability Act (HIPAA) – Medical and Mental Health Records

Attachment: Regulation #R2419 - School Threat Assessment Teams (10886 : Second Reading of New Policies &amp; Regulations)



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- a. HIPAA protects the confidentiality of information in health records. Confidentiality is held by the patient, not the mental health provider. In cases where HIPAA applies, the following strategies below may assist threat assessment teams in eliminating potential barriers to critical data collection:
  - (1) Ask permission from the student and parent to disclose medical records;
  - (2) Provide information to health and mental professionals; and
  - (3) Ask about duty to warn or duty to protect.
- b. Additionally, medical and mental health providers may disclose protected health information when disclosure:
  - (1) Is necessary to prevent or lessen a serious and imminent threat to health or safety of patient or others and is to someone reasonably able to prevent or lessen the threat; and
  - (2) May include disclosure to law enforcement, or others who can mitigate the threat and disclosure must be consistent with applicable law and standards of ethical conduct.

## 6. Record Keeping

All documentation from the threat assessment process must be maintained in a confidential and secure location. Maintaining records and preserving evidence throughout the process, assists in the establishment of a legal and behavioral justification for the intervention. Records may be electronic or paper and must be maintained in accordance with record retention rules established by the Department of Treasury.

Adopted:





# POLICY GUIDE

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Service Dog

First Reading: January 29, 2024

Second Reading: February 26, 2024

## **2560.50 Service Dog**

The School District supports the use of therapy dogs for the benefit of its students, subject to the conditions of this policy. Benefits from visiting with a therapy dog, which may include reduced stress, improved physical and emotional well-being, decreased anxiety, and improved self-esteem, have been shown to increase academic achievement. Examples of activities in which students may engage with a therapy dog include petting the dog, speaking to the dog, giving the dog simple commands to which the dog is trained to respond, and reading to the dog.

The dog “handler” is a school district staff member, outside volunteer, or third-party employee/agent who has been individually trained, evaluated, and registered or certified with the specific therapy dog to provide animal assisted activities and interactions within a school environment. Such training, evaluation, and registration or certification shall be performed by a reputable organization with a history of performing these functions (hereinafter the “Training Organization”), and the Training Organization must require the dog and handler to undergo and pass an evaluation at least every two years.

A therapy dog is a dog that has been trained, evaluated, and registered or certified with his/her handler to provide animal assisted therapy activities and interactions within a school facility. Therapy dogs are not the same as “emotional support animals” or “service animals” and the legal rights and privileges associated with “support animals” or “service dogs” do not apply to therapy dogs.

The handler shall assume full responsibility for the therapy dog’s care, behavior, and suitability for interacting with students and others in the school while the therapy dog is on school district property.

Attachment: Policy #2560.50 - Service Dog (10923 : First Reading of Policy #2560.50 - Service Dog)



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**The following information will be kept current and submitted to the Board of Education prior to the therapy dog visit:**

- Proof of registration or certification as a therapy dog handler with the individual therapy dog to be used, issued by the Training Organization.
- Proof from a licensed veterinarian that the therapy dog is in good health and has been immunized against diseases common to dogs. Such vaccinations shall be up to date prior to each school visit.
- Proof of licensure from the local dog licensing authority (such licensure is generally provided by the municipality in which the dog resides).
- Copy of a current certificate of insurance including coverage for bodily injury and property damage due to negligent or intentional acts or omissions, including, if applicable, worker's compensation coverage.

## **General Standards and Procedures:**

Identification: The handler and therapy dog shall wear appropriate identification issued by the school district, in addition to any identification issued by the Training Organization, at all times when the therapy dog is providing services in the school district.

Health and Safety: The Training Organization and handler shall ensure that the therapy dog does not pose a health and safety risk to any student, employee, or other person at school and that the therapy dog is brought to the school district only when properly groomed, bathed, free of illness or injury and of the temperament appropriate for working with children and others in the schools.

Attachment: Policy #2560.50 - Service Dog (10923 : First Reading of Policy #2560.50 - Service Dog)



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Service Dog

Background Check: Dog handlers shall be subject to a criminal history record check as set forth in N.J.S.A. 18A:6-7.1 to 7.5, performed by a Board-approved entity, and shall furnish the administration with verification of same.

Control: The handler shall ensure that the therapy dog wears a collar or harness and a leash no longer than four feet. The handler shall maintain control of the therapy dog by holding the leash at all times when the therapy dog is on school district property, including during breaks, unless holding such leash would interfere with the therapy dog's safe, effective performance of its work or tasks. However, the handler shall maintain control of the therapy dog at all times and shall not tether the therapy dog to any individual or object. Depending on the planned activity, exceptions to this requirement may be granted if agreed to in writing by the handler and the Board's designee.

Supervision and Care of the Therapy Dog: The handler shall be solely responsible for the supervision and humane care of the therapy dog, including, but not limited to, any feeding, watering, exercising, and relieving. In the event a dog relieves itself in the building, custodial staff shall be responsible for cleaning up. The handler shall not leave the therapy dog unsupervised or alone on school property at any time.

Authorized Area(s): The handler shall ensure that the therapy dog has access to only such areas of the school building or properties that have been previously authorized by school district administrators. The administration shall provide an appropriate location within the building, away from students, for the dog and/or handler to rest, if needed.

Allergies and Aversions: The handler shall remove the therapy dog to a separate area, as designated by the administration, in such instances where any student or school employee known to suffer dog allergies or aversion is present in an office, hallway, or classroom. Prior to

Attachment: Policy #2560.50 - Service Dog (10923 : First Reading of Policy #2560.50 - Service Dog)



# POLICY GUIDE

PROGRAM  
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Service Dog

the first therapy dog visit, the administration shall provide parents/guardians with a permission slip informing them of the therapy dog visits and asking that their child be permitted to take part in or be opted-out of the program due to an allergy or aversion. Students who are opted-out of the program shall be provided with appropriate alternative activities with the same or substantially similar therapeutic goals.

Recordkeeping: The handler shall sign in upon arrival and sign out at departure. The handler will document where and when the therapy dog worked each time the therapy dog is on school district premises.

Damages and Injuries: The Training Organization shall assume responsibility and liability for any damage to school property or injury to district staff, students, or others in the school caused by the therapy dog (see the insurance requirements above).

Exclusion or Removal from School District Property: A therapy dog and handler will be excluded from school district property if a school administrator determines that: (1) the handler does not have control of the therapy dog; (2) the therapy dog is not housebroken; (3) the therapy dog or handler present a direct and immediate threat to others in the school; or (4) the therapy dog's presence otherwise interferes with the educational program. The handler shall immediately remove his/her therapy dog from school property when instructed to do so by a school administrator.

Adopted:

Attachment: Policy #2560.50 - Service Dog (10923 : First Reading of Policy #2560.50 - Service Dog)



BERGENFIELD BOARD OF EDUCATION  
MAINTENANCE / CUSTODIAL  
AS OF DECEMBER 2023

7.1.a

CUSTODIANS	Location	July	August	September	October	November	December	January	February	March	April	May	June	Total
AGUIELO, GERMAN	BHS	322.30		234.40	468.80	322.30								1,347.80
ARQUISOIA, ELIZAR	BHS			530.99	319.95	245.07								1,096.01
GERON, FRANSUA	BHS			707.98	347.18	217.84								1,273.00
CIVIL, SHAQUILLE	RWB		234.88		126.12	210.24	315.36							361.00
DAVIS, RODGER	HOOVER													525.60
DENISO, CHARLES	LINCOLN													-
DERVISI, DEZWEIL	HOOVER						538.98							538.98
EBORA, MANUEL	RWB													-
FLORES, GABRIELA	RWB		393.87		165.84									725.95
GARELLA, MARC	FRANKLIN				346.56									-
GIL, ENMANUEL	BHS													346.56
GOTTRY, TODD	BHS													-
HENRY, GERALD	LINCOLN				207.42									518.65
JACKSON, ANDREW	WASHINGTON				1,067.30	426.92		311.13						2,216.70
KOCHIELL, DINO	BHS	384.08		741.30	317.70	688.35	529.50							4,130.10
LEAHY, KEVIN	JEFFERSON	1,323.75	529.50	255.49	462.91	381.22								1,109.62
LACUNA, JOSE	BHS													388.69
LONG, GERARD	RWB		388.69											793.00
MALDONADO, RUBEN	BHS			118.80	476.20	198.00								-
MESCHKE, DAVID	RWB													-
MULE, ALBERT	LINCOLN	72.92			480.14	217.84								72.92
NERI, MICHAEL	BHS			272.30										980.28
PARK, DAVE	RWB													-
PENA-COLLADO, JOSE	WASHINGTON													-
PERGJINI, VIKTOR	FRANKLIN													977.80
REYES, SANDRA	BHS		184.80	264.00	476.20	237.60								184.80
SAUCY, SCOTT	RWB													-
VARGAS, JOHN	BHS	158.85												158.85
WHITNEY, MICHAEL	FRANKLIN		708.30	188.88	613.86		188.88							2,644.32
YNOCELLAS, GEORGE	JEFFERSON	944.40												-
ZANNE, EDWARD	RWB													-
Cust Subtotal		\$3,216.30	\$2,440.04	\$3,652.54	\$5,886.18	\$3,145.38	\$2,049.69	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20,390.13

MAINTENANCE														
AMARA, CHRIS	MAINTENANCE			1,217.85										1,217.85
EDWARDS, DAN	MAINTENANCE			1,043.10	1,529.88	1,182.18	417.24							4,172.40
LYNCH, PAT	MAINTENANCE			399.20	347.45									746.65
O'BRIEN, DANIEL	MAINTENANCE				105.08									105.08
READIE, SCOTT	MAINTENANCE			473.04	481.80									954.84
STOPANO, TJ	MAINTENANCE				347.70									504.17
TERRUSA, CHRISTOPHER	MAINTENANCE		156.47		306.53									306.53
VALENTE, JOSEPH	MAINTENANCE													-
MAINT Subtotal		-	156.47	3,133.19	3,118.44	1,182.18	417.24	-	-	-	-	-	-	8,007.52
23-24 TOTALS		\$3,216.30	\$2,440.04	\$6,785.73	\$9,004.62	\$4,327.56	\$2,466.93	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$28,397.65
22-23 TOTALS		\$3,517.91	\$5,804.41	\$5,994.62	\$8,225.07	\$3,370.49	\$9,611.65	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$36,524.15
% CHANGE OVER PRIOR YEAR		-8.57%	-57.96%	13.20%	9.48%	28.40%	-74.33%							-22.25%
21-22 TOTALS		\$638.82	\$648.12	\$6,028.13	\$4,089.39	\$5,977.57	\$5,658.21	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$24,032.24
20-21 TOTALS		\$731.41	\$0.00	\$0.00	\$1,548.38	\$1,880.09	\$1,514.13	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,674.01
19-20 TOTALS		\$2,702.94	\$1,857.86	\$1,718.61	\$5,822.86	\$5,984.48	\$7,259.97	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25,346.72

Joann Khoury-Fries  
School Business Administrator / Board Secretary

*Joann Khoury-Fries*  
Date 1/5/24