

MORRIS SCHOOL DISTRICT
Minutes of October 1, 2018
MORRISTOWN HIGH SCHOOL

The regular meeting of the Board of Education of the Morris School District, of Morris County, New Jersey was held in the Learning Commons of Morristown High School, Morristown, New Jersey 07960 on Monday evening October 1, 2018 at 6:27 p.m.

Anthony LoFranco, Board Secretary, called the meeting to order and made the following announcement: The New Jersey Open Public Meeting Law was enacted to insure the right of the public to have advance notice of and to attend the meetings of public bodies at which any business affecting their interest is discussed or acted upon. In accordance with the provisions of this Act the Board of Education of the Morris School District in the County of Morris has caused notice of this meeting to be published by having the date, time and place thereof posted. The notice was mailed to the Daily Record, and to those persons or entities requesting notification, posted on the district website and posted at the Administration Center, 31 Hazel Street, Morristown, New Jersey.

A regular business meeting of the Morris School District Board of Education will be held Monday, October 1, 2018. The board will open the meeting at 6:30 p.m. and immediately go into executive session until 7:30 p.m. when open public session will begin. The meeting will be held in the Learning Commons of Morristown High School, 50 Early Street, Morristown, New Jersey.

Action will be taken.

At the Roll Call, the following Board Members were present: Mrs. Meredith Davidson, Dr. Peter Gallerstein, Ms. Prim Minchello, Mr. Leonard Posey, Mrs. Ann Rhines, Ms. Melissa Spiotta, Ms. Jeanette Thomas.

Ms. Lisa Pollak, President, arrived at 6:32 pm.

Mrs. Nancy Bangiola, Vice-President and Ms. Lucia Galdi, Morris Plains Representative, were absent.

Also present were Mr. Mackey Pendergrast, Superintendent, and Mr. Anthony LoFranco, Business Administrator/Board Secretary and Ms. Lora Clark, Director of Human Resources, Personnel & Equity, Ms. Deb Engelfried, Supervisor of Social Emotional Learning (SEL) and Information Management.

Mr. Richard Bauch, Attorney with Porzio, Bromberg and Newman arrived at 6:27 pm , departing at 6:44 pm.

Ms. Jennifer Adkins, Community School Coordinator, Mrs. Joan Frederick, Assistant Business Administrator, Ms. Kelly Harte, Assistant Superintendent of Curriculum and Instruction, Ms. Josephine Noone, Director of Curriculum and Instruction, and Ms. Suzanne Olimpio, Assistant Superintendent of Pupil Services, arrived at 7:30 pm.

Ms. Erica Hartman, Directory of Technology, Instructional, and Dr. Jessica Neu, Director of Pupil Services were absent.

There were approximately 25 people from the public, press and staff in attendance.

At 6:29 p.m, Mrs. Davidson moved to go into closed session to discuss legal and confidential matters.

Dr. Gallerstein seconded the motion which carried unanimously with Mrs. Bangiola, Ms. Galdi and Ms. Pollak absent.

At 7:06 p.m. Dr. Gallerstein moved to go into open session for a recess until the Public Meeting began at 7:30 pm. Mrs. Davidson seconded the motion, which carried unanimously.

PLEDGE OF ALLEGIANCE

Ms. Pollak led the Board in the Pledge of Allegiance.

SUPERINTENDENT'S REPORT

Mr. Pendergrast gave a presentation on Equity & Inclusion Action Plan Implementation.

Following the presentation, Mr. Pendergrast introduced Ms. Harte to present on the Morris Tutoring Collaborative and recognize the members of this partnership.

A short break took place, with open session reconvening at 8:14 pm.

PRESIDENT'S REPORT

None

PUBLIC COMMENT

Members of the public came forward on the following topics:

- *Substitute Bus Driver rate of pay and shortage of bus drivers*

COMMITTEE REPORTS

Policy

Mr. Pendergrast reported the following was discussed:

- *School Choice Policy revisions*
- *Gender identity policy guidelines from the state to integrate into existing policy*

STUDENT REPRESENTATIVES

Ms. Vargas and Ms. Baskin reported the following:

- ➔ *10/1 - 10/5 - Week of Respect*
- ➔ *10/2 - MHS Junior Night, 7 pm*
- ➔ *10/4 - Evening with Justyn Comer, Meditation Practitioner and Author*
- ➔ *10/6 - SAT Testing*
- ➔ *10/10 - PSAT Testing*
- ➔ *10/11 - Discover MHS Night, 7 pm*

BUSINESS PORTION OF THE MEETING

MINUTES

Motion #1 that upon the recommendation of the Superintendent, the Board of Education, approve executive session minutes from the regular business meeting of:

September 17, 2018

Motion #2 that upon the recommendation of the Superintendent, the Board of Education, approve minutes from the regular business meeting of:

September 17, 2018

MINUTES(Motions #1-2)

Moved by Mrs. Davidson, seconded by Dr. Gallerstein

AYES: Mrs. Davidson, Dr. Gallerstein, Ms. Minchello, Mr. Posey, Mrs. Rhines, Ms. Spiotta, Ms. Thomas, Ms. Pollak

NOES: None

ABSTAIN: None

ABSENT: Mrs. Bangiola, Ms. Galdi

POLICY

FIRST READING

Motion #1 that upon the recommendation of the Superintendent, the Board of Education approve for first reading the following new/revised bylaws/policies/regulations:

- | | |
|-------|--|
| P5111 | ELIGIBILITY OF RESIDENT/NONRESIDENT PUPILS (M) |
| P5117 | INTERDISTRICT PUBLIC SCHOOL CHOICE |
| P5561 | USE OF PHYSICAL RESTRAINT/SECLUSION |

5111- ELIGIBILITY OF RESIDENT/NONRESIDENT PUPILS (M)

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

Eligibility to Attend School

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

A child who is domiciled within the school district and resides with a parent or legal 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 legal 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 legal guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 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 legal 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 legal 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, or 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 legal guardian and the parent or legal 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 legal 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 legal 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 legal 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 legal 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 legal 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 legal 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. However, in the case of a dispute between the school district and the parent or legal guardian 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 the parent or legal guardian's name and address for use in verifying a student's eligibility for enrollment in the school district.

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/ legal 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 in 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:22or 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:22-4 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, legal 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, legal 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.

A nonresident student otherwise eligible for attendance whose parent or legal 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 60 days prior to the anticipated date of residency. If any such student does not become a resident of the school district within 60 days after admission to school, tuition will be charged for attendance commencing the beginning of the first day of enrollment until the student withdraws from school.

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

~~Children of full-time Board of Education employees who do not reside in this school district may attend the Morris School District through the School Choice Program if a student meets the requirements and parameters of the program, specifically open seats at the kindergarten class level. If children of full-time non-resident Board of Education employees do not enter the Morris School District through the School Choice Program then a child may enter~~

Children of full-time Board of Education employees may enter the the Morris School District under the following conditions:

- The cost for any and all additional services beyond basic educational services for any child who requires such services will be borne by the parent. In the event that children of nonresident employees require evaluation by the Child Study Team, related services, or specialized equipment, the costs for such evaluations, services, and/or equipment shall be assumed by the nonresident employee. The district shall make every effort to provide agreed-upon evaluations in the most economical manner possible in accordance with provisions set forth in N.J.A.C 6A:14-3.3.
- This provision does not apply to children of Board of Education employees who were enrolled in the Morris School District prior to April 9, 2018 and are currently ~~are currently enrolled and~~ attending the Morris School District.

Additionally, employees must make a written request to the superintendent on or before July 15th if they wish for their child to attend the Morris School District. Transportation must be provided by the parent.

N.J.S.A. 18A:38-1 et seq.; 18A:38-3; 18A:38-3.1

N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.; 6A:22-1.1 et seq

P5117- INTERDISTRICT PUBLIC SCHOOL CHOICE

The Morris School District is no longer accepting students into the Interdistrict Public School Choice Program.

New Jersey's Interdistrict Public School Choice Program Act provides interested New Jersey school districts an opportunity to apply to the New Jersey Department of Education to become a public school choice school district that can make available classroom seats within the school district for the Board to accept non-resident pupils. A choice district may enroll pupils across district lines in designated schools of the choice district.

A proposed choice school district shall submit an application to the Commissioner of Education no later than April 30 in the year prior to the school year in which the choice program will be implemented.

The Commissioner shall notify a choice district of the approval or disapproval of its application no later than July 30, and the reasons for disapproval shall be included in the notice. The Commissioner shall notify the New Jersey State Board of Education of the approval of a choice district application and the State Board shall include a public notice of the approval on the next agenda for its public monthly meeting.

The Commissioner may take appropriate action, consistent with State and Federal law, to provide that pupil population diversity in all districts participating in a choice district program is maintained in accordance with the provisions of N.J.S.A. 18A:36B-17.b.

The Commissioner shall evaluate an application submitted by a proposed choice district in accordance with the provisions of N.J.S.A. 18A:36B-18.

The parent or guardian of a pupil shall notify the sending district of the pupil's intention to participate in the choice program and shall submit an application to the choice district, indicating the school the pupil wishes to attend, no later than the date specified by the Commissioner.

A choice district may evaluate a prospective pupil on the pupil's interest in the program offered by a designated school. The district shall not discriminate in its admission policies or practices on the basis of athletic ability, intellectual aptitude, English language proficiency, status as a handicapped person, or any basis prohibited by State or Federal law.

A choice district shall not prohibit the enrollment of a pupil based upon a determination that the additional cost of educating the pupil would exceed the amount of additional State aid received as a result of the pupil's enrollment. A choice district may reject the application for enrollment of a pupil who has been classified as eligible for special education services pursuant to Chapter 46 of Title 18A of the New Jersey Statutes if that pupil's individualized education program could not be implemented in the district, or if the enrollment of that pupil would require the district to fundamentally alter the nature of its educational program, or would create an undue financial or administrative burden on the district.

A pupil whose application is rejected by a choice district shall be provided with a reason for the rejection in the letter of notice. The appeal of a rejection notice may be made to the Commissioner. Once a pupil is enrolled in a designated school, the pupil shall not be required to reapply each school year for enrollment in any designated school of the choice district and shall continue to be permitted to be enrolled until graduation. A pupil shall be permitted to transfer back to a school of the sending district or may apply to a different choice district during the next application period.

The Board of Education of a sending district may adopt a resolution to restrict enrollment of its pupils in a choice district to a maximum of ten percent of the number of pupils per grade level per year and/or fifteen percent of the total number of pupils enrolled in the sending district. This resolution shall be subject to approval by the Commissioner upon a determination that the resolution is in the best interest of the district's pupils and that it will not adversely affect the district's programs, services, operations, or fiscal conditions, and that the resolution will not adversely affect or limit the diversity of the remainder of the pupil population in the district who do not participate in the choice program.

Enrollment restriction percentages adopted by the resolution shall not be compounded from year to year and shall be based upon the enrollment counts for the year preceding the sending district's initial year of participation in the choice program, except that in any year of the program in which there is an increase in enrollment, the percentage enrollment restriction may be applied to the increase and the result added to the preceding year's count of pupils eligible to attend a choice district. If there is a decrease in enrollment at any time during the duration of the program, the number of pupils eligible to attend a choice district shall be the number of pupils enrolled in the choice program in the initial year of the district's participation in the program, provided that a pupil attending a choice district school shall be entitled to remain enrolled in that school until graduation.

The calculation of the enrollment of a sending district shall be based on the enrollment count as reported on the Application for State School Aid in October preceding the school year during which the restriction on enrollment shall be applicable.

A choice district shall not be eligible to enroll pupils on a tuition basis pursuant to N.J.S.A. 18A:38-3 while participating in the Interdistrict Public School Choice Program. Any pupil enrolled on a tuition basis prior to the establishment of the choice program shall be entitled to remain enrolled in the choice district as a choice pupil.

Transportation, or aid in-lieu-of transportation, shall be provided to an elementary school pupil who lives more than two miles from the choice district school of attendance and to a secondary school pupil who lives more than two and one-half miles from the choice district school of attendance, provided the choice district school is not more than twenty miles from the residence of the pupil.

Transportation, or aid in-lieu-of transportation, shall be the responsibility of the sending district. The choice district and the sending district may enter into a shared service agreement in accordance with the "Uniform Shared Services and Consolidation Act," sections 1 through 35 of P.L. 2007, c.63 (C.40A:65-1 through C.40A:65-35). Notwithstanding the provisions of section 20 of P.L. 2007, c.260 (C.18A:7F-62) to the contrary, the sending district shall receive State aid for transportation

calculated pursuant to section 15 of P.L. 2007, c.260 (C.18A:7F-57) for a pupil transported or receiving aid-in-lieu-of transportation pursuant to N.J.S.A. 18A:36B-22.

A choice district shall establish and maintain a parent information center. The center shall collect and disseminate information about participating programs and schools and shall assist parents and guardians in submitting applications for enrollment of pupils in an appropriate program and school. The information about participating programs and schools shall be posted on the choice district's website.

The Commissioner shall annually report to the State Board of Education, the Legislature, and the Joint Committee on the Public Schools on the effectiveness of the Interdistrict Public School Choice Program. The Commissioner's annual report shall be posted on the New Jersey Department of Education's website and on the website of each choice district.

N.J.S.A. 18A:36B-14 through 18A:36B-24
N.J.A.C. 6A:12-1.1 et seq.

5561 USE OF PHYSICAL RESTRAINT/SECLUSION

The Board of Education strives to provide a safe, caring atmosphere that supports all students in the least restrictive environment. On occasion, during an emergency, a situation may arise making it necessary to temporarily restrain or seclude a student. The Board of Education authorizes the use of physical restraint on students only in an emergency situation where the student is exhibiting behavior that places the student or others in immediate physical danger. Positive behavioral supports shall be included in the repertoire of behavioral resources in every school building and must be implemented, to the fullest extent possible, prior to the use of any physical restraint.

Definitions:

“Physical restraint” means the use of a personal restriction that immobilizes or reduces the ability of a student to move all or a portion of his or her body. The use of physical restraint shall be limited to only those circumstances and situations where other interventions are not possible or have been unsuccessful.

“Seclusion technique” means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving, but does not include a “timeout.” While the Board of Education does not permit the use of seclusion techniques for any student, there are occasions where an out-of-district setting may employ this type of procedure.

“Timeout” means a behavior management technique that involves the monitored separation of a student in a non-locked setting, and is implemented for the purpose of calming the student.

“Emergency” is defined as a situation in which the pupil’s behavior poses a threat of imminent physical harm to him/herself or others or imminent, serious property destruction.

Prior to physically restraining a student, staff are required to attempt implementation of those positive behavior supports set forth in the student's behavior intervention plan (BIP) or Individualized Education Plan (IEP), if any. Each staff member with educational responsibility for a student with an IEP must review the IEP and/or BIP in order to be familiar with the circumstances, conditions, and interventions that may or must be used to deal with any one particular situations involving that student.

When a staff member has determined that the use of physical restraint is necessary, staff shall ensure that:

1. The staff member(s) employing the physical restraint has been trained in safe techniques and procedures for physical restraint as have been approved by the Board of Education, with input from the Administration and an entity/individual determined to be qualified to provide such training, which training is updated at least annually;
2. The student shall not be restrained in the prone position.
3. A pupil is released from the physical restraint immediately upon a determination by the staff member administering the restraint that the pupil is no longer in

imminent danger of causing harm to him/herself, others, or imminent property destruction. The pupil shall be examined by the school nurse after each employment of any physical restraint no later than the morning of the next school day.

4. Each incident of physical restraint is carefully, continuously and visually monitored to ensure it was used in accordance with the procedures/training protocols adopted pursuant to this Policy.
5. The Principal or their designee will notify the parent/legal guardian, by telephone or other electronic communication, when physical restraint has been employed. Notification should be provided immediately but in no event later than the end of the school day on which the restraint occurred. A full written report of the incident shall be provided to the parent within forty-eight hours of the occurrence of the incident;
6. Each incident of physical restraint is documented in writing and in sufficient detail to enable Administration/staff to review and use this information to develop or improve the student's behavior intervention plan at the student's next IEP meeting, if any;
7. Administration shall develop a review process by which to examine the frequency, duration and employment of physical restraints for an individual child, within each classroom and/or by a single individual.
8. Administration shall develop regulations and protocols, which incorporate the provisions of this policy into the annual professional development plan for individuals directly working with students and provides for annual notification to parents of students of the District's policies for physical restraint.

Physical restraint may never be used as a consequence for: (i) refusal to comply with a school rule or staff directive; (ii) as a consequence for inappropriate behavior; or (iii) as a response to verbal threats that do not rise to the level of imminent physical harm to self or others, or imminent, serious property damage unless otherwise specifically provided for in a fully agreed-upon BIP.

Nothing contained herein shall be interpreted as limiting an employee, acting within the scope of his/her employment, from applying such amounts of force as is reasonable and necessary: (i) to quell a disturbance threatening physical injury to others; (ii) to secure possession of weapons or other dangerous objects carried by or within the control of a student; (iii) for the purpose of self-defense; and (iv) for the protection of persons or property.

References:

N.J.S.A. 18A:4613.4; 18A:4613.5; 18A:4613.6; 18A:4613.7; 18A:6-1.

New Jersey Department of Special Education Policy and Procedure Memo July 10, 2018: Restraint and Seclusion Guidance for Students with Disabilities

POLICY (Motion #1)

Moved by Mrs. Davidson, seconded by Mr. Posey

AYES: Mrs. Davidson, Dr. Gallerstein, Ms. Minchello, Mr. Posey, Mrs. Rhines, Ms. Spiotta, Ms. Thomas, Ms. Pollak

NOES: None

ABSTAIN: None

ABSENT: Mrs. Bangiola, Ms. Galdi

EDUCATIONAL MATTERS

2018-2019 EDUCATIONAL PROGRAMS AND SERVICES

Motion #1 that, upon the recommendation of the Superintendent, the Board of Education approve the alignment of district curricula with the State-Board adopted Standards for implementation September 1, 2018 in the following content areas:
(See attached Educational folder)

HARASSMENT, INTIMIDATION, AND BULLYING REPORT

Motion #2 that, upon the recommendation of the Superintendent, the Board of Education accept the Harassment, Intimidation, and Bullying report for the period ending, September 17, 2018. The report is on file in the Business Administrator's Office.

EDUCATIONAL MATTERS (Motions #1-2)

Moved by Mrs. Davidson, seconded by Ms. Thomas

AYES: Mrs. Davidson, Dr. Gallerstein, Ms. Minchello, Mr. Posey, Mrs. Rhines, Ms. Spiotta, Ms. Thomas, Ms. Pollak

NOES: None

ABSTAIN: None

ABSENT: Mrs. Bangiola, Ms. Galdi

PUPIL SERVICES

PERSON CENTERED APPROACHES IN SCHOOLS AND TRANSITION (PCAST) COHORT PARTICIPATION AGREEMENT

Motion #1 that, upon the recommendation of the Superintendent, the Board of Education approve the participation in the Person Centered Approaches in Schools and Transition (PCAST) Cohort run by the Boggs Center on Developmental Disabilities at Rutgers University.

EXPLANATION:

The NJDOE, OSEP, in partnership with Rutgers University, the Bogg Center, will conduct planning, development, and activities aimed at promoting effective transition for students with disabilities through the use of person centered approaches. The purpose of the project is to provide technical onsite support to districts in developing and implementing person centered practices for students with disabilities that support their successful education and transition from school to adult life, including higher education and employment in the community. This was mentioned at a Curriculum Committee meeting. There is no cost to the District.

STIPULATION OF SETTLEMENT

Motion # 2 that, upon the recommendation of the Superintendent, the Board of Education approve Stipulation of Settlement resolving a dispute pertaining to student #614599. The Stipulation of Settlement is on file in the office of the Assistant Superintendent of Pupil Services.

STIPULATION OF SETTLEMENT

Motion # 3 that, upon the recommendation of the Superintendent, the Board of Education approve Stipulation of Settlement resolving a dispute pertaining to student #613939. The Stipulation of Settlement is on file in the office of the Assistant Superintendent of Pupil Services.

STRUCTURED LEARNING EXPERIENCES (SLE) 2018-2019- revised

Motion #4 that, upon the recommendation of the Superintendent, the Board of Education approve the provision of instruction in the community that involve specific individualized student learning objectives, in order to meet the needs of students with disabilities who require Structured Learning Experiences for the 2018-2019 school year. Part of the program involves off-site internships and job sampling at job sites and other community partnerships. Parents are informed of each of these off-site experiences in advance. Structured Learning Experience is not a field trip as directed by NJDOE. The list of community partnerships is as follows:

- 5 Below
- Beyer Ford
- Bubba Rose**
- Century 21
- Frelinghuysen Arboretum
- Grow it Green (Early Street, Urban Farm and College St. Elizabeth)
- Metlife
- Morris County Courthouse
- Morristown Car Wash
- Panera Bread
- Verilli's Bakery
- Whitson's Food Services

EXPLANATION

Structured Learning Experiences, such as job sampling and internships, give students an opportunity to utilize their skills in the real world in integrated community business settings with the guidance of a job coach/SLE instructor. A formal training plan will be written as part of the student's IEP and overseen by a Structured Learning Coordinator for any type of SLE. **Motion originally approved on September 17, 2018 (motion #6). Motion has been revised to include an additional SLE in bold.**

PUPIL SERVICES (Motions #1-4)

Moved by Mrs. Davidson, seconded by Ms. Thomas

AYES: Mrs. Davidson, Dr. Gallerstein, Ms. Minchello, Mr. Posey, Mrs. Rhines, Ms. Spiotta, Ms. Thomas, Ms. Pollak

NOES: None

ABSTAIN: None

ABSENT: Mrs. Bangiola, Ms. Galdi

HUMAN RESOURCES

RESIGNATION(S)/TERMINATION(S)/RETIREMENT(S) 2018-2019

Motion #1 that, upon the recommendation of the Superintendent, the Board of Education approve the resignation(s), termination(s) and/or retirement(s) of the following staff according to the effective date and reason shown:

Rodriguez, Gloria	September 29, 2018
1.0 Bus Driver, Trans.	Resignation

APPOINTMENT(S) 2018-2019 */**/**

Motion #2 that, upon the recommendation of the Superintendent, the Board of Education approve the appointment of the following to the position/s stated at the annual salary rates and effective date/s shown, and further that the Board of Education approve the submission to the County Superintendent applications for emergency hiring, pending approval of all Human Resource documents and/or requirements and each applicant's attestation that s/he has not been convicted of any disqualifying crime pursuant to the provisions of N.J.S.A. 18a6-7.1 et seq.; 18:39-17 et seq.; 18A:6-4.13 et seq.:

			<u>In place of:</u>
Lopez, Norma	\$53,712	09/11/18-06/30/19	Fierro, S.
1.0 Spanish, TJ/NP	MA, Step 1	Revised dates	Retired
Oesterle, Victoria	\$50,312	09/07/18-06/30/19	Est. 06/04/18
1.0 ELA/BIL, FMS	BA, Step 1	Revised dates	
Wilson, Kizzy	\$4,320	09/24/18-06/30/19	Ferraro, L.
0.3 Bus Aide, Trans.	\$12/hr, 2 hrs/day, 180 days		Resigned
Yeboah, Joseph	\$20,700	09/18/18-06/30/19	Waddilove, J.
1.0 Bus Driver, Trans.	\$23/hr./5 hrs/day, 180 days/year		Retired

- * Pending probationary period
- ** Pending completion of paperwork
- *** Salaries to be adjusted pending successful contract negotiations

SUBSTITUTE APPOINTMENTS 2018-2019

Motion #3 that, upon the recommendation of the Superintendent, the Board of Education approve the following name(s) be added to the list of substitutes, and approve all Morris School District Substitute Teachers to also provide service as Teacher Assistant, ABS, and Lunchroom Playground Aide as assigned for the 2018-2019 school year, and further that the Board of Education approve submission to the County Superintendent application for emergency hiring and each applicant's attestation that s/he has not been convicted of any disqualifying crime pursuant to the provisions of N.J.S.A 18A:6-7.1 et seq., 18A:6-4.13 et seq.:

LR/PG Aide - \$16.54/hr.

Gingrich, Regina (eff. 10/03/18)

Teacher

McKeown, John

Meade, Montgomery (eff 9/25/18)

Salako, Olajuwon (eff 9/24/18)

White, Lori (eff 9/21/18)

EXTRA PAY 2018-2019

Motion #4 that, upon the recommendation of the Superintendent, the Board of Education approve the following extra-pay positions for the 2017-2018 school year:

MORRISTOWN HIGH SCHOOL - ATHLETICS					
POSITION	STAFF MEMBER	YR EXP.	SALARY	INC	TOTAL SALARY
Basketball					
Assistant Coach – Boys	Mahony, Alexander	12	\$5,935		\$5,935
Ice Hockey					
Assistant Coach	Keller, Brian	2	\$5,037		\$5,037

MORRISTOWN HIGH SCHOOL – CO-CURRICULAR					
POSITION	STAFF MEMBER	YR EXP.	SALARY	INC	TOTAL SALARY
Special Olympics Play Unified Sports Program					
Coordinator	Chiariello, Cynthia	1	\$1,000		\$1,000
Helping Teacher – WD	Artiga, Monica	1	\$3,815		\$3,815
Helping Teacher – WD	Mendonca, Carolina	1	\$3,815		\$3,815

FRELINGHUYSEN MIDDLE SCHOOL - ATHLETICS					
POSITION	STAFF MEMBER	YR EXP.	SALARY	INC	TOTAL SALARY
Baseball					
Assistant Coach	Davis, Edgar	5	\$1,936		\$1,936
Basketball					
Assistant Coach – Boys	Davis, Edgar	2	\$1,936		\$1,936

LEAVE(S) OF ABSENCE 2018-2019

Motion #5 that, upon the recommendation of the Superintendent, the Board of Education approve a leave of absence to the following staff members under the conditions stated and effective dates shown:

Bischoff, Kristen
1.0 Spec. Ed., FMS

04/30/18-06/30/18* - Maternity
09/04/18-11/26/18 ** - FMLA
11/27/18-06/30/19 * - Childrearing
(Revised dates)**

Titus-Thermitus, Carline
0.5 ABS, PS

09/25/18-10/25/18 * - Personal**

Urban, Ana
1.0 Social Studies, FMS

12/10/18-02/03/19* -Maternity
02/04/19-05/06/19 ** - FMLA
05/07/19-06/30/19 *** - Childrearing

- * Accumulated sick leave may be used up to a period of eight weeks (four weeks before and four weeks after the birth of the baby) – with pay/with benefits.
- ** Without pay/with benefits
- *** Without pay/without benefits

COMMUNITY SCHOOL 2018-2019

Motion #6 that, upon the recommendation of the Superintendent, the Board of Education approve the following Sunrise/Sunset staff, effective September 19, 2018:

Arias, Stephanie	Aide	\$ 9.00/hr
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EXPLANATION: Salaries to be paid out of collected tuitions.

HUMAN RESOURCES/CURRICULUM

LLC PRESCHOOL BOOK CLUB

Motion #7 that upon the recommendation of the Superintendent, and the Board Curriculum Committee, the Board of Education approve staffing for the Lafayette Learning Center Book Club as awarded in the Morris Education Foundation grant for the 2018-2019 school year:

Program:	LLC Preschool Book Club
Description:	Family book clubs are held monthly to engage students and their families in literacy activities, foster community relationships, and promote the joy of reading.
Dates:	Monthly from October 22, 2018—May 20, 2019
Funding Source:	MEF grant
Rate:	Coordinator stipend (\$1400 stipend to be paid in two segments January & May 2019); Translator paid \$25 per evening session for each of the 8 sessions to translate in Spanish, \$200 total

Jackson, Avelyn (Coordinator)
Escobar, Nunez Libia (Translator)

EXPLANATION:

Upon submission of an approved timesheet, staff member will be compensated as outlined above.

ESTABLISH POSITION(S) 2018-2019

Motion #8 that, upon the recommendation of the Superintendent, the Board of Education establish the following position(s) for the 2018-2019 school year:

- (1) 0.5 Teacher Assistant, PS

TRANSFERS, CHANGE(S) OF ASSIGNMENT AND OR/ SALARY 2018-2019

Motion #9 that, upon the recommendation of the Superintendent, the Board of Education approve the transfers, change(s) of assignment and/or salary for the following certified and non-certificated staff:

Employee	Former Assignment	New Assignment /Salary	Effective	In Place of
Gingrich, Regina	0.3 LR/PG Aide, AH	.5 Teacher Assistant, PS \$11,576 Column B, Step 1	10/3/18	Est. 10/01/18

HUMAN RESOURCES (Motions #1-9)

Moved by Mrs. Davidson, seconded by Ms. Thomas

AYES: Mrs. Davidson, Dr. Gallerstein, Ms. Minchello, Mr. Posey, Mrs. Rhines, Ms. Spiotta, Ms. Thomas, Ms. Pollak

NOES: None

ABSTAIN: None

ABSENT: Mrs. Bangiola, Ms. Galdi

BUSINESS MATTERS

BILLS LIST 2018-2019

Motion #1 that upon the recommendation of the Superintendent, the Board of Education approve the attached 2018-2019 bills list for the period ending:

**September 30, 2018 (payroll)
October 1, 2018**

AGREEMENT

MORRIS COUNTY JUVENILE DETENTION CENTER AGREEMENT

Motion #2 that upon the recommendation of the Superintendent, the Board of Education approve an Agreement as on file in the Business Administrator's Office between the Morris School District and Morris County Juvenile Detention Center for the 2018-2019 school year.

TRANSPORTATION

HAZARDOUS WALKING 2018-2019

Motion #3 that upon the recommendation of the Superintendent the Board of Education approve the list of bus routes which include "courtesy" riders that would otherwise have hazardous walking conditions.

EXPLANATION

There may be multiple conditions for each route, therefore the hazards are being identified by the letter that relates to the hazard as indicated in Board Policy 8600 as listed below:

- A. Population density;
- B. Traffic;
- C. Average vehicle velocity;
- D. Existence or absence of sufficient sidewalk space;
- E. Roads and highways that are winding or have blind curves;
- F. Roads or highways with steep inclines and declines;
- G. Drop-offs that are close proximity to a sidewalk;
- H. Bridges or overpasses that must be crossed to reach the school;
- I. Train tracks or trestles that must be crossed to reach the school;
- J. Busy roads and highways that must be crossed to reach the school.

<u>ROUTE #</u>	<u>SCHOOL</u>	<u>IDENTIFIED HAZARDS</u>
4A	MHS	B,H,J
2A	MHS	B,C,D,J
8A	MHS	B,C,D,J
10A	MHS	B,C,D,F
11A	MHS	A,B,D,E

<u>ROUTE #</u>	<u>SCHOOL</u>	<u>IDENTIFIED HAZARDS</u>
12A	MHS	D,F,H
1002	MHS	B,C,H
1006	MHS	B,J
1007	MHS	B,E,F,J
1008	MHS	D,H,J
1007A	MHS	B,H
1010A	MHS	B,C,D,H
9310	MHS	B,C,E,J
3A	FMS	B,C,D,J
14A	FMS	B,C,D,J
42A	FMS	B,C,D,J
159	FMS	B, E, J
2001	FMS	B,C,D,J
2002	FMS	D,J
2006	FMS	B,C,D,J
2007	FMS	B,C,D,J
2018	FMS	B,C,D,J
149A	NPS	B,C,J
3010	NPS	B,C,D,J
3012	NPS	B,C,D,H,J
3001A	NPS	B,C,D,H,J
3008A	NPS	B,D,C,H,J
9270	NPS	B,C,D,H,J
5B	AH/HC	B,D,J
38A	AH/HC	B,D,E,J
4006	AH/HC	D,E,F,J
4045	AH/HC	B,E,F,J
4046	AH/HC	B,E,F,J
4051	AH/HC	B,C,J
4038A	AH/HC	B,D,E,J
4051A	AH/HC	B,D,E,F
9364	AH/HC	B,C,D,J
AMHC	HC	B,C,J
179	SUS/AV	B,E,J

<u>ROUTE #</u>	<u>SCHOOL</u>	<u>IDENTIFIED HAZARDS</u>
6006	SUS/AV	B,D,H,J
6010	SUS/AV	D,H,E,J
6011	SUS/AV	B,D,J
6013	SUS/AV	B,C,D,J
6088	SUS/AV	B,D,J
6105	SUS/AV	B,C,D,J
6110	SUS/AV	B,C,J
6110A	SUS/AV	B,E,J
6116A	SUS/AV	B,C,J
2B	TJ/WD	A,B,I,J
10	TJ/WD	B,C,J
11B	TJ/WD	B,D,J
51A	TJ/WD	B,H,J
95A	TJ/WD	B,C,D,J
8004	TJ/WD	B,H,J
8097	TJ/WD	B,C,H,J
8099	TJ/WD	B,C,J
8114	TJ/WD	B,C,D
9412	TJ/WD	B,D,E,H,J
5A	UNITY	B,C,D,E,J
1201	UNITY	B,C,J
1203	UNITY	B,J
9314	UNITY	B,C,E,J
9338	UNITY	B,C,D,E,J
9410	UNITY	B,C,D,E,I,J

PAYMENTS

Motion #4 that upon the recommendation of the Superintendent, the Board of Education approve the following payments to DiCara Rubino Architects:

<u>Payment Amount</u>	<u>Project</u>
\$17,368.18	MHS Nurse's Suite Renovation
\$ 8,421.27	FMS Concept Studies
\$ 625.20	MHS Parking Lot Lighting
\$ 470.74	TJ Toilet Renovations

TRAVEL & REIMBURSEMENT

Motion #5 that upon the recommendation of the Superintendent, the Board of Education approve the following resolution:

WHEREAS, employees are attending conferences, conventions, staff training seminars or workshops as depicted on attachment A: and

WHEREAS, the attendance at stated functions was previously approved by the chief school administrator as work related and within the scope of the work responsibilities of the attendees; and

WHEREAS, the attendance at the functions was approved as critical to the instructional needs of the school district or furthering the efficient operation of the school district; and

WHEREAS, the travel and related expenses particular to attendance at these functions are in compliance with the state travel payment guidelines established by the Department of Treasury and with guidelines established by the Federal Office of Management and Budget; be it

RESOLVED, that the board approves the travel and related expenses particular to attendance at these functions.

BUSINESS MATTERS (Motions #1-5)

Moved by Mrs. Davidson, seconded by Ms. Pollak

AYES: Mrs. Davidson, Dr. Gallerstein, Ms. Minchello, Mr. Posey, Mrs. Rhines, Ms. Spiotta, Ms. Thomas, Ms. Pollak

NOES: None

ABSTAIN: None

ABSENT: Mrs. Bangiola, Ms. Galdi

NEW BUSINESS BROUGHT BEFORE THE BOARD

Mr. Posey mentioned Mr. Johnson, whom he reported was in bad health at the last board meeting, is now doing better.

Additionally, Mr. Posey shared that he was invited to attend the Football Recognition Breakfast Ceremony for the Morristown High School State Championship Team from 1993. Mr. Posey discussed how impressed he was with the caliber of this group of men and different lines of work they have all went into.

Mrs. Rhines reminded the Board that auditions will be coming up for Morristown ON Stage.

Ms. Pollak, along with the board discussed a date to hold a Board Retreat, tentatively for November 26, 2018.

ADJOURNMENT (8:38 pm)

Moved by Mr. Posey, seconded by Ms. Thomas

AYES: Mrs. Davidson, Dr. Gallerstein, Ms. Minchello, Mr. Posey, Mrs. Rhines, Ms. Spiotta, Ms. Thomas, Ms. Pollak

NOES: None

ABSTAIN: None

ABSENT: Mrs. Bangiola, Ms. Galdi

Respectfully Submitted,

Anthony Lo Franco
Business Administrator/
Board Secretary