

CLOSTER BOARD OF EDUCATION

Closter, New Jersey

MINUTES

REGULAR MEETING

Tenakill Middle School

April 7, 2022 - 7:30 PM

The Board meeting was called to order by Ms. Finkelstein at 7:32 PM

The following Board members were present:

Ms. Fanelli, Ms. Kothari, Ms. Kwon, Dr. Puttannah, Ms. Yeoh, Ms. Cross, Ms. Finkelstein

The following Board members were absent:

Ms. Micera and Ms. Wagner

Also present:

Mr. McHale and Mr. Villanueva

NEW JERSEY OPEN PUBLIC MEETINGS ACT STATEMENT - Read by the President:

The New Jersey Open Public Meetings Act was enacted to ensure the right of the public to have advance notice of and to attend the meeting of public bodies at which any business affecting their interests is discussed or acted upon. In accordance with the provisions of this Act, the Secretary to the Board of Education has caused notice of this meeting by having the date, time, remote access information, and place thereof, posted at each school building within the district, district website, the Board of Education office, the Office of the Borough Clerk, and transmitted to *The Record* and *Northern Valley Suburbanite* newspapers.

PLEDGE OF ALLEGIANCE

SUPERINTENDENT'S REPORT

Mr. Vincent McHale, Superintendent of Schools shared with the Board and the community his report:

- Our Kindergarten registration for the 2022-2023 school year is underway. All information is on our district website, www.ClosterSchools.org. The link is on the main page – it is the first banner on the right-hand side, entitled, Kindergarten Registration 2022-2023. If you have questions about Kindergarten registration, please call Ms. Cheryl Boehm at Hillside School.
- On March 29th, Hillside School had the Blue Ribbon Flag Raising Ceremony. Thank you to the students and staff of Hillside, the Closter Mayor and Council, and the Board of Education Trustees for attending the event.
- Congratulations to the PTO on their successful dinner dance held last Friday, April 1, 2022, at The Rockleigh. It was a fun evening for all who attended. Thank you to Libby Choron and Jill Herling, who chaired the event, and all the PTO parents who helped in planning, putting together raffle baskets, and setting up at The Rockleigh! A special thanks also to everyone who donated prizes for the raffle and the silent auction – your generosity is appreciated!

- He is happy to report progress on two items on our District Diversity Council Action Plan for this year:
 - *Attendance by a district team member at one diversity education job fair by May 2022:*
Our district participated in the *Diversity in Education Recruitment Job Fair* yesterday, April 6, 2022. We had about 30 people who visited with us during the virtual job fair and we look forward to reviewing their applications for consideration in hiring for the 2022-2023 school year.
 - *Create and implement an employee and community referral program aimed at attracting racially, ethnically, and linguistically diverse teachers to Closter Public Schools:* Mr. McHale is announcing today the *Refer a Candidate for Employment* initiative. Information about the referral program can be found on the [Human Resources page](#) of the district website. If you know of anyone who holds the New Jersey Department of Education Certification and is interested in employment in Closter Public Schools, please complete a referral form at <https://tinyurl.com/ReferralCBOE>. For the 2022-2023 school year we have some openings based on retirements: general education and special education teachers, school psychologist, and we are also seeking paraprofessionals and substitutes.
- Ramadan Mubarak to all families observing Ramadan this month. Chag Pesach Sameach to families observing Passover, beginning on April 15, 2022. Happy Easter to families celebrating on April 17, 2022. Wishing everyone all the best during this holy season for so many!
- Schools will be closed for spring recess from Friday, April 15, 2022, through Sunday, April 24, 2022. Have a restful, safe vacation! Schools will reopen on Monday, April 25, 2022.
- Pandemic Update

Since Friday, March 25, 2022 (the day after my last report):

School	Hillside Elementary School	Tenakill Middle School
New STUDENT cases of COVID-19 (positive test)	7	6
New STAFF cases of COVID-19 (positive test)	2	0
Students currently in quarantine	6	1
% of Students vaccinated (two shots)	42%	59%
% of Students also boosted	n/a	26%
% of Staff vaccinated (two shots)	94%	97%
% of Staff also boosted	35%	49%

- Since September 2, 2022, the cumulative number of students who have been COVID-19 positive is 272, which is 23% of the student population.

BOARD COMMITTEES

No Board Committee comments

PUBLIC DISCUSSION ON AGENDA ITEMS

Moved by Ms. Kwon, seconded by Ms. Cross to open the meeting to the public.

Statements made by individual participants are limited to a duration of three (3) minutes unless otherwise announced at the beginning of the discussion. A maximum of 15 minutes for public input is scheduled as per bylaw 0167. The Board urges large groups to select one person to represent them. The Board reminds those individuals who take the opportunity to speak to please step up, identify themselves by name and address, and limit their comments to items listed on the agenda.

No Public Comments

Moved by Dr. Puttanniah, seconded by Ms. Cross to resume the regular order of business.

BOARD OPERATIONS

Moved by Ms. Kothari, seconded by Dr. Puttanniah to approve Motions A - C.

Mr. McHale informed the Board that the PTO Spring Fair was approved during the last board meeting. Item C would be to add a rain date for the fair. The board members were happy to know that the fair is back and looking forward to it.

Motions were approved by a roll call vote of the Board as follows:

YEAS: Ms. Fanelli, Ms. Kothari, Ms. Kwon, Dr. Puttanniah, Ms. Yeoh, Ms. Cross, Ms. Finkelstein

NAYS: None

A. **APPROVAL - Minutes**

Motion to approve March 24, 2022 minutes.

B. **APPROVAL - Harassment, Intimidation, and Bullying (HIB)**

Motion to affirm the decision of the Superintendent of Schools regarding Harassment, Intimidation, and Bullying (HIB) incident #TMS-2122-11 reported to the Board in Executive Session at the March 24, 2022, meeting.

C. **APPROVAL - Use of Facilities**

Motion to approve a rain date of May 15, 2022, for the PTO Spring Fair at Tenakill Middle School.

CURRICULUM AND INSTRUCTION COMMITTEE

Chairperson Dr. Puttanniah, Ms. Finkelstein, Ms. Wagner, Ms. Yeoh

Moved by Dr. Puttanniah, seconded by Ms. Fanelli to approve Motions A and B.

Motions were approved by a roll call vote of the Board as follows:

YEAS: Ms. Fanelli, Ms. Kothari, Ms. Kwon, Dr. Puttannah, Ms. Yeoh, Ms. Cross, Ms. Finkelstein
NAYS: None

A. **APPROVAL - Staff Coursework**

Motion to approve the following courses for 2021-2022 as recommended to the Superintendent by the Principals:

Staff Member: Amanda Cummings
Course No./Title: ELA 915 Teacher Grammar in Context
Institution: Fresno Pacific University
Credits: 3

B. **APPROVAL - Staff Conferences**

Motion to approve the following staff conferences:

Staff Member(s): Vincent McHale
Conference: NJASA-NJAPSA Spring Leadership Conference 2022
Location: Harrah's Resort, Atlantic City, NJ
Date: 5/18/22 - 5/20/22
Cost to Board: \$485.56 (incl. meals, mileage, and hotel; registration fee is waived)

FINANCE AND PHYSICAL PLANT COMMITTEE

Chairperson Ms. Kwon, Ms. Finkelstein, Ms. Kothari, Ms. Yeoh

Moved by Ms. Kwon, seconded by Ms. Yeoh to approve Motions A - F.

Mr. McHale clarified some of the agenda items:

Item B is for the purchase of Chromebooks which was part of the new initiative for all students to have their own Chromebook to use at school and at home.

Item C – the purchase of CrowdStrike Falcon EDR is the approval of software that protects the district from cyber attacks such as malware, viruses, and ransomware. This has also become a stipulation with the district's insurance carrier since school districts have now become targets for cyber attacks.

Item D is for the purchase of a Tricaster which is used in video making. This Tricaster is for Hillside Elementary which will replace the obsolete one currently used at Hillside.

Item E is for the purchase of outdoor signs for each of the buildings. This was part of the long-range facilities plan and we are glad that we are able to purchase it using this year's funds.

Ms. Finkelstein stated it was wonderful that we are able to purchase the Chromebooks for the students.

Ms. Yeoh inquired why there was a difference in price for the outdoor signs for Hillside and Tenakill. Mr. Villanueva responded that the sign for Tenakill included the cost of the sign base, whereas Hillside already has the current base structure.

Motions were approved by a roll call vote of the Board as follows:

YEAS: Ms. Fanelli, Ms. Kothari, Ms. Kwon, Dr. Puttanniah, Ms. Yeoh, Ms. Cross, Ms. Finkelstein

NAYS: None

A. APPROVAL - Monthly Bills

Motion to approve payment of bills from April 1st, 2022 to April 5th, 2022, in the amount of:

General Fund (Fund 10)	\$203,674.38
Special Revenue (Fund 20)	\$ 7,320.02
Enterprise (Milk – Fund 60)	\$ 713.55
Total	\$211,707.95

B. APPROVAL – Purchase of 150 Chromebooks

Motion to approve the purchase of 150 Chromebooks for Tenakill Middle School from CDW-G in the amount of \$61,923.00 through the Ed Services Commission of NJ contract #18/19-03.

C. APPROVAL – Purchase of CrowdStrike Falcon EDR

Motion to approve the purchase of CrowdStrike Falcon EDR from CDW-G in the amount of \$35,000 through the Ed Services Commission of NJ contract #18/19-03.

D. APPROVAL – Purchase of TriCaster

Motion to approve the purchase of TriCaster TC410 Plus from Varto Technologies in the amount of \$18,025.

E. APPROVAL – Purchase of Outdoor Signs

Motion to approve the contract with Mega LED technology, the lowest and most responsive quote for the outdoor sign in Tenakill Middle School in the amount of \$16,741.70, and \$15,142.00 for the outdoor sign in Hillside Elementary School.

F. APPROVAL - Substitute Nursing Contract

Motion to approve the substitute nursing contract with Best Choice Home Care for the remaining 2021-2022 school year.

PERSONNEL AND MANAGEMENT COMMITTEE

Chairperson Ms. Cross, Ms. Fanelli, Ms. Finkelstein

Moved by Ms. Cross, seconded by Ms. Fanelli to approve Motions A - H.

Ms. Finkelstein stated she was excited to see the blacktop painting project. The PTO was working with Ms. Smith and felt it would be a great addition to see the students playing on it.

Motions were approved by a roll call vote of the Board as follows:

YEAS: Ms. Fanelli, Ms. Kothari, Ms. Kwon, Dr. Puttannah, Ms. Yeoh, Ms. Cross, Ms. Finkelstein

NAYS: None

A. **APPROVAL - Isabella Prulello as Tenure-Track Grade 5 Teacher**

Motion to approve Isabella Prulello as tenure-track Grade 5 Teacher, MA Step 2 for the 2022-2023 school year, at a salary of \$63,639.00**(pending negotiations).

B. **APPROVAL - Long-Term Leave Replacement - Angela Frost**

Motion to approve Angela Frost as Long-Term Leave Replacement - Middle School Language Arts Teacher - for Sarah Comstock from April 13 through May 26, 2022. Salary will be \$200 per day on days 1 through 10; and beginning on day 11, \$54,169, BA+15 Step 0, prorated for 16 days of work.

C. **APPROVAL - Leave of Absence Extension - Laurie Rochlin**

Motion to approve an extension of long-term leave of absence for Laurie Rochlin, using 1.5 personal days and 6.5 sick bank days, with an anticipated return date of May 5, 2022.

D. **APPROVAL - Senior Service Assignments**

Motion to approve NVRHS-Demarest Senior Service assignments for seven (7) students at Hillside Elementary School and 21 students at Tenakill Middle School from May 16 through June 20, 2022. Student names and assignments are on file in the Board office.

E. **APPROVAL - Blacktop Painting Project at Hillside Elementary School**

Motion to approve Sarah Menchise and Lauren Mandal for two days of work at their per diem rate for painting Hillside School's blacktop with interactive student activities. The project will ensue during the April 2022 break.

F. **APPROVAL - Settlement Agreement**

Motion to approve the Settlement Agreement between the Closter Board of Education and the Closter Education Association regarding the nurses' stipend. A copy of the agreement is on file in the Business Administrator's office.

G. **APPROVAL - Amanda Eastman as Paraprofessional**

Motion to approve, upon the recommendation of the Superintendent, Amanda Eastman as a paraprofessional at Hillside Elementary School effective April 28, 2022, for the rest of the 2021-2022 school year. The salary is \$20.23 per hour, 5.75 hours per day.

H. **APPROVAL - Paraprofessional - NJ Substitute Certified**

Motion to approve paraprofessional Bridget Duffy to be used as a substitute teacher when needed.

POLICY COMMITTEE

Chairperson Ms. Micera, Ms. Fanelli, Ms. Finkelstein, Ms. Kothari

Moved by Ms. Fanelli, seconded by Ms. Yeoh to approve Motion A.

Motion was approved by a roll call vote of the Board as follows:

YEAS: Ms. Fanelli, Ms. Kothari, Ms. Kwon, Dr. Puttannah, Ms. Yeoh, Ms. Cross, Ms. Finkelstein

NAYS: None

A. **APPROVAL - Second Reading of Revised Policy #5111-Eligibility of Resident / Non-Resident Students**

Motion to approve the second reading of revised policy #5111-Eligibility of Resident/Non-Resident Students, as per Appendix A attached.

OLD/NEW BUSINESS

Mr. Villanueva informed the Board that the Department of Education and the County Office has approved the district's appeal to adjust the allowable tax levy due to Chapter 44 implementation. Mr. Villanueva further stated that earlier this morning our budget for the 2022-2023 school year was approved by the County Office.

Mr. McHale thanked Mr. Villanueva for all his work in appealing the decision by the Department of Education which has saved the district almost \$200,000. Ms. Finkelstein also thanked Mr. Villanueva for his work as it was critical for the work of the district to have all the funds to ensure that all the programs are funded.

PUBLIC DISCUSSION

Moved by Ms. Kwon, seconded by Ms. Yeoh to open the meeting to public discussion.

No Public Comments

Moved by Dr. Puttannah, seconded by Ms. Kwon to close the meeting to public discussion.

CLOSED SESSION MOTION (If required)

Moved by Ms. Yeoh, seconded by Dr. Puttannah to approve the following Closed Session Motion.
Motion was approved by a voice vote of the Board:

YEAS: Ms. Fanelli, Ms. Kothari, Ms. Kwon, Dr. Puttannah, Ms. Yeoh, Ms. Cross, Ms. Finkelstein

NAYS: None

BE IT RESOLVED that the Closter Board of Education will adjourn to a Closed Session to discuss the following:

**HIB
Legal Matters**

The matters so discussed will be disclosed to the public as soon as and to the extent that such disclosure can be made without adversely affecting the public.


The Board went into Closed Session at 7:52 PM.

The Board reconvened from Closed Session at 8:27 PM.

ADJOURNMENT

Moved by Dr. Puttannah, seconded by Ms. Kwon to adjourn the meeting at 8:28 PM.

Respectfully submitted,


Mr. Floro Villanueva, Jr.
Business Administrator/Board Secretary

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Eligibility of Resident/Nonresident Students

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

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.

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Eligibility of Resident/Nonresident Students

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

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Eligibility of Resident/Nonresident Students

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,

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Eligibility of Resident/Nonresident Students

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

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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.

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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.

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Eligibility of Resident/Nonresident Students

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 pro-rated 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. 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.

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Eligibility of Resident/Nonresident Students

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 2022?