

# POLICY GUIDE

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Quorum

## 0163 QUORUM

A quorum of the Board of Education shall consist of a **minimum** of five Board members, and no business shall be conducted in the absence of a quorum except when the Doctrine of Necessity is invoked.

All Board meetings shall be called to commence not later than **8:00 p.m.** of the designated day but, if ~~In the event~~ a quorum is not present at the time for which the meeting is called, the Board member or ~~Board members present~~ **hour of convening, the meeting may be recessed recess the meeting** to a time not later than 9:00 p.m. of the same day- ~~and, if a quorum be not present at that time, is not then present,~~ the member or members present may adjourn the meeting to **commence not later than 8:00 p.m. of another day, but not more than seven days following the date for which the original meeting was called, but no further recess or adjournment of the meeting shall be made a later date within seven days.**

The Board of Education recognizes ~~that~~ there may be matters that come before the Board or acts required of Board members in their official capacity where the Board member may have a conflict of interest or the act **by a Board member** would be in violation of N.J.S.A. 18A:12-24. In these matters, the Board member(s) ~~shall will~~ remove **themselves himself/herself** from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter. The Board will consider this matter without the Board member(s) who has the conflict.

In the event a matter comes before the Board or an act is required of a Board member in **their his/her** official capacity that is a conflict or would be in violation of N.J.S.A. 18A:12-24, the Board would still be required to have a quorum to consider the matter. However, the New Jersey Department of Education and the School Ethics Commission ~~has~~ envisioned this prohibition could create a situation in which **the number of conflicted Board members would prevent so many** ~~Board members have a conflict, that the Board would be unable~~ to take action on a matter. Therefore, when more than a quorum of the Board members must abstain from voting on a matter **due to a conflict or the act would be in violation of N.J.S.A. 18A:12-24,** the Board will invoke the Doctrine of Necessity consistent with the New Jersey Department of Education and School Ethics Commission guidelines as follows:



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## A. Board Member(s) in Conflict - Less Than a Majority of The Board

1. In the event a Board member(s) has a conflict of interest where the Board member will act in **their his/her** official capacity, the Board member must remove **themselves himself/herself** from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter.
2. In the event a Board member is unsure whether **they he/she** or any other Board member has a conflict of interest or whether the matter, if acted upon by a Board member(s) is in violation of N.J.S.A. 18A:12-24 - Prohibited Acts, the School Board Attorney will make a determination.
3. The School Board Attorney will provide the Board of Education an opinion on whether the matter is a conflict of interest or act prohibited by N.J.S.A. 18A:12-24 - Prohibited Acts.
4. If the Board member(s) believes **they he/she have has** a conflict of interest where **they he/she** will act in **their his/her** official capacity or if the School Board Attorney renders an opinion ~~that~~ the Board member has a conflict of interest where the Board member will act in **their his/her** official capacity, the Board member will remove **themselves himself/herself** from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter.

## B. Board Member(s) in Conflict - A Majority of Board Members in Conflict

1. In the event:
  - a. A Board member(s) believes **they he/she have has** a conflict of interest **or if acted upon by a Board member is in violation of N.J.S.A. 18A:12-24** ~~where he/she will act in his/her official capacity;~~ or
  - b. If the School Board Attorney renders an opinion ~~that the~~ a Board member(s) has a conflict of interest **or if acted upon by a Board member is in violation of N.J.S.A. 18A:12-24** ~~where the Board member will act in his/her official capacity;~~ and



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- c. The number of Board members that have a conflict would make it so the Board would be unable to take action on the matter, then the Board may invoke the “~~Rule~~ [or Doctrine] of Necessity.” (Citing U.S. v. Will, 449 U.S. 200 (1980)).

## C. ~~Rule~~ [Or Doctrine] Of Necessity

1. The Doctrine of Necessity may be invoked when more than a quorum of the Board must abstain from voting on a matter.
2. There are three prerequisites necessary for a Board to invoke the Doctrine of Necessity:
  - a. The Board must be unable to act without the members in conflict taking part;
  - b. There must be a pressing need for action, i.e. the matter cannot be laid aside until another date; and
  - c. There can be no alternative forum that can grant the same relief.

~~(Allen v. Toms River Regional Board of Education, 233 N.J. Super 651 (Law Division 1989)).~~

3. When the School Board Attorney advises the Board the Doctrine of Necessity must be invoked in order to obtain a quorum on a vote, the Board must **publicly state:** ~~announce that it is invoking the Doctrine.~~
  - a. **That it is invoking the Doctrine of Necessity;** ~~The announcement must include the reason the Board must invoke the Doctrine of Necessity including stating the nature of each Board members conflict.~~
  - b. **The specific reason/purpose for which the Doctrine of Necessity is being invoked; and** ~~The announcement will be in writing and should be recorded in the minutes of the meeting by the Board Secretary at the point when the vote takes place.~~



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- c. **The specific nature of the conflict of interest for each Board member that has a conflict of interest: ~~It is enough for the Board to announce it is invoking the Doctrine and a Board Resolution is not required.~~**
  - (1) **The specific nature of the conflict of interest for each Board member should include the Board member's name; the name of the immediate family member or relative which is the basis for the conflict of interest, and the position that immediate family member or relative holds; or**
  - (2) **If the specific nature of the conflict of interest for a Board member is a conflict other than an immediate family member or relative, the announcement should include the conflict which is the basis for the conflict of interest.**
- 4. **When the Board invokes the Doctrine of Necessity, it will adopt a Resolution setting forth the same information as outlined in C.3. above.**
- 54. **When the Board invokes the Doctrine of Necessity, the Resolution will be:**
  - a. **Read at a regularly scheduled public meeting;**
  - b. **Posted in such places the Board posts public notices for thirty days; and**
  - c. **Provided to the School Ethics Commission ~~When the Board announces the Doctrine of Necessity is being invoked, the details, parameters and/or other pertinent facts of the matter to be voted should be revealed on an agenda for the public meeting in which the matter is to be voted upon.~~**



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65. The Board members who have a conflict in the matter are prohibited from:
  - a. Participating in any discussions on the matter prior to the announcement of the invocation of the Doctrine of Necessity at the ~~and~~ public meeting; ~~and~~
  - b. **Being present in an executive session when the matter is being discussed** ~~From entering an executive session in order to discuss the merits of the matter or contract; and~~
  - c. ~~From~~ **Offering** their opinions on the matter at any time prior to the announcement or the invocation of the **Doctrine of Necessity** ~~and public meeting.~~
- ~~6. The Board members who have a conflict in the matter may only participate to the extent they may vote after the motion to approve and/or ratify the matter has been made and seconded and the Doctrine of Necessity has been thoroughly explained to the public.~~
7. **The Board members who have a ~~in~~ conflict** may only ask questions regarding the matter to be voted on in public and after the Board has invoked the Doctrine of Necessity.
8. **The Board members who have a ~~in~~ conflict** may explain their reasons for not voting just before the vote.

N.J.S.A. 18A:10-6; 18A:12-24

New Jersey School Ethics Commission – Advisory Opinions A10-93(b), ~~and~~  
A07-94, ~~and~~ C07-96

New Jersey School Ethics Commission – Resolution on Invoking the Doctrine  
of Necessity – June 25, 2018

Adopted:



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Board of Education Website Accessibility

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## 1511 BOARD OF EDUCATION WEBSITE ACCESSIBILITY

It is the goal of the Board of Education that the information on the school district's **internet websites are is** accessible to individuals with disabilities in compliance with the requirements of **Federal law** (Section 504 of the Rehabilitation Act of 1973 and that statute's implementing regulations at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 and that statute's implementing regulations at 28 C.F.R. Part 35) **and New Jersey law** (N.J.S.A. 18A:36-35.1).

### A. **Federal Law – American with Disabilities Act (ADA)**

1. For the purposes of ~~this Policy~~ the **Federal law - Section 504 of the Rehabilitation Act of 1973 and that statute's implementing regulations at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 and that statute's implementing regulations at 28 C.F.R. Part 35 and this Policy**, "school district website" includes, but is not limited to, the internet home page, all subordinate pages, school or school district department pages, intranet pages and sites, and includes online content and functionality, developed by, maintained by, or offered through a third-party vendor or by using open sources.
2. The accessibility of online content and functionality will be measured according to the **most up-to-date version of the World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines (WCAG) 2.0 Level AA** and the Web Accessibility Initiative Accessible Rich Internet Application Suite (WAI-ARIA) 1.0 for web content (benchmarks for measuring accessibility).
3. By conforming to the benchmarks for measuring accessibility set forth above, the Board of Education will ensure that people with disabilities have an opportunity equal to that of their nondisabled peers to access the information on the district's website, ~~except where doing so would impose an undue burden or create a fundamental alteration of the district's website. When~~

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~~fundamental alteration or undue burden defenses apply, the district will make reasonable modifications/accommodations for individuals with disabilities in order to provide equally effective alternate access. In providing such access, the district will ensure that to the maximum extent possible individuals with disabilities receive the same benefits or services as their nondisabled peers. To provide equally effective alternate access, alternates are not required to produce the identical result or level of achievement for persons with and without disabilities, but must afford persons with disabilities equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement.~~

4. To ensure ~~that~~ the district's website conforms with the above benchmarks for measuring accessibility, ~~except where doing so would impose an undue burden or create a fundamental alteration of the district's website,~~ the Superintendent of Schools will designate a school staff member to act as the Website Accessibility Coordinator. The Coordinator will:
  - a1. Ensure that in-house staff and contractors responsible for webpages and webpage content development are properly trained on the Board of Education's website accessibility policy and procedures;
  - b2. Ensure that all new, newly added, and modified online content and functionality is accessible to people with disabilities as measured by conformance to the above benchmarks by, among other things:
    - (1)a- Checking the hypertext markup language (HTML) of all new webpages on the website to make sure that accessible elements are used, including "alt" tags, long descriptions, and captions, as needed;
    - (2)b- Ensuring that webpages are designed in a manner that allows them to be displayed using a visitor's own settings for color and fonts, and can be navigated with a keyboard;



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- (3)e. If images are used, including photos, graphics, scanned images, or image maps, making sure to include text equivalents for them, using "alt" tags and/or long descriptions for each and ensuring the text equivalents convey the meaningful information presented visually by the image;
- (4)d. If online forms and tables are used, making those elements accessible;
- (5)e. Ensuring that videos appearing on the website include appropriately synchronized audio description and captions;
- (6)f. Ensuring when posting new documents on the website, the documents shall be provided in HTML or another text-based format (even if they are provided in another format, such as portable document format (PDF)). If documents are provided in both formats, provide both formats at the same time so people with disabilities have the same degree of access as others;
- (7)g. Periodically enlisting people with a variety of disabilities to test the Board of Education's webpages for accessibility and ease of use and use this information to increase the Board's website accessibility;
- (8)h. Periodically coordinating the audit of existing content and functionality of the website to identify online content or functionality that is inaccessible to persons with disabilities; and
- (9)i. Developing and carrying out a corrective action plan, when necessary, for making the district's existing web content accessible.





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- c3. Ensure that alternative means are available for people with disabilities to access information, programs, and services that are normally provided on the Board's website.

## B. New Jersey Law – N.J.S.A. 18A:36-35.1

1. **For the purpose of New Jersey law – N.J.S.A. 18A:36-35.1 and this Policy, “internet website or web service” includes any webpage, website, web service, online curriculum, or online third party or open educational resource product that is made available to enrolled students or the public by the school district.**
2. **Pursuant to N.J.S.A. 18A:36-35.1, no school district shall make available to the enrolled students of the district or school or to the public an Internet website or web service unless the Internet website or web service complies with the most up-to-date version of the World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines (WCAG) if the Guidelines are approved by the Commissioner of Education, or any other applicable guidelines or requirements as may be designed or approved by the Commissioner of Education.**
3. **In accordance with N.J.S.A. 18A:36-35.1.a. and b., the school district is required to submit a statement of assurance attesting to compliance with N.J.S.A. 18A:36-35.1 as required by the Commissioner of Education.**

This Policy establishes minimum standards for the accessibility of web-based information and services considered necessary to meet the district's goals and ensure compliance with applicable **Federal and State** laws.

Section 504 of the Rehabilitation Act of 1973  
Title II of the Americans with Disabilities Act of 1990  
34 C.F.R. Part 104; 28 C.F.R. Part 35  
**N.J.S.A. 18A:36-35.1**

Adopted:



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Every Student Succeeds Act  
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## 2415 EVERY STUDENT SUCCEEDS ACT

The Every Student Succeeds Act (ESSA) is a reauthorization of the Elementary and Secondary Education Act (ESEA) of 1965 that provides Federal funds to help all New Jersey's school children achieve. The purpose of the ESSA is to ensure all students have equitable access to high-quality educational resources and opportunities and to close educational achievement gaps. The Board of Education elects to augment the instructional program of students by projects supported by Federal funds allocated under the ESSA and the district will comply with the requirements of all the programs authorized by the ESSA.

The district may be eligible for several grant programs funded through the ESSA, including, but not limited to, Title I through Title VII. Many of the Titles of the ESSA have several parts and subparts that provide a funding source for specific purposes.

### Application Procedure

The district will submit an annual ESSA Consolidated Formula Subgrant Application to the New Jersey Department of Education (NJDOE). The school district's application shall include all information required by the NJDOE and the ESSA for the district to be considered for funding under the ESSA.

### Covered Programs

Formula grants under the ESSA are non-competitive grants that school districts are eligible for based on the make-up of their student bodies. These formula grants for each Title are committed to different purposes and may be used to support different activities and programs.

### Title I

The largest Federal program supporting elementary and secondary education is Title I. The ESSA strengthens Title I requirements for the State's assessments, accountability system, and support for school improvement. The law also requires minimum qualifications for teachers and paraprofessionals in Title I programs.



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Every Student Succeeds Act

The school district must use the best available measure for identifying children from low-income families to: identify eligible school attendance areas, determine the ranking of each area, and determine allocations as identified in the Title I guidelines and regulations.

The school district will offer Title I services to eligible children enrolled in private elementary and secondary schools. The services and benefits will be equitable in comparison to services and benefits for participating public school children.

The school district will provide the New Jersey Department of Education assurances it will provide the maximum coordination between the Title I program, the regular school program, and services provided by other programs for specialized populations. The Title I program will consider the special needs of homeless children, migrant children, children with disabilities and limited English Language Learner (ELL) children. Title I funds will be reserved so that migrant children who are otherwise eligible to receive Title I services, even if they arrive during the school year, are served.

## Type of Title I Program

The school district will offer a Target Assistance Title I program.

## Target Assistance Program

Schools that are not eligible for (or do not choose to operate) school-wide Title I programs must use Title I funds to provide targeted services to low-achieving students. A Target Assistance program must be established in accordance with the Title I guidelines and regulations and the New Jersey Department of Education.

## New Jersey Department of Education Accountability System

The district will comply with the accountability system established by the New Jersey Department of Education and outlined in the New Jersey State Plan and approved by the United States Department of Education.



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## Fiscal Responsibility

The district will comply with the requirements as outlined in Policy 2415.02 Title I – Fiscal Responsibilities in accordance with the NJDOE and the ESSA.

## Staff

The district will comply with the staff certification requirements of the ESSA and the NJDOE. In addition, the district will ensure all paraprofessionals meet the requirements as established by the ESSA and as outlined in Policy 4125 – Employment of Support Staff Members.

## Parent and Family Engagement ~~Parental Involvement~~

The district will comply with the requirements as outlined in Policy 2415.04 – Title I – District-Wide Parent and Family Engagement ~~Parental Involvement~~ and Policy 2415.50 – Title I – School Parent and Family Engagement as applicable in accordance with the NJDOE and the ESSA.

## Student Surveys, Analysis, and/or Evaluations

The Protection of Pupil Rights Amendment (PPRA) applies to school districts that receive Federal funding from the United States Department of Education. The district will comply with the requirements as outlined in Policy 2415.05 - Student Surveys, Analysis, and/or Evaluations in accordance with the PPRA.



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## Unsafe School Choice Option

In the event there is a school in the district designated as Persistently Dangerous in accordance with the Victims of Violent Criminal Offenses as outlined in the ESSA, the district will comply with the requirements of Policy 2415.06 – Unsafe School Choice Option in accordance with the NJDOE and the ESSA.

## Property

Property acquired through Title I funds for use in public or private schools will be acquired in accordance with the Public School Contracts Law, will be held in title by the Board of Education, and will not be used for other purposes so long as it is required in the Title I program. Property no longer required for Title I purposes will be used for other, similarly funded projects or disposed of in accordance with State and Federal guidelines.

## Capital Expenses

The Superintendent will assure the district abides by New Jersey's Public Contracts Law; consults appropriate private school officials prior to making any decisions regarding capital expenses; ensure funds that are received to cover capital expenses provide equitable Title I services to private school students; ensure accounts for any capital funding is separately maintained; and assure lease purchase agreements are consistent with applicable statute and administrative code.

## Post-Award Requirements

The school district will maintain all project records for five years following the completion of the activity for which the funds were used. The school district will prepare and submit all reports as required by the State Department of Education in a timely manner.

## Supplement, Not Supplant

Grant funds provided under Federal programs, including the ESEA of 1965 as amended by the ESSA, shall supplement, not supplant the funds that would, in the absence of such Federal funds, be made available from State and local sources for the education of students participating in programs assisted under the ESEA of 1965 as amended by the ESSA.



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## Evaluation

The Superintendent or designee will evaluate the ESSA programs as required by the United States and the New Jersey Departments of Education.

Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the Every Student Succeeds Act.

Adopted:



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TEACHING STAFF MEMBERS  
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Professional Responsibilities

## 3270 PROFESSIONAL RESPONSIBILITIES

The Board of Education will establish and enforce rules for the assignment of specific duties to teaching staff members and for the conduct of teaching staff members during the work day.

**Teaching staff members assigned specific instructional responsibilities and as designated by the Superintendent shall prepare regular lesson plans, in advance of the planned instruction.** ~~The Board directs the Superintendent to requires the preparation of lesson plans each teacher that implement the goals and objectives of the educational program.~~ Teachers shall also be responsible for providing adequate direction and guidance to substitutes. Lesson plans ~~will~~ **shall** be subject to ~~periodic~~ review by \_\_\_\_\_ the teaching staff member's Principal or designee and/or immediate supervisor as assigned by the Superintendent.

~~The Superintendent shall apply uniformly throughout the district, except as may otherwise be provided in this policy, the following additional rules for teaching staff member conduct:~~

- ~~1. During the work day, teaching staff members may be assigned extra or alternative duties by the \_\_\_\_\_ in accordance with Board Policy No. 3134;~~
- ~~2. Teaching staff members are expected to attend every faculty meeting unless expressly excused by the \_\_\_\_\_;~~

**During the work day, teaching staff members may be assigned extra or alternative duties by the Principal or designee in accordance with Policy 3134. Teaching staff members are to attend every faculty meeting unless expressly excused by the Principal or designee.**

### **Optional**

~~{A teaching staff member who is excused from attending a faculty meeting must meet with the \_\_\_\_\_ the following day to review the topics covered at the meeting;}~~



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## TEACHING STAFF MEMBERS

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### Professional Responsibilities

- ~~3. Teaching staff members may not leave the school grounds during mealtime without the express permission of the \_\_\_\_\_.~~

~~Teaching staff members who are assigned as department heads or who are assigned to work on curriculum revision during the regular school day will be given an appropriate reduction in teaching assignments.~~

**N.J.S.A. 18A:27-4**

**N.J.A.C. 6A:9-3.3**

Adopted:





## 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

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

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

The Board shall also admit any student that is kept in the home of a person other than the student's parent or guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child in accordance with N.J.A.C. 6A:22-3.2. A student is only eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 if the student's parent or guardian files, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the student due to family or economic hardship and the student is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the student must file, if so required by the Board of Education, a sworn statement that he or she: is domiciled within the school district; is supporting the child without remuneration and intends to do so for a time longer than the school term; will assume all personal obligations for the student relative to school requirements; and provides a copy of his or her lease if a tenant, a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner. Pursuant to N.J.S.A. 18A:38-1.c, any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of his or her child to a person in another district commits a disorderly persons offense.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.b if the student is kept in the home of a person domiciled in the school district, who is not the parent or guardian and the parent or guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or

national emergency. Eligibility under this provision shall cease at the end of the current school year during which the parent or guardian returns from active military duty.

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

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

1. If the student's parent or guardian moves to another school district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2 - Education of Homeless Children;
2. If the student is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2;
3. If the student previously resided in the school district and if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the student out of the school district, pursuant to N.J.S.A. 18A:38-3.b. The school district shall not be obligated for transportation costs; and
4. If the student resides on Federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

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

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

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

### Proof of Eligibility

The Board of Education shall accept a combination of forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.A.C. 6A:22-3.4. The Board of Education shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form or subset of documents without regard to other evidence presented.

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

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

### Registration Forms and Procedures for Initial Assessment

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

Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is

not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.

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

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

Enrollment or attendance at the school shall not be conditioned on advance payment of tuition when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2, Education of Homeless Children. Enrollment or attendance in the school district shall not be denied based upon the absence of the certified copy of the student's birth certificate or other proof of a student's identity as required within thirty days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.

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

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

Notice of Ineligibility

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

#### Removal of Currently Enrolled Students

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

When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board of Education for the student's removal in accordance with the provisions of N.J.A.C.6A:22-4.3. No student shall be removed from school unless the parent, guardian, adult student, or resident keeping an "affidavit student" (as defined in N.J.A.C. 6A:22-1.2) has been informed

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

#### Appeal to the Commissioner

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

#### Assessment and Calculation of Tuition

If no appeal to the Commissioner is filed following notice of an ineligibility determination, the Board of Education may assess tuition, for up to one year of a student's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner. Tuition will be assessed and calculated in accordance with N.J.A.C.

6A:22-6.3 et seq. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.

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

#### Nonresident Students

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

#### Children Who Anticipate Moving to or from the District

A nonresident student otherwise eligible for attendance whose parent or guardian anticipates school district residency and has entered a contract to buy, build, or rent a residence in this school district may be enrolled without payment of tuition for a period of time not greater than sixty days prior to the anticipated date of residency. If any such student does not become a resident of the school district within sixty days after admission to school, tuition will be charged for attendance commencing the beginning of the sixty-first day and until such time as the student becomes a resident or withdraws from school.

#### Other Nonresident Students

Nonresident students, other than those listed above and those attending through the Region III agreement, shall not be eligible to attend the school district. Nonresident students who were accepted as of August 2019 as tuition students may remain in the district with annual tuition based on per-pupil cost until their promotion from eighth grade.

Resident students who were enrolled for at least 60 school days of the current academic year and who then move out of Closter may remain in the district through June of the current academic year as tuition students. Tuition will be prorated for the remaining months based on the annual per-pupil cost. At the conclusion of that school year, the student will be required to register in his/her school district of residence. **Nonresident 8th grade students who attended**

**Closter Public Schools in 6th and 7th grade may attend as tuition students. The tuition will be based on the established tuition rate for that year.** This policy will not apply to Closter students attending an out-of-district placement, as their new district of domicile will be financially responsible for their tuition and the cost of related services.

#### F-1 Visa Students

The school district is not required to, but may permit the attendance of F-1 Visa students into the school district only with the payment of full tuition and a signed tuition contract. The district may require advance payment of full tuition before providing the requested I-20 Form, in accordance with the provisions of Federal regulation 8 CFR 214.3. A F-1 Visa is granted to a foreign student through an application process that must include, but is not limited to, signed approval by the receiving school district exhibiting the receiving school district will accept the foreign student for enrollment and the foreign student's proof of financial means to pay the full tuition to the receiving school district for the academic year. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with supporting documentation as determined by the Superintendent or designee. A student with a F-1 Visa must be approved by the Board for attendance in the school district. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

#### J-1 Visa Students

The school district is not required to, but may permit the attendance of J-1 Visa students into the school district. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with supporting documentation as determined by the Superintendent or designee. A student with a J-1 Visa must be approved by the Board for attendance in the school district and shall not pay tuition. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

Adopted May 27, 2021

Revised April 7, 2022

Revised November 17, 2022

# POLICY GUIDE

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Care of School Property  
M

## 5513 CARE OF SCHOOL PROPERTY

The Board of Education believes ~~that~~ the schools ~~district~~ should help students learn to respect property and ~~instill to develop~~ feelings of pride in ~~their school community institutions~~. The Board ~~requires charges~~ each student ~~enrolled in the this district to responsibly with responsibility for the proper care for of school property and the school supplies and equipment entrusted to the student his/her use by the school district~~.

Students who cause damage to or lose school property ~~may will~~ be subject to disciplinary measures. The Board authorizes the imposition of a fine for the loss, damage, or ~~destruction defacement~~ of a textbook and reserves the right to withhold a report card or diploma from any student whose payment of a fine is in arrears.

A student who demonstrates chronic and/or serious disregard for property may be referred to the Child Study Team.

The Superintendent shall develop rules for the safekeeping and accounting of textbooks and prepare a schedule of fines for lost, ~~and~~ damaged, ~~and~~ destroyed textbooks.

N.J.S.A. 18A:34-2; 18A:37-3  
N.J.A.C. 6A:23A-20.623-6.6

Cross-reference: Policy Guide Nos. 2520, 7610, 8461, 9260

Adopted:





# POLICY GUIDE

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School District Issued Student Identification Cards

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## 5517 SCHOOL DISTRICT ISSUED STUDENT IDENTIFICATION CARDS

The Board of Education recognizes school building security measures are important for the safety and welfare of all students, staff, parents, and community members in school buildings. In recognizing this important responsibility, the Principal or designee may require students to carry a school district-issued Identification Card.

An Identification Card will be issued to all students in

**Choose one or more of the following:**

- all school buildings,
- elementary schools,
- middle schools,

**The Identification Card for students in grades seven and eight shall have printed on the back the telephone number for the New Jersey Suicide Prevention Hopeline (NJ Hopeline) and contact information for a crisis text line pursuant to N.J.S.A. 18A:6-113.1. The district may, in addition to the telephone number for the NJ Hopeline and contact information for a crisis text line, provide the contact information for the National Suicide Prevention Lifeline, a school district crisis center, or any other mental health support services pursuant to N.J.S.A. 18A:3B-73.2.]**

The Principal or designee may require a student to present their Identification Card at any time during the school day or at any time during a school-sponsored activity on school grounds.



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School District Issued Student Identification Cards

Notwithstanding any provision of this Policy, the Principal or designee may also require students carry their Identification Card at any school-sponsored, off-campus activity, including but not limited to, field trips or interscholastic sports programs pursuant to N.J.S.A. 18A:36-43a. The provisions of this Policy shall not be construed to require a student to carry the Identification Card while participating in an athletic contest or competition, an activity involving fine arts or performing arts, or any other activity that the Commissioner of Education determines does not require the physical possession of an Identification Card. An Identification Card used in accordance with N.J.S.A. 18A:36-43a shall include, but need not be limited to, the following information: the student's name; an up-to-date photograph; and the current school year.

Any student who fails to have the Identification Card in their possession or fails to present it when required may be denied access to an event or activity and may be subject to appropriate discipline.

An Identification Card issued in accordance with this Policy shall not be considered a government record pursuant to P.L. 1963, c.73 (N.J.S.A. 47:1A-1 et seq.), P.L. 2001, c.404 (N.J.S.A. 47:1A-5), or the common law concerning access to government records.

N.J.S.A. 18A:3B-73.2; 18A:6-113.1; 18A:36-43

Adopted:



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Student Journalism  
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## 5722 STUDENT JOURNALISM

The Board of Education believes it is important to afford students the opportunity to exercise their creativity, passion, and constitutionally-protected freedom of speech. However, the Board also believes this opportunity must be balanced between ensuring students have the right to speak freely while also preserving the ability of district staff to maintain the safe and orderly operation of the school district. The Board adopts this Policy granting students the right to exercise freedom of speech and of the press in accordance with N.J.S.A. 18A:36-44 and N.J.S.A. 18A:36-45.

For the purpose of this Policy, the following terms shall mean:

“Prior restraint” means a school official informing a student journalist(s) the news, opinion, feature, and advertising content of school-sponsored media, subject to the restrictions listed in N.J.S.A. 18A:36-45.b., N.J.S.A. 18A:36-45.c., and the provisions of this Policy, cannot be published in school-sponsored media or a school official takes any action to prevent a student from doing so.

“Prior review” means a school official reviewing school sponsored media before it is published, broadcast by a student journalist at school or distributed, or generally made available to members of the student body.

“School official” means the Principal or designee or an administrative staff member designated by the Superintendent.

“School-sponsored media” means any material that is prepared, substantially written, published, or broadcast by a student journalist at school, distributed or generally made available to members of the student body, and prepared under the direction of a student media advisor. School-sponsored media does not include media intended for distribution or transmission solely in the classroom in which the media is produced.

“Student journalist” means a student who gathers, compiles, writes, edits, photographs, records, or prepares information for dissemination in school-sponsored media.



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Student Journalism

“Student media advisor” means an individual employed, appointed, or designated by the district to supervise or provide instruction relating to school-sponsored media.

Student journalists have the right to exercise freedom of speech and of the press in school-sponsored media, regardless of whether the media is supported financially by the district or by use of school district facilities, or produced in conjunction with a class in which the student is enrolled. Subject to 1. through 5. below, student journalists are responsible for determining the news, opinion, feature, and advertising content of school-sponsored media. N.J.S.A. 18A:36-45.b. and this Policy shall not be construed to prevent student media advisors from teaching professional standards of English and journalism to student journalists.

This Policy does not authorize or protect expression by a student that:

1. Is libelous or slanderous;
2. Constitutes an unwarranted invasion of privacy;
3. Is profane or obscene;
4. Violates Federal or State law; or
5. So incites students as to create a clear and present danger of the commission of an unlawful act, the violation of school district policies, or the material and substantial disruption of the orderly operation of the school.

The district shall not authorize any prior restraint of any school-sponsored media except for the types of expression prohibited under N.J.S.A. 18A:36-45.c. and as listed in 1. through 5. above.

A school official may implement a procedure for prior review of school-sponsored media. Any prior review of school-sponsored media required by the school official shall be communicated to the student journalist by the school official and be conducted within three school days after submission to the



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Student Journalism

school official by the student journalist. If the school official cannot show the school-sponsored media is prohibited under N.J.S.A. 18A:36-45.c. and 1. through 5. above, within the three school days, the student journalist may release the school-sponsored media.

When a school official determines the restraint of student expression is necessary, the school official shall simultaneously identify at least one of the five prohibitions listed in 1. through 5. above under N.J.S.A. 18A:36-45.c. and in this Policy under which the limitation of student expression is appropriate. This determination shall be provided to the student journalist in writing by the school official that made the determination.

A student journalist may appeal, to the Superintendent or designee, a determination by a school official that the restraint of student expression is necessary. An appeal must be submitted in writing to the Superintendent or designee within five school days of the written determination being communicated to the student journalist. The appeal must include a copy of the written determination and the reasons why the student journalist believes the limitation is not appropriate. The Superintendent or designee may, but is not required to, provide the student journalist an opportunity to present their written appeal in person. The Superintendent or designee will make a determination on the appeal within five school days of receiving the written appeal from the student journalist. The student journalist may appeal a decision of the Superintendent or designee to the Board of Education in writing. The Board of Education will make a decision on the appeal at the first Regular Board Meeting after receiving the written appeal or within ten school days after receiving the written appeal.

A student journalist that violates a provision of this Policy may be subject to appropriate discipline.

The school district shall not sanction a student operating as an independent journalist.

A staff member shall not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in the conduct authorized under N.J.S.A. 18A:36-44 and N.J.S.A. 18A:36-45 and this Policy, or refusing to infringe upon conduct that is protected by this Policy, the First Amendment to the United States Constitution, or paragraph 6 of Article I of the New Jersey Constitution.



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Student Journalism

The Superintendent or designee shall determine reasonable provisions for the time, place, and manner of student expression for the purposes of school-sponsored media.

N.J.S.A. 18A:36-44; 18A:36-45

Adopted:



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Student Fundraising

## 5830 STUDENT FUNDRAISING

The Board of Education will limit the solicitation of funds by and from the students of this district in order to protect students from unnecessary pressures and the instructional program from disruption.

“Student fund raising” means the solicitation and collection of money by students, on or off school premises, for any purpose associated directly or indirectly with the school district or under circumstances in which the solicitors are identified as students of this district.

~~Students may solicit and collect money on behalf of approved school organizations, provided the fund raising has been approved by the Principal.~~

~~No fund raising activity involving door to door solicitation shall be permitted.~~

~~Out of school solicitation of money for school organizations must be approved by the Principal.~~

~~Students may solicit and collect money on behalf of nonschool organizations, provided the fund raising has been approved by the Principal.~~

~~No student will be permitted to solicit and collect money on school premises or at a school sponsored event for the student's own benefit.~~

~~The Superintendent shall develop regulations regarding student fund raising that establish times and places in which student fund raising may be conducted and ensure adequate accounting of funds collected. The Building Principal shall distribute this policy and the Superintendent's regulations to each recognized student organization.~~

**All school fundraising must be approved in advance by the building Principal, Superintendent and Board of Education. The purpose of each fundraiser must be identified and approved in advance. A form shall be available in each district building for this approval.**

**School fundraising shall not be conducted for the purpose of hiring licensed or support staff.**



# POLICY GUIDE

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Student Fundraising

**School fundraising shall not be conducted for the purpose of maintenance projects.**

**Individual student participation is optional. Students shall not be pressured to sell products or solicit funds and will not be required to meet a sales quota to participate in an activity or field trip. Staff shall not use their positions of influence to pressure students to participate nor shall students who do not participate in any way be penalized.**

**The school district expects all students who participate in approved fundraising activities to represent the school, the student organization, and the community in a responsible manner. All rules pertaining to student conduct and discipline extend to student fundraising activities.**

Adopted:

