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### **2110 – Philosophy of Education/District Mission Statement (M)**

The mission of the Lopatcong Township School District is to provide pupils with the educational foundation and environment to realize their full potential, to be contributing members of a global society, and to become life-long learners.

It is the expectation of this school district that all pupils strive to achieve or exceed the New Jersey Core Curriculum Content Standards at all grade levels.

Adopted: August 18, 2009



### **2132 – School District Goals and Objectives**

The Board of Education accepts the responsibility for coordinating the available resources of home, school and community in a mutual effort to guide every pupil's growth towards becoming a self-respecting individual who can effectively function politically, economically, and socially in a democratic society.

The Board believes every pupil should be helped:

1. To develop an understanding of his/her own worth, abilities, potentialities and limitations;
2. To acquire basic skills in obtaining information, solving problems, thinking critically and communicating effectively;
3. To acquire a stock of basic information concerning the principles of the physical, biological and social sciences, the historical record of human achievements and failures, and current social issues;
4. To acquire an understanding of ethical principles and values and the ability to apply them to his/her own life;
5. To acquire the knowledge, skills, and understanding that permit him/her to play a satisfying and responsible role as both producer and consumer;
6. To become an effective and responsible contributor to the decision making processes of the political and other institutions of the community, state, country and world;
7. To acquire the ability and the desire to express himself/herself creatively, and to appreciate the aesthetic expressions of other people;
8. To acquire entry-level job skills, and also to acquire knowledge necessary for further education;
9. To acquire an understanding of and the ability to form responsible relations with a wide range of people, including but not limited to those with social and cultural characteristics different from his/her own;
10. To acquire the knowledge, habits, and attitudes that promote personal and public health, both physical and mental;
11. To acquire the capacities for playing satisfying and responsible roles in family life; and
12. To learn to enjoy the process of learning and to acquire the skills necessary for a lifetime of continuous learning and adaptation to change.

In order to achieve these broad educational goals, the Board will endeavor to provide:

1. Instruction in study skills necessary to achieve mastery of subject matter;
2. Specialized and individualized kinds of educational experiences to meet the needs of each pupil;
3. Instruction which bears a meaningful relationship to the present and future needs and/or interests of pupils;



4. Teaching staff members of high quality and character;
5. Resources for education, to be used with maximum efficiency;
6. Comprehensive guidance facilities and services for each pupil;
7. An environment in which any competition among pupils is positive;
8. Opportunities for teaching staff members and pupils to make recommendations concerning the operation of the schools;
9. Significant opportunities, suited to the age of the pupil, for helping the pupil to determine the nature of his/her educational experiences; and
10. Diverse forms of constructive cooperation with parent(s) or legal guardian(s) and community groups.

The Board shall develop, in consultation with the Superintendent and teaching staff members, a written educational plan for the district. This plan shall be reviewed and adopted annually and shall include:

1. Written educational goals;
2. An assessment of pupil needs;
3. Specific annual objectives based on identified needs and action plans to implement them;
4. Standards for assessing and evaluating the achievement of objectives;
5. The establishment of reasonable pupil minimum proficiency levels in the basic reading, writing, and mathematics skills;
6. An educational program consistent with these goals, objectives, standards, and needs; and
7. An evaluation of pupil progress.

### Legal References

N.J.A.C. 6:8-2.4

Adopted: August 18, 2009



### **2200 – Curriculum Content (M)**

The Board of Education will provide the instruction and services mandated by law and rules as necessary for the implementation of a thorough and efficient system of free public education and such other instruction and services as the Board deems appropriate for the thorough and efficient education of the pupils of this district. The Board shall annually approve a list of all programs and courses that comprise the district's curriculum and shall approve any subsequent changes in the curriculum in accordance with [Board Policy #2220 – Adoption of Courses](#).

For purposes of this policy “curriculum” means planned learning opportunities designed to assist pupils toward the achievement of the intended outcomes of instruction.

The curriculum will be reviewed by the Superintendent and approved annually by the Board. In accordance with law, the curriculum shall, as a minimum, include the curricular mandates of N.J.S.A. 18A - Education and N.J.A.C. 6 and 6A - Education and all of the New Jersey Core Curriculum Content Standards and Cumulative Progress Indicators.

The Superintendent is responsible for implementing the curriculum approved by the Board.

The Board directs the curriculum be consistent with the educational goals and objectives of this district, the New Jersey Core Curriculum Content Standards and responsive to identified pupil needs. The Superintendent shall, in consultation with teaching staff members, assure the effective articulation of curriculum across all grade levels and among the school districts sending to the Phillipsburg School District.

The curriculum shall provide programs in accordance with Board policies and the New Jersey Core Curriculum Content Standards, including but not limited to:

1. Preparation of all pupils for employment or post secondary study upon graduation from high school;
2. Instruction in workplace readiness skills, visual and performing arts, comprehensive health and physical education, language arts literacy, mathematics, science, social studies (including instruction on the Constitution of the United States, United States history, Community Civics, and the geography, history and civics of New Jersey), and World Languages;
3. Continuous access to sufficient programs and services of a library/media facility, classroom collection, or both, to support the educational program of all pupils in accordance with [Board Policy #2530 – Resource Materials](#);
4. Guidance and counseling to assist in career and academic planning for all pupils, in accordance with [Board Policy #2411 – Guidance Counseling](#);
5. A continuum of educational programs and services for all children with disabilities, in accordance with [Board Policy #2460 – Special Education](#) and its associated [Regulations #2460 through #2460.16](#);



6. Bilingual education, English as a Second Language, and English language services for pupils of limited English language proficiency, when the number of such pupils so necessitates, in accordance with [Board Policy #2423 – Bilingual and ESL Education](#);
7. Programs and services for pupils at risk who require remedial assistance in accordance with [Board Policy #2414 – Programs for Pupils at Risk](#), [Board Policy #2415 – No Child Left Behind Programs](#), and [Board Policy #2460 – Special Education](#);
8. Equal educational opportunity for all pupils in accordance with [Board Policy #2260 – Affirmative Action Program for School and Classroom Practices](#), [Board Policy #5750 – Equal Education Opportunity](#), and [Board Policy #5755 – Equity in Educational Programs and Services](#);
9. Career awareness and exploration as required, and vocational education as appropriate;
10. Educational opportunities for pupils with exceptional abilities, in accordance with [Board Policy #2464 – Gifted and Talented Pupils](#);
11. Instruction in accident and fire prevention;
12. A substance abuse prevention program;
13. A program for family life education; and
14. Programs that encourage the active involvement of representatives from the community, business, industry, labor and higher education in the development of educational programs aligned with the standards.

### Legal References

N.J.S.A. 18A:6-2; 18A:6-3; 18A:35-1 et seq.  
N.J.A.C. 6A:8-1.1 et seq.; 6A:14 et seq.  
New Jersey Core Curriculum Content Standards

Adopted: August 18, 2009



### **R2200 – Curriculum Content (M)**

Courses of study and instructional materials and programs shall be designed to eliminate discrimination and promote understanding and mutual respect between children of different races, colors, creeds, religious beliefs, sexes, sexual orientations, ancestries, national origins, social or economic status, and/or disabilities.

In order to eliminate possible bias in the curriculum, staff shall use the following criteria:

- A. When instructional material contains stereotypes or discriminatory statements, staff should help pupils identify the stereotypes or discriminatory statement(s) and discuss with pupils the consequences of repeated stereotyping and discriminatory statements.
- B. If a particular instructional material is highly objectionable, staff should not use it, N.J.A.C. 6:4-1.3(f); such material should be brought to the attention of the Building Principal so that the Affirmative Action Officer can evaluate the objectionable material. Alternatively, the teacher might discuss the questionable material instead of eliminating it, depending on the makeup and maturity of the class and the purposes of the instruction.
- C. Another recommended technique for handling materials that contain biases or stereotypes is to offset it by using unbiased supplementary materials, N.J.A.C. 6:4-1.3(f).
- D. Community involvement when developing instructional programs and attendant materials shall be encouraged.

Adopted: August 18, 2009



### **2210 – Curriculum Development (M)**

The Board of Education is committed to the continuing improvement of the educational program of the district. To this end, the curriculum shall be evaluated and modified in accordance with a plan for curriculum development.

As educational leader of the district, the Superintendent shall be responsible to the Board for the development of curriculum and shall establish procedures for curriculum development that ensure the effective participation of teaching staff members, pupils, the community, and members of the Board.

The Superintendent may conduct experimental programs that are not part of the duly adopted curriculum and are deemed to be necessary to the continuing growth of the instructional program; he/she shall report to the Board any such pilot program conducted, along with its objectives, evaluative criteria, and costs, before each such program is initiated.

The Superintendent shall report to the Education Committee at least five times per year and at least annually to the Board (in the spring, but not at the reorganization meeting) on all progress in curriculum development.

Adopted: August 18, 2009



### **2220 – Adoption of Courses (M)**

The Board of Education shall provide a comprehensive instructional program to serve the educational needs of the children of this district by the adoption of courses of study.

For purposes of this policy, a “course of study” means the planned content of a series of classes, courses, subjects, studies, or related activities.

No course of study will be taught in this district unless it has been formally adopted by the Board. The Board shall determine which units of the instructional program constitute courses of study and are thereby subject to the adoption procedures of the Board.

The Superintendent is responsible for the continuous evaluation of the courses of study against the educational goals of the Board and shall recommend to the Board such new or altered courses of study as are deemed to be in the best interests of the pupils of this district. The Superintendent’s recommendation will include the following information about the proposed course of study:

1. The specific objective of the course of study and the relationship of the course to the educational goals adopted by the Board and New Jersey Core Curriculum Content Standards;
2. The applicability of the course to pupils and an enumeration of those groups of pupils to be affected by it;
3. A description of course content, including any instructional method that departs significantly from the ordinary and is an integral part of the course of study;
4. A rationale for the course in terms of the goals of this district and a justification of the course, especially when it is proposed to take the place of an existing course of study;
5. The resources that implementation of the course will require, including textbooks, material, equipment, and specially trained personnel;
6. The course proficiencies to be mastered by pupils;
7. The methods and standards by which the efficacy of the course will be monitored and evaluated; and
8. A developmental history of the course and, where available, information on its use elsewhere.

The Superintendent shall maintain a current list of all courses of study offered by this district and shall provide each member of the Board with a copy.

#### **Legal References**

N.J.S.A. 18A:4-25; 18A:4-28; 18A:33-1; 18A:35-1 et seq.

N.J.A.C. 6A:7-1.1 et seq.; 6A:8-4.1; 6A:8-4.4

Adopted: August 18, 2009



### **2230 – Curriculum Guides (M)**

The Board of Education directs the preparation of a guide for each approved course of study in order to direct and assist teaching staff members toward the attainment of goals addressed by that course.

Each curriculum guide will contain, as appropriate to the course of study, content standards; objectives, concepts, and skills to be taught; attitudes and appreciations to be developed; suggested activities designed to achieve the objectives; suggested methods of instruction; performance indicators; evaluation criteria intended to test the extent to which learning objectives have been achieved; and a reading list of supplemental titles for the guidance of teachers.

The curriculum guides will be the basic instructional tool for each course of study.

Each teacher shall conduct the course of study as required by the curriculum guide. Any deviation from the content of the guide must be approved by the Building Principal in advance of its implementation.

The Superintendent shall be responsible for the preparation of curriculum guides, and shall develop a plan for such preparation that includes the participation of appropriate staff members and resource personnel; the participation of members of the community; the participation of pupils at appropriate grade levels; continuing research in instructional methods, materials, and activities; systematic review of all curriculum guides to ensure their continuing usefulness in achieving goals set by the Board; and a system of administrative review to ensure that curriculum guides are being followed by teaching staff members to the degree of conformity desired by the Board.

All new curriculum guides and revisions of existing guides shall be submitted to the Board for approval before they are implemented.

Copies of all current curriculum guides shall be kept on file in the office of each Building Principal.

#### **Legal References**

N.J.S.A. 18A:33-1

Adopted: August 18, 2009



### **R2230 – Curriculum Guides**

A curriculum guide will be prepared for each course of study to be taught in this district. Curriculum guides should be planned and organized to provide sequential learning experiences in the grade levels concerned.

#### A. Preparation

1. The preparation of curriculum guides is the responsibility of the Education Committee.
2. Curriculum guides are best developed with the assistance of the teaching staff members who will use them. Accordingly, appropriate staff representatives will be appointed to committees to study, revise, and/or develop curriculum guides.

#### B. Content

1. Content standards should be broad statements related to district educational goals and arising from the philosophy of the course.
2. Performance indicators should be specific statements of behavioral objectives, that is, the concepts, skills, attitudes, and appreciation's to be achieved. The degree of specificity should be consistent with the nature of the course.
3. Teaching strategies should include, where appropriate, specific instructional methods/modalities, the time to be spent on tasks, recommended pupil activities, and resources.
4. Evaluation techniques should include such specific techniques as sample tests, suggested projects or performance outcomes, and individual study.

#### C. Implementation

Teachers will adhere to the content of curriculum guides in accordance with [Board Policy #2230 – Curriculum Guides](#).

Adopted: August 18, 2009



### **2260 – Affirmative Action Program for School and Classroom Practices (M)**

The Board of Education shall provide equal and bias-free access for all pupils to all school facilities, courses, programs, activities, and services, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, by:

1. Ensuring equal and barrier-free access to all school and classroom facilities;
2. Attaining minority representation within each school, which approximates the district's overall minority representation. Exact apportionment is not required, however, the ultimate goal is a reasonable plan achieving the greatest degree of racial balance, which is feasible and consistent with sound educational values and procedures;
3. Utilizing a State approved English language proficiency measure on an annual basis for determining the special needs and progress in learning English of language-minority pupils pursuant to N.J.A.C. 6A:15-1.3(c);
4. Utilizing bias-free multiple measures for determining the special needs of pupils with disabilities, pursuant to N.J.A.C. 6A:14-3.4;
5. Ensuring that support services, including intervention and referral services and school health services pursuant to N.J.A.C. 6A:16, are available to all pupils; and
6. Ensuring that a pupil is not discriminated against because of a medical condition. A pupil will not be excluded from any education program or activity because of a long-term medical condition unless a physician certifies that such exclusion is necessary. If excluded, the pupil will be provided with equivalent and timely instruction that may include home instruction, without prejudice or penalty.

The Board of Education will ensure that the district's curriculum and instruction are aligned to the State's Core Curriculum Content Standards and address the elimination of discrimination by narrowing the achievement gap, by providing equity in educational programs and by providing opportunities for pupils to interact positively with others regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, by:

1. Ensuring there are no differential requirements for completion of course offerings or programs of study solely on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status;
2. Ensuring courses shall not be offered separately on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status;



- a. Portions of classes which deal exclusively with human sexuality may be conducted in separate developmentally appropriate sessions for male and female pupils, provided that the course content for such separately conducted sessions is the same.
3. Reducing or preventing the underrepresentation of minority, female, and male pupils in all classes and programs including gifted and talented, accelerated, and advanced classes;
4. Ensuring that schools demonstrate the inclusion of a multicultural curriculum in its instructional content, materials and methods, and that pupils understand the basic tenet of multiculturalism;
5. Ensuring that African American history, as well as the history of other cultures, is infused into the curriculum and taught as part of the history of the United States, pursuant to N.J.S.A. 18A:35-1 and the New Jersey Core Curriculum Content Standards; and
6. Ensuring that instruction on the Holocaust and other acts of genocide is included in the curriculum of all elementary and secondary schools, as developmentally appropriate, pursuant to N.J.S.A. 18A:35-28.

The Board of Education shall ensure all pupils have access to adequate and appropriate counseling services. When informing pupils about possible careers, professional or vocational opportunities, the Board shall not restrict or limit the options presented to pupils on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status. The district will not use tests, guidance, or counseling materials which are biased or stereotyped on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.

The Board of Education shall ensure that the district's physical education program and its athletic programs are equitable, co-educational, and do not discriminate on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, as follows:

1. The district shall provide separate restroom, locker room, and shower facilities on the basis of gender, but such facilities provided for pupils of each gender shall be comparable;
2. A school within the school district may choose to operate separate teams for both genders in one or more sports or single teams open competitively to members of both genders, so long as the athletic program as a whole provides equal opportunities for pupils of both genders to participate in sports at comparable levels of difficulty and competency; and
3. The activities comprising such athletic programs shall receive equitable treatment, including, but not limited to, staff salaries, purchase and maintenance of equipment, quality and availability of facilities, scheduling of practice and game time, length of season, and all other related areas or matters.



### Legal References

N.J.S.A. 18A:36-20

N.J.A.C. 6A:7-1.7

Adopted: August 18, 2009

Revised: March 8, 2011



### **R2260 – Affirmative Action Program for School and Classroom Practices Complaint Procedure**

#### A. Purpose and Application

1. The purpose of this procedure is to give any pupil or the parent(s) or legal guardian(s) of a pupil the opportunity to appeal an alleged violation of the district's Affirmative Action Plan for school and classroom practices, as set forth in [Board Policy #2260 – Affirmative Action Program for School and Classroom Practices](#).
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and will be implemented in an informal manner.
3. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
4. All participants in the procedure will respect the confidentiality that this district accords to information about individual pupils.

#### B. Definitions

1. "Affirmative Action Officer" means the district official responsible for the coordination of activities relating to compliance with the Affirmative Action Plan.
2. "Affirmative Action Plan" means the Affirmative Action Plan for school and classroom practices adopted by the Board.
3. "Board of Education" means the Board of Education of the Lopatcong Township School District.
4. "Complainant" means a pupil or parent(s) or legal guardian(s) who believes that he/she has been harmed or adversely affected by a failure to enforce the district's Affirmative Action Plan.
5. "Complaint" means an unresolved problem concerning the interpretation or application by an officer or employee of this school district of law and regulations regarding the Affirmative Action Plan.
6. "Day" means a working or calendar day as identified.
7. "Pupil" means an individual enrolled in any formal educational program provided by the school district.
8. "School district" means the Lopatcong Township School District.
9. "Violation" means the failure of a district official or employee to take the positive steps outlined in [Board Policy #2260 – Affirmative Action Program for School and Classroom Practices](#) and/or included in the Affirmative Action Plan.



### C. Procedure

1. A complainant shall discuss his/her complaint with the staff member most closely involved in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within thirty working days, the complainant may submit a written complaint to the Affirmative Action Officer. The complaint will include:
  - a. The pupil's name and, in the complaint of a person acting on behalf of the pupil, the name and address of the complainant,
  - b. The specific failure to act that the complainant complains of,
  - c. The school employee, if any, responsible for the alleged violation of the Affirmative Action Plan,
  - d. The results of discussions conducted in accordance with paragraph C1, and
  - e. The reasons why those results are not satisfactory.
3. The Affirmative Action Officer will investigate the matter informally and will respond to the complaint in writing no later than seven working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.
4. The response of the Affirmative Action Officer may be appealed to the Superintendent in writing within three working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have violated the Affirmative Action Plan.
5. On his/her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than seven working days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with violation of the Affirmative Action Plan and any other person with knowledge of the violation complained of.
6. The Superintendent will render a written decision in the matter no later than seven working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties and to the Board.
7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than three working days after receipt of the Superintendent's decision. The appeal shall include:
  - a. The original complaint,
  - b. The response to the complaint,
  - c. The Superintendent's decision,



- d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented, and
  - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. A copy of the appeal to the Board must be given to the staff member, if any, charged with a violation of the Affirmative Action Plan.
  9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
  10. The Board will render a written decision no later than forty-five calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
  11. The complainant will be informed of his/her right to appeal the Board's decision to the Commissioner of Education or to the New Jersey Division on Civil Rights.

#### D. Record

The records of any complaint processed in accordance with this procedure shall be maintained in a file separate from the pupil's cumulative file. A notation shall be made in the pupil's file of the presence of the record in the separate file.

Adopted: August 18, 2009



### **2270 – Religion in the Schools**

The Board of Education recognizes that religious belief and disbelief are matters of personal conviction rather than governmental authority and the pupils of this district are protected by the First Amendment of the United States Constitution and by Article I, Paragraph 4 of the New Jersey State Constitution from the establishment of religion in the schools. School officials will be neutral in their treatment of religion in the school district, showing neither favoritism toward nor hostility against religious expression. Accordingly, devotional exercises will be permitted in this district. The following activities will be permitted in the school district provided the activity is consistent with current United States Supreme Court decisions regarding the relationship between government and religion: prayer during instructional time; organized prayer groups and activities; religious expression and prayer in classroom assignments; pupil assemblies and extra-curricular events; prayer at graduation ceremonies; devotional exercises; and other prayer and/or religion related activities. The school district will not permit an activity if the activity advances or inhibits any particular religious expression that is protected by the First Amendment of the United States Constitution.

The Board believes that an understanding of religions and the contributions that religion has made to the advancement of civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, the curriculum may be developed to include, as appropriate to the various ages and attainments of the pupils, instruction about the religions of the world.

The Board also acknowledges the degree to which a religious consciousness has enriched the arts, literature, music, and issues of morality. The instructional and resource materials approved for use in the schools of this district frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such materials may, therefore, be religious in nature shall not, by itself, bar their use by the district. The Board directs that teaching staff members employing such materials be neutral in their approach and avoid using them to advance or inhibit religion in any way.

The Board recognizes that religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the thorough and efficient education of the children of this district, not for its conformity to religious principles. Pupils should receive unbiased instruction in the schools so that they may privately accept or reject the knowledge so gained in accordance with their own religious tenets.

#### **Legal References**

U.S. Constitution - Amendment 1



U.S. Department of Education - Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools – February 7, 2003  
N.J. Constitution (1947) Article 1, paragraph 4  
N.J.S.A. 18A:35-4.6 et seq.; 18A:36-16

Adopted: August 18, 2009



### **2310 – Pupil Grouping**

The Board of Education believes that each pupil should be provided with the instruction that will best suit his/her intellectual, physical, emotional, and social capabilities. The Board authorizes the Superintendent to develop a schedule and class organization that will provide for the placement of pupils in instructional groups that will offer them the greatest educational benefit.

The grouping of pupils should be flexible and should take into consideration the age, mental ability, past academic record, emotional needs, physical maturity, and interests of each pupil.

Adopted: August 18, 2009



### **2312 – Class Size**

The Board of Education directs that the number of pupils assigned to any one class be governed by considerations of instructional quality and economy of operation.

A desired range for the minimum and maximum number of pupils that shall be assigned to regular classes shall be established by the Superintendent.

The Superintendent shall prepare guidelines for class size. Maximum limits shall take into account the subject matter, type of instruction, ability of pupils, availability of aides, and use of special facilities and equipment and may be waived to accommodate the demands of a temporary increase in enrollment.

Adopted: August 18, 2009



### **2330 – Homework**

The Board of Education acknowledges the educational validity of work assigned to pupils for completion outside the classroom as an adjunct to and extension of the instructional program of lessons.

The Superintendent shall develop regulations for the assignment of homework according to these guidelines:

1. Homework should be a properly planned part of the curriculum, extending and reinforcing the learning experience of the lessons;
2. Homework should help children learn by providing practice in the mastery of skills, experience in data gathering and integration of knowledge, and an opportunity to remediate learning problems;
3. Homework should help develop the pupil's responsibility and provide an opportunity for the exercise of independent work and judgment;
4. The number, frequency, and degree of difficulty of homework assignments should be based on the ability and needs of the pupil and take into account other school activities that make a legitimate claim on the pupil's time;
5. As a valid educational tool, homework should be clearly assigned and its product carefully evaluated and that evaluation should be reported to the pupil;
6. The schools should recognize the role of parent(s) or legal guardian(s) by suggesting ways in which parent(s) or legal guardian(s) may assist the school in helping a child carry out assigned responsibilities;
7. Homework should always serve a valid learning purpose; it should never be used as a punitive measure.

Adopted: August 18, 2009



### **R2330 – Homework**

#### A. Content of Homework

1. Any homework assigned to pupils must be closely integrated with the curriculum. There should be a direct relationship between classroom studies and assigned homework. Homework should reinforce and extend the lessons learned in school.
2. Homework should help pupils learn by providing practice in the mastery of skills, experience in gathering information and integrating knowledge, and an opportunity to remediate learning problems.
3. Homework should help develop the pupils responsibility and provide an opportunity for the pupil to exercise independent work and judgment.
4. The concepts on which a homework assignment is based should have been thoroughly taught and reviewed in class. Homework assignments should include only those exercises and activities that a pupil can accomplish independently.
5. Homework assignments should not require the use of research or resource tools that are not readily available in the pupils homes or in sufficient quantity in the public or school library, or available for borrowing from the classroom.
6. Homework assignments should not require extensive copy work unless the writing of numbers or script is the skill being taught.
7. Homework must never serve a punitive or disciplinary function; learning, in school or at home, must always be a positive experience, rewarding for its own sake.

#### B. Assignment of Homework

1. The number, frequency, and degree of difficulty of homework assignments should be based on the ability and needs of the individual pupil.
2. Homework should be assigned with clarity so that pupils know precisely what is expected of them. It may be helpful for teachers to post the homework assignment at the beginning of the class period and to encourage pupils to ask questions about any aspect of the assignment they do not fully understand. Homework should never be assigned hurriedly or in a confused manner.
3. Teachers should observe the following guidelines for the introduction and assignment of homework. Time allotments include all aspects of the homework assignment—outside reading, research, and drill work.
  - a. Kindergarten  
Home experiences related to classroom lessons should be assigned to pupils when appropriate.



b. Grades 1, 2, and 3

Formal homework assignments should be introduced in grade one. Lessons should be geared to the needs and abilities of individual pupils. The amount of time allocated and frequency of assignments should increase through the grades.

c. Grades 4 and 5

Homework should be regularly scheduled, and should be based on the needs and abilities of individual pupils.

d. Grades 6, 7, and 8

Homework should be regularly scheduled and based on the needs and abilities of individual pupils.

In departmentalized middle or elementary grades, pupils total daily homework load and out-of-school responsibilities should be considered in determining the amount of homework to be assigned. Teachers on each grade level or team will meet at least once a week or as required to review time estimates of homework to be assigned. Major tests that require substantial periods of study will be taken into consideration in determining the total estimated homework load.

4. To the degree reasonably possible, teachers should plan and announce homework assignments, especially long term assignments, well in advance so that pupils can adjust their schedules appropriately.
5. Pupils should be encouraged or required to maintain a homework assignment book, in which the pupil records his/her daily assignment. Pupils and parent(s) or legal guardian(s) may be asked to record the time necessary to complete each assignment; this information will assist teachers in verifying their estimates of the length of time a given assignment will require.
6. A teacher may accede to a parent(s) or legal guardian(s) request for additional remedial or more challenging homework assignments for a pupil, provided the teacher, in his/her discretion, believes that the pupil will benefit from the assignment.
7. A pupil who has been absent from school will be given an opportunity to make up homework assignments, provided the assignments are completed during a period equal to the length of his/her absence. That period may be extended for the completion of long term assignments.
8. The parent(s) or legal guardian(s) of an absent pupil may request homework assignments to be completed during the pupil's absence. Teachers are expected to comply with any such request.

C. Evaluation of Homework

1. All homework must be evaluated by the teacher and the teacher's evaluation must be communicated to the pupil. Homework is not a learning activity if the pupil receives no acknowledgment of his/her work and no appraisal or criticism of it.
2. Teachers should insist on high standards of quality in homework. The homework lesson should teach the values of thorough preparation, careful research, neat execution, thoughtful work, and prompt submission.



### D. Checklist for Teachers

Teachers should be able to answer affirmatively the following questions about a homework assignment.

1. Does the homework serve a valid purpose?
2. Is it well within the capacities of the pupil?
3. Has the class been thoughtfully motivated for the work?
4. Does the assignment grow out of school experience?
5. Is the work related to pupils' interests? Is it interesting?
6. Does the assignment extend pupils' fund of information?
7. Is the work adapted to individual needs, interests, and capacities?
8. Are pupils entirely clear about what they are to do?
9. Can the pupils do the work without the assistance of parent(s) or legal guardian(s) or others?
10. Is the assignment a reasonable one and evenly scheduled in view of the pupil's home conditions?
11. Does the assignment minimize the temptation merely to copy information?
12. Can the homework be evaluated fairly and/or be used in the daily program?

Adopted: August 18, 2009



### **2340 – Field Trips**

The Board of Education recognizes that field trips properly planned and integrated with the curriculum are an educationally sound and important part of the program of the schools that can supplement and enrich classroom instruction by providing learning experiences in an environment outside the schools.

For purposes of this policy, a field trip means any journey by a group of pupils away from the school premises, under the supervision of a teacher, and integrally related to an approved course of study.

The Board of Education shall approve all proposed field trips; however, the Superintendent may approve field trips that are not overnight. Those trips approved by the Superintendent will be ratified by the Board.

The Board may authorize field trips for which all or part of the costs are borne by the pupils' parent(s) or legal guardian(s), except that no pupil in a special education class or pupil unable to pay the cost assessed shall be prohibited from attending a field trip. (N.J.S.A. 18A:36-21).

The determination of a pupil's inability to pay will be based upon the pupil's eligibility for free and reduced meals in accordance with Board Policy #8540 – Free and Reduced Rate Meals.

Pupils on field trips remain under the supervision of this Board and are subject to its policies, rules and regulations.

A pupil who violates rules or disregards the authority of supervisors on a field trip significantly endangers the safety of other pupils and may be summarily dismissed from the trip. The teaching staff member in charge will make arrangements for the dismissed pupil's transportation to home or school as appropriate. The cost of any such transportation will be borne by the parent(s) or legal guardian(s) of the pupil. The Board reserves the right to take further disciplinary measures in accordance with Board Policy #5600 – Pupil Discipline/Code of Conduct.

The Superintendent shall prepare regulations for the operation of field trips that ensure that the safety and well-being of pupils shall be protected at all times; that parental permission is sought and obtained before any pupil may be removed from the school for a field trip; that each field trip is properly planned, integrated with the curriculum, and followed up by appropriate activities that enhance its usefulness; that the effectiveness of field trip activities are monitored and continually evaluated; that teachers are allowed a considerable degree of flexibility and innovation in planning field trips; that no field trip will be approved unless it contributes to the achievement of specified instructional objectives; and that teachers are not permitted to make on-site alterations to a trip itinerary, except where the health, safety or welfare of pupils is imperiled or where changes or substitutions beyond the control of the teacher have frustrated the purpose of the trip.

#### **Legal References**

N.J.S.A. 18A:36-21 et seq.; 18A:53-2

Adopted: August 18, 2009



### **R2340 – Field Trips**

1. Any time a teacher arranges for pupils to be transported out of the building, approval of this action as a field trip must be obtained from the Building Principal. No arrangements or commitments should be made without first obtaining tentative clearance from the School Business Administrator/Board Secretary with regard to the date of the trip.
2. Field trips can be a vital, interesting and integral part of the total school program. The experiences that pupils gain through field trips is immeasurable and, when planned carefully, to support, enhance, or reinforce the classroom lesson, the pupil is given the opportunity to see what has been studied in a greater perspective.
3. Field trips will be permitted to places of educational value providing prior administrative and Board approval has been received. Such trips, which are primarily of amusement value or educationally unrelated may be approved for grade eight only.
4. Teachers should use discretion at all times in planning trips, noting particularly the merits of such a trip. Teachers should also attempt to ascertain what trips are available for their particular classes and should schedule them as quickly as possible.
5. Chaperones for field trips should be the teacher(s) normally in charge of those pupils. When numbers exceed a reasonable ratio, additional chaperones should be used. Teachers are encouraged to seek non-teaching personnel, i.e., parent(s) or legal guardian(s) of pupils, or teacher aides, or other teachers who share supervision of a considerable number of the pupils on the present trip (special education personnel). If parent volunteers are used as chaperones, they must be approved as volunteers by the Board according to Board Policy #9180 – Volunteers.
6. Time should be scheduled as accurately as possible in order that pupils as a group can be controlled with ease and returned promptly to school or their homes after the trip. A timetable of events should be attached to the Field Trip Request Form.
  - a. Collection of Money
  - b. All monies collected for such a trip are to be deposited daily with the Business office. Submit the monies with the Student Activity Fund Form. This form may be found in the Main office at each building.
  - c. The Business Office will make arrangements for transportation. The Board will cover the cost for transportation.
7. Submission deadlines – because of the very serious liabilities that can arise on field trips, it is absolutely necessary that all field trip requests be submitted to the Assistant Principal in time for Board approval. Permission should be received by the Board two months before the trip.
8. Paperwork required for Field Trips
  - a. Field Trip Request Form – one form is completed by the teacher for the trip and should note all information requested as precisely as possible and should note the nature of the expense to the pupil.



- b. Permission Slips – blank forms are available in the Main office and must be signed by the parent(s) or legal guardian(s). One form Q1 includes the nurse on the field trip and Q2 the nurse will not be attending the trip. These must be returned to the teacher who turns them over for review for medical and health issues.
  - c. Pupil List – this must be handed in after attendance has been taken on the bus.
9. It is recommended that teachers who schedule field trips should review health and safety issues regarding pupils with the school nurse(s) at least a month prior to a field trip to discuss all medical concerns of pertinent pupils, identify medication concerns, and review emergency procedures should one occur on a trip.

### **Field Trip Expectations**

1. Field trips serve to enforce, expand, and to a large degree broaden one's understanding of a particular subject under study. For this reason, all pupils are encouraged to attend field trips.
2. All pupils are required to bring to their teacher a signed permission slip either giving them permission to attend a field trip or not giving them permission to attend a field trip.
3. Where there is an expenditure of money to purchase a theater ticket, a fare ticket, etc., pupils have an option as to whether they go or not. Teachers should attempt to keep expenses to pupils at a minimum. If financial assistance for a pupil is needed, based on free and reduced lunch status, the teacher should consult with the administrator.
4. When a parent(s) or legal guardian(s) indicates on the field trip permission slip that he/she does not want his/her son or daughter to attend the trip, the pupil is excused and attends all other classes on the day of the scheduled trip.

### **Dress for Field Trips**

1. School Board dress policy is applicable to all field trips.
2. The type of field trip or the place to be visited may require a variance to this code for which the teacher should give guidelines. (i.e., more appropriate attire would be expected of the pupils visiting the State Theater as opposed to those going to Hershey Park).

### **School Related Activities (after-school hours)**

Whenever a pupil participates in a school-related activity after school, in the evening or weekends, a permission form signed by the parent(s) or legal guardian(s) must be secured before participation.

The Building Principal must approve after-school activities.

Board approval must be obtained for the use of facilities for evenings and weekends, see [Board Policy #7510 – Use of Facilities](#).

Adopted: August 18, 2009



### **2360 – Use of Technology**

The Board of Education recognizes the use of technology in the educational process is an essential part of the schooling experience. Technology is to be viewed as a resource to enhance the learning process among other resources available to teachers and pupils. In addition, technology can be used to enhance the administration of the schools and the district. In order to provide direction and meaning to the use of technology as an instructional resource, the Board encourages and supports staff use of technology as a component of the learning process.

For purposes of this policy “technology” includes, but is not limited to, the use of computers and computer peripherals, communications networks, access to databases and libraries of information and the integration of audio, video, multimedia devices and media for purposes of teaching and learning.

The Superintendent and Director of Technology, in consultation with teaching and support staff, shall recommend to the Board the acquisition of appropriate technology to best implement the curricular, instructional, and administrative program of the school district. The Superintendent and Technology Director shall prepare a technology plan for the school district to encompass the following:

#### **Curricular, Instructional and Administrative Need**

The technology plan shall define the curricular, instructional and administrative need for technological equipment and media for the district.

#### **In-service Education**

The Board shall provide opportunities for school staff to participate in in-service programs on hardware or software programs to be used in the execution of educational and administrative tasks. In-service programs may be provided in or out of the district, when a new program is introduced.

#### **Standards, Codes and References**

All technology installations shall conform to the industry standards and applicable federal, State and local statutes and codes.

#### **Facilities Planning**

In all facilities projects involving new constructions, additions, and renovations the Superintendent or designee shall ensure the plans include provisions for current and future technology needs in terms of the structural, electric/electronic, mechanical, acoustical and visual systems of the building(s). All educational specifications shall include features required for the use of instructional technology.

#### **Computers**

The school district will provide support or maintenance agreements for specified brands of computers. All other computers purchased or donated will be subject to repair only when non-allocated funding is available and therefore may remain unrepaired until funding is available.



### **Computer Software Acquisition and Upgrading**

The school district will only support the specified upgrades and training. Staff members shall not purchase software that has not been included on a list of specified software or has been approved by the Superintendent.

The Superintendent will recommend the purchase of upgrades to software as needed. An evaluation of upgrades shall be made by appropriate personnel and no upgrade shall be purchased without the express approval of the Director of Technology.

### **Site Licenses**

In the case where more than one copy of a software program is required, the Director of Technology shall attempt to acquire or negotiate a site license with the software developers. In the event a site license is not possible, vendors shall be sought who will provide multiple copies at a discounted cost.

### **Software Copyright**

All employees shall strictly adhere to the copyright laws of the United States. No software shall be copied and/or distributed except in accordance with these laws. All software placed on media workstations or any network with public access shall be copy protected by the Director of Technology, who shall assure that individuals who have access to such programs shall not copy them without authorization.

### **Internal Communication (District)**

The school district shall provide communication between schools by a variety of means.

### **External Communications**

The Board encourages the use of external communications so schools may utilize the vast resources of external databases and communicate with other schools, external agencies, and businesses throughout the world. Gateways to such communications will be supported by the school district. The use of particular gateways shall be approved by the Director of Technology. The Director of Technology shall be responsible for the installation of software in district owned computers and/or computer systems that prevents access to gateways and Internet sites that have material considered by the Director of Technology to be inappropriate for use by pupils.

### **Computer Laboratories and Distributed Computing**

In order to provide teacher, staff, and pupil access to computers, the Board directs that provisions be made to provide computer access in computer laboratories, classrooms, and school libraries/media centers.

### **Audio/Video**

All audio and/or video materials shall be used in accordance with the copyright laws of the United States. Teachers, pupils, or staff who create audio or video materials containing the voices or images of



the individuals involved shall obtain proper releases from those individuals, their parent(s) or legal guardian(s) for instructional use within the school.

### **Informing Parents, Legal Guardians and Interested Parties**

Upon request, the Building Principal shall make available to parent/legal guardians the computer hardware and software used in the district in order that a computer purchased privately for home use may be compatible with the computer and software the pupil uses in the school setting.

### **Broadcast Rights and Copyrights**

The Board specifically retains the Broadcast rights and copyrights to all materials created by employees of the Board as part of their responsibilities to the Board. Any financial remuneration for the use of such materials shall be retained by the Board.

### **Computer Security**

The Director of Technology shall develop security procedures to include, but not be limited to, the following areas:

1. Physical Security of Equipment  
All computer equipment shall be maintained in a secure manner appropriate to its location.
2. Data Security
  - a. Back-up procedures for system files, libraries, and data shall be practiced in a timely fashion.
  - b. Disaster recovery plans shall be kept up-to-date at all times.
  - c. Password protection shall be in place and updated periodically.
  - d. Resource security shall be in place to prevent unauthorized access to system files, libraries, and data.
3. Employee Training  
All new employees having, as part of their job responsibilities, access to computers and information systems will be trained in the proper security procedures outlined above.  
All employees having, as part of their job responsibilities, access to computers and information systems will be kept up-to-date on current security procedures for equipment and data.
4. Transaction Audit Trail  
Appropriate procedures will be maintained in order to monitor system activity and users, as necessary.
5. Security Officer  
The Superintendent shall designate the Director of Technology as the district's Computer Security Officer to monitor system security procedures.



### **Use of Facsimile (FAX) Machines**

Fax machines provide a useful means of communicating and shall be subject to the same rules that apply to the use of telephones. All incoming faxes shall be considered confidential mail. No disclosure of the contents of any fax shall be made except to the individual for whom the fax is intended. Any individual violating this confidentiality shall be subject to discipline as provided by the policies and regulations of the Board.

### **Legal References**

N.J.A.C. 6A:26-6.1 et seq.  
17 U.S.C. 101 et seq.

Adopted: August 18, 2009



### **2411 – Guidance Counseling (M)**

The Board of Education requires that a planned program of guidance and counseling be an integral part of the educational program of the schools to assist pupils in making and implementing informed educational and occupational choices including academic, career and personal/social development.

A program of guidance and counseling, including developmental career guidance and exploration, shall be offered to all pupils in this school district and shall be conducted entirely by teaching staff members certified as guidance personnel.

The Superintendent is directed to implement a guidance program that carries out the purposes of this policy and:

1. Involves teaching staff members at all appropriate levels;
2. Honors the individuality of each pupil;
3. Is integrated with the total educational program;
4. Is coordinated with available resources of the community;
5. Provides for cooperation of school staff with parent(s) or legal guardian(s) and shares parents' or legal guardians' concern for the development of their children;
6. Provides for the means of sharing information among appropriate staff members in the pupil's interest;
7. Is available equitably to all pupils and prohibits biased counseling and the use of materials that discriminate among pupils on the basis of their race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability; and
8. Establishes a referral system that utilizes all the aid the schools and community offer, guards the privacy of the pupil, and monitors the efficacy of such referrals.

#### **Legal References**

N.J.A.C. 6A:19-1.2; 6A:8-2.2

N.J.A.C. 6A:7-1.7; 6A:8-3.2

Adopted: August 18, 2009



### **R2411 – Guidance Counseling (M)**

#### A. Counseling Services

1. The purpose of guidance and counseling services is to assist pupils in self-examination, self-evaluation, and analysis of alternatives so that each pupil can benefit most fully from his/her education and life experiences.
2. Counseling services will include:
  - a. Career awareness and exploration, and academic planning through consideration of personal interests, past and potential performance, and present opportunities,
  - b. Personal/social development including adjustment to situational problems, understanding of the consequences of personal behavior, and referral to assistance where appropriate, and
  - c. Crisis counseling to assist pupils undergoing extreme emotional reactions that disrupt immediate functioning, including post-crisis planning and referral for treatment as necessary.
3. All counseling services shall be free of bias on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability.

#### B. Career Awareness and Exploration

In fulfillment of the New Jersey Core Curriculum Content Standards, the school district shall provide a comprehensive program of guidance and counseling to facilitate career awareness and exploration for all pupils which shall be designed to:

1. Assist pupils in making informed educational and occupational choices;
2. Encourage pupils to maintain portfolios consisting of accomplishments related to the Cross Content Workplace Readiness Standards;
3. Develop pupil competency in self management, educational and occupational exploration and career planning;
4. Make pupils aware of the relationship among personal qualities, education, training and the world of work; and
5. Acquaint pupils with the relationship between achieving academic standards and the attainment of career goals.

#### C. Consulting Services

1. The purpose of consulting services is the improvement of the instructional program and the delivery of educational services by the collaboration of those staff members responsible for the instructional program and the development of individual pupils.
2. Consulting services will include:



- a. Identification of the needs of pupils,
- b. Identification, evaluation, and program implementation of pupils with special needs,
- c. Development and implementation of preventive and supportive programs to address such problems as pupil attendance, violence, and suicide,
- d. Alerting professional staff to the purposes, functions, and availability of guidance and counseling services,
- e. Encouragement of cooperation among teaching staff members and parent(s) or legal guardian(s) in resolving individual pupil problems and addressing pupil needs,
- f. Establishment and maintenance of fruitful relationships with state and local agencies for the purpose of professional referral and the sharing of experiences,
- g. Maintenance of a library of occupational and educational information.

#### D. Evaluation

The program of guidance and counseling will be reviewed annually to determine its strengths and weaknesses. The following information may be gathered and analyzed in that review:

1. Results of surveys of parent(s) or legal guardian(s) and staff evaluations of guidance services;
2. Analysis of the efficacy of outside referrals;
3. Assessments by persons not employed in the school district and expert in the field of guidance and counseling; and
4. The personal evaluations of the guidance and counseling staff members to identify weaknesses in the administration of the program.

Adopted: August 18, 2009



### **2412 – Home Instruction Due to Health Condition (M)**

The Board of Education will provide instructional services to an enrolled pupil whether a general education pupil in Kindergarten through grade twelve or a special education pupil age three to twenty-one at the pupil's home or another suitable out-of-school setting when the pupil is confined to the home or another out-of-school setting due to a temporary or chronic health condition or has a need for treatment which precludes participation in their usual education setting. These services will be provided when a pupil is determined by the school physician to need confinement at their residence or other suitable out-of-school setting and the projected need for confinement is for ten consecutive school days or fifteen cumulative school days or more during the school year.

Requests for home instruction shall include a written determination from the pupil's physician documenting the projected need for the pupil's confinement to their residence or other treatment setting for ten consecutive school days or fifteen or more cumulative school days during the school year. The written determination from the pupil's physician shall be forwarded to the school physician, who shall verify the need for home instruction. The parent(s) or legal guardian(s) shall be notified concerning the school physician's verification or reason(s) for denial within five school days after receipt of the written determination by the pupil's physician.

The school district shall provide instructional services within five school days after receipt of the school physician's verification or, if verification is made prior to the pupil's confinement, during the first week of the pupil's confinement to the home or out-of-school setting.

The home or out-of-school instruction shall meet the minimum standards as required in N.J.A.C. 6A:16-10.1(c). The school district will maintain a written plan for the delivery of instruction and the teacher providing instruction shall be appropriately certified for the subject, grade level, and special needs of the pupil pursuant to N.J.A.C. 6A:9. The teacher shall provide one-on-one instruction in accordance with the requirements of N.J.A.C. 6A:16-10.1(c)3.

For a pupil with disabilities, the home instruction shall be consistent with the pupil's IEP to the extent appropriate and shall meet the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8. When the provision for home instruction for a pupil with disabilities will exceed thirty consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the pupil's IEP.

#### **Home Instruction Due to Health Condition**

For a pupil without disabilities, the home instruction shall meet the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8 and the district's requirements for promotion at that grade level. When the provision for home instruction for a pupil without disabilities will exceed sixty calendar days, the school physician will refer the pupil to the Child Study Team for evaluation according to the requirements of N.J.A.C. 6A:14.

The school district shall be responsible for the costs of providing instruction for pupils as required by N.J.A.C. 6A:16-10.1(b).



The Board reserves the right to withhold home instruction when the reason for the pupil's confinement is such as to expose a teacher to a health hazard or dangerous home situation, a parent(s) or legal guardian(s), or other responsible adult is not present during the hours of instruction, or the condition of the pupil is such as to preclude benefit from such instruction.

Pupils on home instruction will be accounted for on the attendance register as required by the Department of Education. The name of a pupil on home instruction will not be released at a public Board meeting or placed in a public record.

### **Legal References**

N.J.S.A. 18A:46-10

N.J.A.C. 6A:14-4.8; 6A:14-4.9; 6A:16-10.1

Adopted: August 18, 2009



### **R2412 – Home Instruction Due to Health Condition**

The Board of Education will provide instructional services to an enrolled pupil whether a general education pupil in Kindergarten through grade twelve or special education pupil age three to twenty-one, at the pupil's home or another suitable out-of-school setting such as a hospital or rehabilitation program when the pupil is confined to the home or another out-of-school setting due to a temporary or chronic health condition or has a need for treatment which precludes participation in their usual education setting, whether general education or special education.

#### **A. Request For Home Instruction Due To A Temporary or Chronic Health Condition**

1. The parent(s) or legal guardian(s) shall submit a request to the Building Principal that includes a written determination from the pupil's physician documenting the projected need for confinement at the pupil's residence or other treatment setting for ten consecutive school days or fifteen cumulative school days or more during the school year.
2. The Building Principal shall forward the written determination to the school physician, who shall review the written determination and verify the need for home instruction. The school physician may contact the pupil's physician to secure additional information concerning the pupil's diagnosis or need for treatment and shall either verify the need for home instruction or shall provide reasons for denial to the Building Principal.
3. The Building Principal shall notify the parent(s) or legal guardian(s) concerning the school physician's verification or reasons for denial within five school days after receipt of the written determination by the pupil's physician.

#### **B. Providing Services**

1. The school district shall provide instructional services within five school days after receipt of the school physician's verification or, if verification is made prior to the pupil's confinement, during the first week of the pupil's confinement to the home or out-of-school setting.
2. The school district shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly or through contract with another district Board of Education, Educational Services Commission, Jointure Commission, or approved clinic or agency pursuant to N.J.A.C. 6A:14 for the following categories of pupils:
  - a. A pupil who resides within the area served by this Board of Education and is enrolled in a public school program; or
  - b. A pupil who is enrolled in a nonpublic school that is located within the area served by this Board of Education pursuant to N.J.S.A. 18A:46A-1 et seq.

#### **C. Requirements For Home or Out-of-School Instruction**

1. The district shall establish a written plan for the delivery of instruction and maintain a record of delivery of instructional services and pupil progress for each pupil receiving home or out-of-school instruction.



- a. For a pupil without disabilities whose projected confinement will exceed thirty consecutive calendar days, the Building Principal shall coordinate the development of an Individualized Program Plan (IPP) for the pupil within no more than thirty calendar days from the date on which the school district received the school physician's verification that the period of confinement would likely exceed this thirty consecutive calendar day threshold.
2. The teacher providing instruction shall be appropriately certified for the subject, grade level, and special needs of the pupil pursuant to N.J.A.C. 6A:9, Professional Licensure and Standards.
3. The teacher shall provide one-on-one instruction for no fewer than five hours per week on three separate days of the week and, if the pupil is physically able, no fewer than five hours per week of additional guided learning experiences that may include the use of technology to provide audio and visual connections to the pupil's classroom.
  - a. If home instruction is provided to pupils in a small group rather than through one-on-one instruction, the minimum number of hours of instruction per week for the group shall be determined by multiplying the number of pupils in the group by five hours. The hours of instruction shall be provided on no fewer than three separate days during the week.
4. For a pupil with disabilities, the home instruction shall be consistent with the pupil's Individualized Education Plan (IEP) to the extent appropriate and shall meet the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8, Standards and Assessment. When the provision of home instruction will exceed thirty consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the pupil's IEP.
5. For a pupil without disability, the home instruction shall meet the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8, Standards and Assessment, and the district's requirements for promotion at that grade level. When the provision of home instruction will exceed sixty calendar days, the school physician shall refer the pupil to the Child Study Team for evaluation according to the requirements N.J.A.C. 6A:14.

Adopted: August 18, 2009



### **2414 – Programs for Pupils at Risk (M)**

The Board of Education recognizes that certain conditions place children at risk of not acquiring the knowledge, skills, behaviors, and attitudes necessary for school success, school completion, and successful functioning as an adult in society.

A “pupil at risk” means a pupil who is in danger of failing to achieve the New Jersey Core Curriculum Content Standards and the high school graduation requirements or dropping out of school because of specific cognitive, affective, economic, social, and/or health needs. The conditions that may place a pupil at risk include the pupil’s failure to acquire the essential skills needed to stay on grade level or the pupil’s performance below minimum levels of proficiency; history of adjustment or behavioral problems; placement on long-term suspension for violation of school rules; history of poor school attendance; being limited in English language proficiency; being disruptive or disaffected; pregnancy or parenthood; failure to qualify for promotion or graduation; condition of poverty as defined by his/her eligibility for free meals or free milk and/or exhibiting other characteristics identified by the Board.

Programs and services for pupils at risk shall meet the goals of:

1. Enhancing the health, self-esteem, and acquisition of the life skills necessary for age-appropriate development and productive functioning in the school setting and society;
2. Identifying and assisting pupils who are not meeting standards for behavior and achievement in areas such as attendance, conduct, and mastery of the curriculum, as well as performing below state minimum levels of proficiency; and
3. Improving the school climate so that pupils experience school as a safe, supportive, and disciplined place where academic and interpersonal growth and learning can take place.

Programs and services for pupils at risk may be offered during the regular school day, beyond the regular school day, or during the summer. Any such programs and services that do not require the services of a teaching staff member or cannot be reasonably accommodated in the school setting may be delivered by qualified persons who are not necessarily certified but are supervised by appropriately certified teaching staff members.

The Board shall provide staff training necessary to implement the programs and services for pupils at risk.

#### **Legal References**

N.J.A.C. 6:8-1.1 et seq.

Adopted: August 18, 2009



### **R2414 – At Risk Students (M)**

#### A. Assessment

1. School district personnel will use a variety of tests and/or assessments to determine if a pupil should be categorized as at risk of not meeting the proficiencies of the New Jersey Core Curriculum Content Standards.
2. Information regarding the district's assessment program, along with interpretive materials, will be released to the public as required by rules of the State Board of Education. No pupil identifying information will be released.

#### B. Basic Skills Improvement Program

The Basic Skills Improvement Program to be prepared and recommended to the Board for submission to the Executive County Superintendent will provide for:

1. The enrollment in preventive and remedial programs shall be required for pupils at risk who do not meet New Jersey Curriculum Content Standards Assessments;
2. The screening of pupils, within one month of enrollment, to determine whether they should be enrolled in preventive and remedial programs;
3. Supplemental instructional and related activities and services responsive to identified deficiencies and designed to meet the academic, social, economic, and environmental needs of pupils;
4. Evaluation of the progress of pupils toward proficiency in meeting the New Jersey Core Curriculum Content Standards;
5. Evaluation of the effectiveness of the district at risk program, in terms of pupil gains and other relevant factors;
6. A detailed budget for the administration, personnel, supplies, equipment, training of staff, and health and community services required for the at risk program;
7. Both the pupil and the pupil's parent(s) or legal guardian(s) will be notified of the pupil's need for at risk education. Notification will be made in writing in the language or mode of communication that is understood by the pupil and the parent(s) or legal guardian(s);
8. Continuing communication between teaching staff members and the parent(s) or legal guardian(s) of pupils receiving at risk education;
9. Programs and services may be offered during the regular school day, beyond the school day or in the summer; and
10. The Board shall provide training for the staff necessary to implement the programs and services for pupils at risk.

Adopted: August 18, 2009



### **2415 – No Child Left Behind Programs (M)**

The No Child Left Behind Act (NCLB) of 2001 is a reauthorization of the Elementary and Secondary Education Act (ESEA)/Improving America's Schools Act (IASA) 1994, providing funds to help all New Jersey's school children achieve, at a minimum, proficiency in the State standards. NCLB embodies four key principles or pillars of education reform: accountability, flexibility, choice, and methodology. The Board of Education elects to augment the instructional program of pupils by projects supported by federal funds allocated under NCLB and the district will comply with the requirements of all the programs authorized by NCLB.

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

#### **Application Procedure**

The district will submit an annual No Child Left Behind Consolidated Formula Sub-grant Application to the New Jersey Department of Education (NJDOE). The school district's application shall include all information required by the NJDOE and NCLB for the district to be considered for funding under NCLB.

#### **Covered Programs**

The intent of NCLB is that all children will meet State academic achievement standards to reach their potential through improved programs. The NCLB Consolidated Formula Sub-grant includes the following programs:

1. Title I, Part A provides the programs and resources for disadvantaged pupils to meet this intent. It requires the State and the district to close the achievement gap by placing a highly qualified teacher in every classroom, improving the qualifications of paraprofessionals who work with disadvantaged pupils, and using instructional practices that have proven to be effective.
2. Title I, Part D serves neglected and delinquent youth in institutions, community day programs, and correctional facilities to assure they also attain high academic levels of performance.
3. Title II, Part A provides the resources for improving teacher and Building Principal quality and increasing the number of highly qualified teachers and Building Principals in classrooms and schools, thereby raising pupil achievement in the academic subjects. It focuses on preparing, training, and recruiting high-quality teachers and Building Principals and requires the State to develop plans with annual measurable objectives that will ensure all teachers teaching in core academic subjects are highly qualified by the end of the 2005-2006 school year.
4. Title II, Part D facilitates comprehensive and integrated educational technology strategies that target the specific needs of individual schools. It improves pupil academic achievement through the use of technology in elementary and secondary schools, while addressing the digital divide such that every pupil is technologically literate by the end of eighth grade. Effective integration



of technology resources and systems with teacher training and curriculum development are encouraged in order to identify and showcase best practices in educational technology.

5. Title III, Part A focuses on the teaching of English to limited English proficient (LEP) children, including immigrant children and youth.
6. Title IV, Part A provides resources for fostering a safe and drug-free learning environment that supports academic achievement.
7. Title V, Part A provides a flexible source of funding to help districts in the development and implementation of various innovative reform initiatives.
8. Title VI, Part B addresses the unique needs of rural school districts.
9. Title IX covers the general provisions applicable to some/all of the programs.

Throughout NCLB, the use of solid research to improve teaching and learning as well as pupil behavior is required and promoted, and parent(s)/legal guardian(s) are provided with information and options to improve the educational opportunities provided for their children. The emphasis on scientifically based methodology encourages the use of teaching techniques and practices that are founded on research and proven to produce positive results.

### **Title I**

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

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

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

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

### **Type of Title I Program**

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



### **Target Assistance Program**

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

### **Academic Standards, Academic Assessments and Accountability**

The district will comply with the requirements as outlined in [Board Policy #2415.01 - Academic Standards, Academic Assessments and Accountability](#) in accordance with the NJDOE and NCLB.

### **Fiscal Responsibility**

The district will comply with the requirements as outlined in [Board Policy #2415.02 Title I – Fiscal Responsibilities](#) in accordance with the NJDOE and NCLB.

### **Staff**

The district will comply with the requirements as outlined in [Board Policy #2415.03 – Highly Qualified Teachers](#) in accordance with the NJDOE and NCLB. In addition, the district will ensure all paraprofessionals meet the requirements as required by NCLB and as outlined in Policy 4125 – Employment of Support Staff Members.

### **Parental Involvement**

The district will comply with the requirements as outlined in [Board Policy #2415.04 – Title I - Parental Involvement](#) in accordance with the NJDOE and NCLB.

### **Pupil Surveys, Analysis and/or Evaluations**

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

### **Unsafe School Choice Option**

In the event there is a school in the district designated as Persistently Dangerous or in accordance with the Victims of Violent Criminal Offenses as outlined in NCLB, the district will comply with the requirements of [Board Policy #2415.06 – Unsafe School Choice Option](#) in accordance with the NJDOE and NCLB.

### **Property**

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



required for Title I purposes will be used for other, similarly funded projects or disposed of in accordance with State and federal guidelines.

### **Capital Expenses**

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

### **Post-Award Requirements**

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

### **Supplement, Not Supplant**

Grant funds provide under federal programs, including No Child Left Behind funding, shall supplement, not supplant other non-federal funds that are available to provide programs and services to eligible pupils, unless otherwise provided in the grant program.

### **Evaluation**

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

### **Legal References**

No Child Left Behind Act of 2001

Adopted: August 18, 2009



### **R2415 – Title I Services (M)**

The Board of Education elects to augment the instructional program of educationally deprived pupils by projects supported by federal funds allocated under Title I – The Improving America’s Schools Act of 1994 (IASA) (Public Law 103-382) Part A and Part C Subpart 2.

#### **Purpose**

The purpose of Title I is to enable schools to provide opportunities for children served to acquire the knowledge and skills contained in the challenging State content standards and to meet the challenging State performance standards developed for all children.

#### **Title I Grants**

The school district is eligible to receive a Basic Grant. The amount of the grant shall be in accordance with Federal and State Title I guidelines. The school district may be eligible for the following Title I grants:

- A. Basic Grant – The school district is eligible for a Basic Grant based on State expenditure levels, county poverty levels and number of eligible children in accordance with the Title I guidelines and regulations.
- B. Concentration Grants – The county may be eligible for a Concentration Grant based on the number of Title I eligible children in the county or on the county’s poverty rate. The school district is eligible for the Concentration Grant if the county does not qualify for the grant and if the school districts where pupil poverty rates exceed those of the county where they live. Concentration Grants will be distributed to the county and/or the school district in accordance with all Title I guidelines and regulations.
- C. Target Grants – The school district is eligible to receive a Target Grant if it has at least ten formula children and if the number of low income children is at least five percent of the total school population, aged 5 to 17 years old. Target Grants will be distributed in accordance with the Title I guidelines and regulations.

#### **Application Procedure**

- A. The school district will submit an application and plan for Consolidated Grant funds to the New Jersey Department of Education for approval. The school district plan and application must describe:
  - 1. Any additional high quality assessments, if any, other than those described in the State Plan, that the school district and the individual schools will use to;
    - a. Determine success in meeting the State’s pupil performance standards;
    - b. Provide information on individual pupil progress;



- c. Assist in diagnosis, teaching and learning in the classroom that will enable children served under the Title I to meet the State standards and attain success in the local curriculum; and
  - d. Determine that revisions are needed to Title I projects to facilitate the above.
2. Indicators that will be used to provide information on individual pupil progress toward meeting the State performance standards and to aid in improving instruction;
  3. The professional development activities;
  4. Poverty criteria used to select eligible school attendance areas;
  5. How pupils most in need of services in non school-wide schools will be selected;
  6. How the school district will coordinate and integrate services provided with other educational services, federal programs and programs provided by other State agencies, at the school district or individual school level;
  7. Plans to provide for and include eligible children in private schools;
  8. How school improvement and corrective action will be carried out;
- B. The school district will develop the Title I plan in consultation with parent(s) or legal guardian(s) of children in schools served under Title I.

### **Program Requirement, Determination and Allocation of Funds**

- A. Determination – Title I funds will be used only in eligible school attendance areas as designated in the Title I guidelines and regulations. In order for a school to be designated as an eligible school attendance area, for Title I purposes, the percentage of children from low-income families in the school attendance area must be at least as high as the percentage of children from low-income families in the school district as a whole.
- B. Ranking Order – The school district may rank its attendance areas by grade-span grouping or for the entire school district. If funds are insufficient to serve all eligible school attendance areas, the school district will:
1. Annually rank, without regard to grade-span, eligible school attendance areas in which the concentration of children from low income families exceeds 75% from highest to lowest according to the percentage of children from low income families; and
  2. Serve such eligible school attendance areas in rank order.
- C. Remaining Funds – If funds remain after serving these eligible school attendance areas, a school district will:
1. Annually rank such agency’s remaining eligible school attendance areas from highest to lowest either by grade span or for the entire local educational agency according to the percentage of children from low-income families; and



2. Serve such eligible school attendance areas in rank order either within each grade-span grouping or within the school district as a whole.
- D. Measures of Identification – The school district will use the best available measure for identifying children from low-income families to identify eligible school attendance areas, determine the ranking of each area and to determine allocations. This measure shall be the number of children ages five through seventeen in poverty counted in the most recent census date, the number of children eligible for free and reduced-price lunches under the National School Lunch Act, the number of children in families receiving assistance under the Aid to Families with Dependent Children program, the number of children eligible to receive medical assistance under the Medicaid program, or a composite of such indicators. This requirement is not applicable if the school district has a total enrollment of less than 1,000 children.
- E. Waiver for Desegregation Plan – The U.S. Secretary of Education may approve the school district’s written request for a waiver of the eligible attendance area requirements in accordance with Title I guidelines and regulations.
- F. School District Discretion – In general the school district may:
1. Designate as eligible any school attendance area or school in which at least 35% of the children are from low income families;
  2. Use Title I funds in a school that is not in an eligible school attendance area, if the percentage of children from low-income families enrolled in the school is equal to or greater than the percentage of such children in a participating school attendance area of such agency;
  3. Elect not to serve an eligible school attendance area or eligible school that has a higher percentage of children from low-income families if:
    - a. The school meets the comparability requirements;
    - b. The school is receiving supplemental funds from other state or local sources; and
    - c. The funds expended from other sources are equal to or exceed the amount that would be provided under Title I.
  4. **Special Rule:** If a Local Educational Agency (LEA) chooses not to serve an eligible school attendance area, the number of children attending private elementary and secondary schools who are to receive services, and the assistance such children are to receive under this part, shall be determined without regard to whether the public school attendance area in which such children reside receives Title I funds.
- G. Allocations: In general:
1. The school district will allocate Title I funds to eligible school attendance areas or eligible schools, in rank order, on the basis of the total number of children from low-income families in each area or school.



2. The per-pupil amount of funds allocated to each school attendance area or school shall be at least 125% of the per pupil amount of funds the school district received for that year under the poverty criteria described by the school district's plan. This will not apply if the school district only serves schools in which the percentage of such children is 35% or greater.
  3. The school district may reduce the amount of funds allocated for a school attendance area or school by the amount of any supplemental state and local funds expended in that school attendance area or school for programs that meet the requirements for school-wide or target assistance schools.
  4. The school district will reserve Title I funds as necessary to provide services comparable to those provided to children in schools funded with Title I funds to serve:
    - a. Where appropriate, eligible homeless children who do not attend participating schools, including providing educationally related support services to children in shelters;
    - b. Children in local institutions for neglected or delinquent children; and
    - c. Where appropriate, neglected and delinquent children in community day school programs.
- H. Children Enrolled in Private Schools – The school district will offer Title I services to eligible children enrolled in private elementary and secondary schools. The services and benefits will be equitable in comparison to services and benefits for participating public school children. The school district will contact the private school in writing and consult with private school officials before the school district makes any decision that affects the private school children. This consultation shall include the following:
1. Criteria for low income;
  2. How the children's needs will be identified;
  3. What services will be offered;
  4. How and where the services will be provided; and
  5. How the services will be assessed and the size and scope of equitable services to be provided to the eligible private school children and the proportion of funds allocated for such services.
- The school district will keep records of the consultation with the private school officials and funds will be allocated to private schools in accordance with Title I guidelines and regulations.
- I. Coordination Requirements – The school district will provide the State Department of Education assurances that it will provide the maximum coordination between the Title I program, the regular school program and services provided by other programs for specialized populations. The Title I program will consider the special needs of homeless children, migrant children, disabled children and Limited English Proficient (LEP) children. Title I funds will be reserved so that migrant children who are otherwise eligible to receive Title I service, even if they arrive in the school year, are served.



- J. Application Procedures – The school district may apply for Title I funds under Basic Grants, Concentration Grants and Local Neglected or Delinquent (N or D) Grants either individually or cooperatively with other school districts in accordance with Title I guidelines and regulations.
- K. Submission of Application – The school district will submit its Title I application and supporting information in accordance with Title I guidelines and regulations.
- L. Application Review – The Department of Education will review the school district’s application in accordance with Title I guidelines and regulations.

### **Fiscal Requirements**

- A. The amount of funds the school district may be entitled to is based on the school district formula count as indicated in the Title I guidelines and regulations. The school district will use Title I funds for projects designed to provide supplemental services to meet the special educational needs of educationally deprived children at the preschool, elementary and secondary school levels. Title I funds will only be used to pay for authorized activities as indicated in the school district’s application and plan and as provided for in the Title I guidelines and regulations.
- B. Utilization – The school district may use Title I funds for projects designed to provide supplemental services to meet the special education needs of educationally deprived children at the preschool, elementary and secondary school levels. Funds will be used and the funds will only pay for Title I activities in accordance with Title I guidelines and regulations.
- C. Maintenance of Effort – The school district may receive the full Title I allocation if the State Department of Education determines that either the school district’s per pupil expenditures or aggregate expenditures of State and local funds for free public education in the preceding year were not less than 90% of the expenditures for the second preceding year. The school district’s allocation will be reduced by the exact percentage that the school district failed to meet the 90% level.
- D. Comparability of Services – Title I funds will be used only to supplement the district’s regular programs and will not be used to supplant state and local funds received by this district. The school district will use state and local funds to provide educational services in schools receiving Title I assistance that, taken as a whole, are at least comparable to services being provided in schools that are not receiving Title I assistance. Moreover, state and local funds will be used to provide comparable services in all schools receiving Title I assistance.

In order to achieve comparability of services, the Board directs the Superintendent to assign teachers, administrators, and auxiliary personnel and to provide curriculum materials and instructional supplies to schools and classes in such a manner as to ensure equivalence throughout the district in professional services and educational materials.

Title I services provided to private school pupils will be equivalent to those provided to public school pupils.



- E. Supplement – The school district will use Title I funds to supplement, and to the extent practicable, increase the level of funds that would, in the absence of such funds, be made available from non-federal sources for the education of pupils participating in Title I programs and projects.
- F. Capital Expenses – The school district may apply to the State Department of Education for costs associated with capital expenses incurred to provide equitable services for eligible private school children.
- G. Property – Property acquired through Title I funds for use in public or private schools will be acquired in accordance with the Public School Contracts Law, will be held in title by the Board of Education, and will not be used for other purposes so long as it is required in the Title I program. Property no longer required for Title I purposes will be used for other, similarly funded projects or disposed of in accordance with Board Policy and state and federal guidelines.

### Legal References

20 U.S.C.A. 3801 et seq.

34 C.F.R. Part 200

20 U.S.C.A. 6301 et seq.

Title I Program Guidelines, New Jersey Department of Education

Adopted: August 18, 2009



### **2415.01 – Academic Standards, Academic Assessments and Accountability (M)**

The No Child Left Behind Act of 2001 (NCLB), a reauthorization of the Elementary and Secondary Education Act (ESEA), requires New Jersey to implement a single accountability system to include challenging academic content and academic achievement standards. The accountability requirements under NCLB were built on the foundation of the former Improving America's Schools Act (IASA).

To meet the Federal requirements, New Jersey has adopted the New Jersey Single Accountability System. State assessments in language arts literacy and mathematics are based on the New Jersey Core Curriculum Content Standards. All pupils enrolled in New Jersey public schools, plus all pupil subgroups, must meet the proficiency benchmarks to ensure the goal of 100% proficiency. Pupils must score either “proficient” or “advanced proficient” on the assessments to be counted toward meeting the benchmarks.

Schools are evaluated using adequate yearly progress (AYP) indicators. Pupil achievement is determined by grade span (Elementary School – grades three through five, Middle School – grades six through eight, and High School – grades nine through twelve) and in each content area. There are indicators that must be met (including participation and proficiency rates) plus a secondary indicator. A safe harbor calculation is applied to measure significant progress if the benchmark is missed. When a school does not meet AYP for two consecutive years in the same content area, it is designated as a “school in need of improvement.”

AYP shall be calculated for all New Jersey schools under the provisions of NCLB. Schools that do not meet AYP as defined under NCLB are placed into one of the following categories. Title I schools in need of improvement must implement the sanctions for each category.

**Year 1 – Early Warning:** A school that does not make AYP for one year is placed into “early warning” status.

**Year 2 – In Need of Improvement/School Choice:** A school that does not make AYP for two consecutive years in the same content area is designated as a “school in need of improvement.” Parents/legal guardians shall be promptly notified if their child’s school has been designated as in need of improvement. For Title I schools certain interventions apply, including intradistrict school choice (or supplemental educational services if choice is not available) and development of a school improvement plan (Title I Unified Plan). The district must offer the school technical assistance to address the areas that caused the school to be in need of improvement. Parents/legal guardians shall be notified of their right to request intradistrict public school choice and parents/legal guardians of eligible pupils shall be notified of the availability of supplemental educational services, if choice is not available, including the provider list Web address.

**Year 3 – In Need of Improvement/Supplemental Educational Services (SES):** A school that does not make AYP for three consecutive years in the same content area shall continue to be identified as a “school in need of improvement.” The Title I school must continue to offer intradistrict school



choice and must also offer SES to eligible pupils. Technical assistance must continue to be offered by the district, parents must receive notification of the school's status, and the school improvement plan (Title I Unified Plan) is updated annually. Parents/legal guardians of eligible pupils shall be notified of the availability of supplemental educational services, if choice is not available, including the provider list Web address.

The New Jersey Department of Education (NJDOE) offers school support by engaging a team of experienced professionals to conduct an extensive school review called Collaborative Assessment and Planning for Achievement (CAPA). The CAPA team interviews stakeholders and staff, reviews school and district documents, and conducts on-site observations to develop a report that contains recommendations for school improvement, which then becomes part of the Title I Unified Plan.

Year 4 – Corrective Action: A school that does not make AYP for four consecutive years in the same content area is identified as a school in corrective action. The Title I school must continue to offer intra-district school choice and SES, notify parents of the school's status, revise its school improvement plan (Title I Unified Plan), and receive technical assistance from the district and the NJDOE.

The district must take at least one of the following corrective actions:

1. Provide, for all relevant staff, appropriate, scientifically research-based professional development that is likely to improve academic achievement of low-performing pupils.
2. Institute a new curriculum grounded in scientifically-based research and provide appropriate professional development to support its implementation.
3. Extend the length of the school year or school day.
4. Replace the school staff who are deemed relevant to the school not making adequate progress.
5. Significantly decrease management authority at the school.
6. Restructure the internal organization of the school.
7. Appoint one or more outside experts to advise the school how to revise and strengthen the improvement plan it created while in school improvement status and how to address the specific issues underlying the school's continued inability to make AYP.

Year 5 – Planning for Restructuring: A Title I school that does not make AYP for five consecutive years in the same content area must plan to restructure. The restructuring plan is implemented at the beginning of the following school year if the school continues to miss AYP benchmarks and moves to Year 6. During the planning year, the Title I school must continue to offer intra-district school choice and SES, notify parents of the school's status and invite parent input during the restructuring process, and receive technical assistance from the district and the NJDOE. The technical assistance design for a school being restructured emphasizes the following:



1. The importance of improving instruction by using strategies grounded in scientifically-based research so that all children in the school achieve proficiency in the core academic subjects of language arts and mathematics.
2. The importance of analyzing and applying data in decision-making.

The restructuring plan must include one of the following alternative governance systems for the school as outlined by NCLB regulations and consistent with New Jersey practice and statutes:

1. Implement any major restructuring of the school’s governance that is consistent with the principles of restructuring as set forth in the No Child Left Behind Act.
2. Re-open the school as a public charter school as defined by State statute and regulation (N.J.S.A. 18A:36A-1 et seq. and N.J.A.C. 6A).
3. Replace all or most of the school staff, which may include the Principal, who are relevant to the school’s inability to make adequate progress (consistent with existing contractual provisions and applicable statutory protections in Title 18A).

Year 6 – Restructuring-1: A Title I school that does not make AYP for six consecutive years in the same content area must implement the approved restructuring plan. The Title I school must continue to offer intra-district school choice and SES, notify parents of the school’s status and invite parent input and support during the implementation process, and receive technical assistance from the district and the NJDOE. Technical assistance is critical to help school staff remain focused on increasing pupil achievement while the school is adjusting to potentially radical changes in its administration and governance structures. A CAPA visit will occur at the school to determine the fidelity of implementation of the restructuring plans and to review the governance structure of the school.

Year 7 (and over) – Restructuring-2 (and over): If the school has not made AYP for seven or more consecutive years, the NJDOE will meet with school and district administrators to continually review implementation of the restructuring plan/Title I Unified Plan. Benchmark meetings with NJDOE staff, the school, and the district will occur twice a year to assess and support implementation of the school improvement plan.

Removal from Early Warning/Improvement Status: To be removed from early warning or improvement status, the school must make AYP for two consecutive years in the content area that caused the school to go into status, providing the school makes AYP in the other content areas. The first year of making AYP is a “hold year” and the school does not progress to the next sanction level, but must continue to implement current interventions. If the school does not make AYP the year following “hold,” the school goes back into improvement status at the level prior to the hold year.



### Legal References

No Child Left Behind Act of 2001, §1111

Adopted: August 18, 2009  
Revised: March 11, 2011



### **2415.02 – Title I - Fiscal Responsibilities (M)**

The Board of Education will comply with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001.

#### **Maintenance of Effort**

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(a), the Lopatcong Township Board of Education will maintain a combined fiscal effort per pupil, or aggregate expenditures, of State and local funds with respect to the provision of the free public education in the Local Education Agency (LEA) for the preceding fiscal year that is not less than ninety percent of the combined fiscal effort per pupil, or the aggregate expenditures, for the second preceding fiscal year.

#### **Comparability with Multiple Schools**

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(c), the Lopatcong Township Board of Education directs the Superintendent to assign teachers, administrators, and auxiliary personnel to the schools in such a way that the equivalence of personnel is ensured among schools.

#### **Comparability of Materials and Supplies**

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(c), the Lopatcong Township Board of Education directs the Superintendent to distribute curriculum materials and instructional supplies to the schools in such a way that the equivalence of such material is ensured among schools.

#### **Legal References**

No Child Left Behind Act of 2001, §1120A

Adopted: August 18, 2009



### **2415.03 – Highly Qualified Teachers (M)**

The No Child Left Behind Act (NCLB) requires all teachers be or become highly qualified in the core academic content area(s) they teach in accordance with the United States Department of Education and the New Jersey Department of Education highly qualified teacher requirements.

Teachers who have achieved highly qualified status retain highly qualified status permanently for the teaching assignment designated on the approved highly qualified teacher forms. No teacher providing direct instruction in core content areas is grandfathered or exempt from this process.

The district shall maintain the appropriate highly qualified documentation for all teachers who provide direct instruction in core content areas. When a teacher changes teaching assignments, which requires different content expertise, additional highly qualified teacher forms must be completed and kept on file within the district. Highly qualified teacher documentation should be completed for all new teachers and for those with new teaching assignments at the beginning of each school year.

When a teacher obtains employment in a new school district, the new district must contact the previous place of employment to have the teacher's official highly qualified teacher forms sent to the new district. A teacher hired from another State must hold New Jersey certification and must meet New Jersey's highly qualified teacher requirements. Out-of-State teachers may provide documentation to support their highly qualified teacher status from the previous State in which they taught.

All Title I schools must send out a Right-to-Know letter in the beginning of every school year informing parent(s) or legal guardian(s) that they have the right to know the qualifications of their child's teacher. The letter should be sent by all Title I and non-Title I districts. In addition, in all Title I schools, the parent(s) or legal guardian(s) of pupils whose teacher is not yet highly qualified must be notified. Copies of these letters must be kept on file in the school.

#### **Legal References**

No Child Left Behind Act of 2001, §1119

Adopted: August 18, 2009  
Revised: February 9, 2010



### **2415.04 – Title I - Parental Involvement (M)**

#### **General Expectations**

The school district will put into operation programs, activities, and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with Section 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities, and procedures will be planned and operated with meaningful consultation with parents of participating children.

Consistent with Section 1118, the school district will work with its schools to ensure that the required school-level parental involvement policies meet the requirements of Section 1118(b) of the ESEA, and each include, as a component, a school-parent compact consistent with Section 1118(d) of the ESEA.

The school district will incorporate this District-Wide Parental Involvement Policy into its school district's plan developed under Section 1112 of the ESEA.

In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, the school district and its schools will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under Section 1111 of the ESEA in an understandable and uniform format, including alternative formats upon request, and to the extent practicable, in a language parents understand.

If the school district's plan for Title I, Part A, developed under Section 1112 of the ESEA, is not satisfactory to the parents of participating children, the school district will submit any parent comments with the plan when the school district submits the plan to the New Jersey Department of Education.

In the event the school district is required to reserve and spend at least one percent of the district's Title I, Part A allocation, the school district will involve the parents of children served in Title I, Part A schools in decisions about how these funds will be spent and will ensure that not less than ninety-five percent of the one percent reserved goes directly to the schools.

The school district will be governed by the following statutory definition of parental involvement, and expects Title I schools in the district will carry out programs, activities, and procedures in accordance with this definition:

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving pupil academic learning and other school activities, including ensuring-

1. That parents play an integral role in assisting their child's learning;
2. That parents are encouraged to be actively involved in their child's education at school;
3. That parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child; and
4. The carrying out of other activities, such as those described in Section 1118 of the ESEA.



In the event the State of New Jersey or the New Jersey Department of Education has a Parental Information and Resource Center, the school district will inform parents and parental organizations of its purpose and existence.

Below is a description of how the district will implement or accomplish each of the following components outlined below (Section 1118(a)(2), ESEA):

1. The district will take the following actions to involve parents in the joint development of its district-wide parental involvement plan under Section 1112 of the ESEA:
  - a. schedule parent meetings,
  - b. hold advisory committee meetings, and
  - c. receive input from parent training meetings.
2. The district will take the following actions to involve parents in the process of school review and improvement under Section 1116 of the ESEA:
  - a. schedule parent meetings,
  - b. hold advisory committee meetings, and
  - c. receive input and follow-up from parent training meetings.
3. The district will provide the following necessary coordination, technical assistance, and other support to assist Title I, Part A schools in planning and implementing effective parental involvement activities to improve pupil academic achievement and school performance:
  - a. adequate facility use (e.g., Literacy Programs),
  - b. personnel to assist in coordination,
  - c. available district supplies to support planning/implementation, and
  - d. website space.
4. The school district will coordinate and integrate parental involvement strategies in Part A with parental involvement strategies under the following other programs: (Insert programs, such as: Head Start, Reading First, Early Reading First, Even Start, Parents As Teachers, Home Instruction Program for Preschool Youngsters, and State-operated preschool programs), by:
  - a. Head-Start – cooperation/collaboration agreement,
  - b. appropriate materials to distribute from Reading First, and
  - c. appropriate materials from the DOE, including educational publications.
5. The school district will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this Parental Involvement Policy in improving the quality of its Title I, Part A schools. The evaluation will include identifying barriers to greater participation by parents in parental involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The school district will use the findings of the evaluation about its Parental Involvement Policy and



activities to design strategies for more effective parental involvement, and to revise, if necessary (and with the involvement of parents) its parental involvement policies. Currently these actions include:

- a. parent meetings facilitated by the NCLB Coordinator,
- b. advisory meetings facilitated by the NCLB Coordinator, and
- c. input/response on parent trainings reviewed by the NCLB Coordinator, building and appropriate district administrators.

The school district will build the school's and parent's capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve pupil academic achievement, through the following activities specifically described below:

1. The school district will, with the assistance of its Title I, Part A schools, provide assistance to parents of children served by the school district or school, as appropriate, in understanding topics such as the following, by undertaking the actions described below:
  - New Jersey's academic content standards;
  - New Jersey's pupil academic achievement standards;
  - The New Jersey and local academic assessments including alternate assessments;
  - The requirements of Part A;
  - How to monitor their child's progress; and
  - How to work with educators.

The following activities, workshops, conferences, and classes are used to ensure success:

- a. district Literacy Training Sessions for parents,
  - b. district Technology Training Sessions for parents, and
  - c. district website links.
2. The school district will, with the assistance of its schools, provide materials and training to help parents work with their children to improve their children's academic achievement, such as literacy training, and using technology, as appropriate, to foster parental involvement, by:
    - a. day and evening Parent Training opportunities in Literacy,
    - b. day and evening Parent Training opportunities in Technology, and
    - c. parent meetings held as necessary to accommodate parents to foster assistance in improved academic performance.
  3. The school district will, with the assistance of its schools and parents, educate its teachers, pupil services personnel, Building Principals and other staff in how to reach out to, communicate with, and work with parents as equal partners in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools, by:



- a. holding building-level meetings/training sessions,
  - b. holding district level-level meetings/training sessions, and
  - c. distributing appropriate literature, when feasible, to staff members.
4. The school district will, to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in fully participating in the education of their children, by:
- a. holding meetings on pertinent topics,
  - b. holding training sessions on pertinent topics, and
  - c. distributing appropriate literature when available.
5. The school district will take the following actions to ensure that information related to the school and parent programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand:
- a. information available on the district website,
  - b. use of available technology, and
  - c. website links to Title I resources.

### **Discretionary District-wide Parental Involvement Policy Activities**

The additional information outlined below lists and describes discretionary activities the school district, in consultation with its parents, may undertake to build parents' capacity for involvement in the school and school system to support their children's academic achievement:

1. Providing necessary literacy training for parents from Title I, Part A funds, if the school district has exhausted all other reasonably available sources of funding for that training; and
2. In order to maximize parental involvement and participation in their children's education, arranging school meetings at a variety of times between teachers or other educators, who work directly with participating children, with parents who are unable to attend district/building-wide conferences.

### **Adoption**

This District-Wide Parental Involvement Policy has been developed jointly, and agreed on with parents of children participating in Title I, Part A programs. This Policy will be distributed to all parents of participating Title I, Part A children in an understandable and uniform format and, to the extent practicable, in a language the parents understand, at the beginning of each school year or when the child is determined eligible and begins participating in Title I, Part A programs.



### Legal References

United States Department of Education Non-Regulatory Guidance – Appendix D- District-Wide Parental Involvement Policy

Adopted: August 18, 2009  
Revised: March 8, 2011



### **2415.05 – Pupil Surveys, Analysis and/or Evaluations (M)**

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. §1232h; 34 CFR Part 98) applies to school districts that receive funding from the United States Department of Education.

#### **Consent**

PPRA requires written consent from parents/legal guardians and pupils who are eighteen years old or emancipated minor pupils before minor pupils are required to participate in a survey, analysis, or evaluation funded in whole or in part by a program of the United States Department of Education that concerns one or more of the following nine areas referred to as “protected information surveys”:

1. Political affiliations or beliefs of the pupil or pupil’s parent;
2. Mental or psychological problems of the pupil or pupil’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as with lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the pupil or parents;
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or
9. Social security number.

This consent requirement also applies to the collection, disclosure or use of pupil information for marketing purposes, referred to as “marketing surveys”, and for certain physical examinations and screenings.

#### **“Opt a Pupil Out” Notice**

The parents and eligible pupils will be provided an opportunity to opt a pupil out of participating in:

1. The collection, disclosure, or use of personal information obtained from pupils for marketing, to sell, or otherwise distribute information to others;
2. The administration of any other “protected information survey” not funded in whole or in part by the United States Department of Education; and
3. Any non-emergency, invasive physical examination required as a condition of attendance, administered by the school district or its agents, and not necessary to protect the immediate health and safety of a pupil, except for hearing, vision, scoliosis screenings, or any physical examination or screening permitted or required under State law.



### **Inspection**

The parents and eligible pupils, upon request and before administration or use, have the right to inspect:

1. Protected information surveys of pupils;
2. Instruments used to collect personal information from pupils for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

The Superintendent shall be responsible for obtaining the consent, annual direct notification to parents and eligible pupils at the start of each school year and after any substantive changes of the “opt a pupil out” rights and the inspection rights provisions of PPRA and this Policy. The “opt a pupil out” notice shall include any specific or approximate dates of the activities eligible for a pupil to “opt out.”

### **PPRA Consent/Opt Out Violations**

Parents or pupils who believe their rights under PPRA may have been violated may file a complaint with United States Department of Education.

### **Legal References**

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. §1232h; 34 CFR Part 98)  
No Child Left Behind Act of 2001, Title X, Part F, §1061

Adopted: August 18, 2009



### **2415.06 – Unsafe School Choice Option (M)**

The Unsafe School Choice Option (USCO) provision of The No Child Left Behind Act of 2001 (NCLB) §9532 contains two provisions that apply to school districts that receive funds under NCLB: Provision I - Persistently Dangerous Schools and Provision II - Victims of Violent Criminal Offenses.

Effective the beginning of each school year, school districts receiving NCLB funds must be prepared to complete the transfer of pupils who choose to exercise Provision I and Provision II of NCLB and this Unsafe School Choice Option Policy. Compliance with the Policy is a condition of receiving funds under any and all titles under NCLB. The Superintendent is required to certify compliance with this USCO Policy to the New Jersey Department of Education (NJDOE) in the application for NCLB funds.

USCO Policy Provision I - Persistently Dangerous Schools (PDS)

#### 1. Criteria for Determining Persistently Dangerous Schools

A persistently dangerous school is a public elementary or secondary school building (except for Regional Day Schools, Educational Services Commissions and Special Services School Districts) that meets the objective criteria determined by the New Jersey Department of Education (NJDOE) for three consecutive years and is part of a school district that receives funds under NCLB. The NJDOE will use the most current available data from the Electronic Violence and Vandalism Reporting System (EVVRS) to identify persistently dangerous schools on or before July 31 of each year, in compliance with federal regulations (68 FR 16789).

#### 2. Procedures and Guidelines for Schools Determined to be Persistently Dangerous

Once the district receives notification a school is identified as persistently dangerous, the district must inform all parents of enrolled pupils in the school of the designation within fifteen calendar days of the notice and offer them the option for their children to transfer to a safe public school within the district by the beginning of the respective school year. The district must complete all transfers by the beginning of the school year following the July notification.

Pupils are not required to accept the transfer option, but they must be afforded the opportunity to do so. Parental notice regarding the status of the school and the offer to transfer pupils should be made simultaneously. Parents of enrolled pupils must be notified of the persistently dangerous designation whether or not there is another school within the district for the transferring pupils.

To the extent possible, the district will allow transferring pupils to transfer to schools that are making adequate yearly progress in accordance with NCLB and have not been identified as being in need of school improvement, corrective action or restructuring. The district will take into account the needs and preferences of the affected pupils and parents.

#### 3. Corrective Action Plan for a School Identified as Persistently Dangerous

If a school in the district is identified as persistently dangerous, the district will submit to the NJDOE, on or before August 25, documentation of compliance with the parent notification requirement and actions taken to complete the transfer arrangements for all pupils exercising the



option by the first day of the school year. The district will also develop and submit for approval a corrective action plan to the NJDOE on or before September 30 of the same year, which will apply to the respective school year. The corrective action plan, which must be completed in the format provided by the NJDOE, will describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide schools with guidance for their corrective action plans, as well as monitor the school district's timely completion of the approved plans.

In the spring of each following year, the NJDOE will re-evaluate the status of a school identified as persistently dangerous. The NJDOE will review the school's progress towards completing their corrective action plan and compare the current year's incidents of violence, as reported on the EVVRS, to the criteria for determining persistently dangerous schools (PDS). A school identified as maintaining the persistently dangerous designation will be notified by the NJDOE on or before July 31 of the respective year and will be required to submit for approval a revised corrective action plan by August 25 of that year, which will apply to the respective school year. The school district must inform all parents of enrolled pupils in the school of the designation within fifteen calendar days of the notice and offer them the option for their children to transfer to a safe public school by the beginning of the respective school year.

A school no longer designated persistently dangerous will be notified on or before July 31 of the respective year. The persistently dangerous designation will be removed after one or more years contingent upon successful fulfillment of the criteria for removal, as determined by and in accordance with guidance provided by the NJDOE.

#### 4. Procedures and Guidelines for Early Warning of Schools

Effective in 2004, if a school meets the criteria set forth in this Policy for two consecutive years, the district will be notified of their pattern of offenses on or before August 15 of each year. If notified, the district will develop and submit to the NJDOE for approval a corrective action plan on or before September 30 of the same year, which will apply to the respective school year. The corrective action plan, which must be completed in the format provided by the NJDOE, will describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide the school with guidance for their corrective action plan, as well as monitor the school's timely completion of the approved plan. This school shall become a top priority for intensified district support for research-based programs and technical assistance. A school receiving an "early warning" notice is not required to provide the transfer option to pupils.

In the spring of each following year, the NJDOE will reevaluate the school's progress towards completing their corrective action plan and compare the current year's incidents of violence, as reported on the EVVRS, to the criteria for determining persistently dangerous schools. Schools will be notified of their status on or before July 31 of the respective year.

A school that has successfully completed their corrective action plan and reported violent incidents that no longer meet the Criteria for Determining Persistently Dangerous Schools for



one school year (the year in which the corrective action plan was in effect) will no longer be required to submit a Corrective Action Plan.

A school that does not successfully complete their Corrective Action Plan and that meets the criteria set forth in this Policy for a third consecutive year will be designated as persistently dangerous and will be required to submit for approval a revised corrective action plan on or before September 30 of that year, which will apply to the respective school year. The district will also provide the transfer option to pupils in the school designated as persistently dangerous.

5. Schools Not Receiving NCLB Funds, but Meeting the Criteria for PDS

School buildings and districts that do not receive federal funds under NCLB, but meet any one of the criteria for persistently dangerous schools, will be contacted by the NJDOE and be required to develop and submit for approval a Corrective Action Plan on or before September 30 of the respective year. The Corrective Action Plan must be completed in the format provided by the NJDOE and describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide the school guidance for their corrective action plan, as well as monitor the school's timely completion of the approved plan.

### **USCO Policy Provision II - Victims of Violent Criminal Offenses**

The Victim of Violent Criminal Offenses provision of NCLB requires a pupil who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary or secondary school that the pupil attends, be allowed to attend a safe public elementary or secondary school within the district, including a public charter school.

The Superintendent will consult with the Board attorney and communicate with designated local and/or county law enforcement authorities, per the provisions of the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials and N.J.A.C. 6A:16-6.2(b)12, on questions and issues that arise in the implementation of the individual victims of violent criminal offenses section of this Policy.

1. Criteria for Determining Victims of Violent Criminal Offenses

The following criteria must be used to determine when an enrolled pupil has become a victim of a violent criminal offense while in or on the grounds of a public elementary or secondary school that the pupil attends. These criteria only apply to a pupil who has become a victim of one or more of the violent criminal offenses enumerated below:

A pupil is considered a victim of a violent criminal offense when:

- a. A referral has been made to law enforcement officials for suspicion that one of the violent criminal offenses enumerated below has occurred; and One or more of the following applies:
  - (1) Law enforcement officials have filed formal charges against the perpetrator(s) for commission of the violent crime; or
  - (2) The perpetrator(s) of the violent crime has been disciplined in accordance with school policy; or



- (3) The perpetrator(s) of the violent crime either has not been identified or is not an enrolled pupil(s), but it is clear that the pupil (victim) has become a victim of a violent criminal offense based on objective indicators such as physical evidence, eyewitness testimony, and/or circumstantial evidence; or
- (4) The pre-existence of a restraining order against the perpetrator(s) of the violent crime.

### 2. Procedures and Guidelines

Effective the first day of each school year beginning in 2003, the district must be prepared to begin the transfer of any pupil who chooses to exercise the unsafe school choice option provision. The district must offer, within ten calendar days, an opportunity to transfer to a safe public school within the district to any pupil who has become a victim of a violent criminal offense while in or on the grounds of a public school that the pupil attends. While the pupil must be offered the opportunity to transfer, the pupil may elect to remain at the school.

To the extent possible, the district will allow any transferring pupil to transfer to a school that is making adequate yearly progress in accordance with NCLB and has not been identified as being in need of school improvement, corrective action or restructuring. The district will take into account the needs and preferences of the affected pupil and his or her parent(s). Transfers must occur within thirty days of the determination that the pupil was a victim of a violent criminal offense.

### 3. Violent Criminal Offenses

The violent criminal offenses under New Jersey statutes that apply to the individual victim provision are identified and explained below. The offenses apply to completed offenses, as well as threats and attempts to commit the offenses. The offenses and attempts to commit the offenses apply only when they occur in or on the grounds of a school that the pupil attends. The offenses apply whether they occur wholly or in part in or on the grounds of a school that the pupil attends.

The offenses apply only to acts or attempts that are directed at a person (victim) or a group of specified individuals (victims), rather than acts that indiscriminately affect the entire school population or non-specified individuals or groups. For the purposes of this Unsafe School Choice Option Policy, the term “victim” shall not include a pupil who purposely, knowingly or recklessly provokes the conduct constituting the criminal incident against him or her.

### 4. Applicable Violent Criminal Offenses

Below is a description of each applicable violent criminal offense that is based upon New Jersey statutes and references to statutory citations that provide complete explanations of each designated offense. The descriptions provided below are not intended to be a complete explanation of each offense or a substitute for the actual provisions of the authorizing statutes. Instead, the descriptions are provided as an aid in facilitating understanding of the general intent and practical applications of the violent criminal offenses that pertain to this Unsafe School Choice Option Policy.



- a. Homicide [N.J.S.A. 2C:11-2] - A person is a victim of a homicide when he or she is the child, sibling or other relative of a decedent, resulting from someone purposely, knowingly or recklessly causing the death of the pupil's parent, sibling or relative in or on school grounds.
- b. Assault [N.J.S.A. 2C:12-1(a)(1) and 2C:12-1(b)(1)] - A person is a victim of an assault when the actor purposely, knowingly or recklessly causes bodily injury to the victim [N.J.S.A. 2C:12-1(a)(1)]; negligently, recklessly, knowingly or purposely causes bodily injury to the victim with a deadly weapon [N.J.S.A. 2C:12-1(a)(2), N.J.S.A. 2C:12-1(b)(2) and N.J.S.A. 2C:12-1(b)(3)]; attempts by physical menace to put the victim in fear of imminent serious bodily injury [N.J.S.A. 2C:12-1(a)(3)]; or knowingly points a firearm at or in the direction of the victim, whether or not the actor believes it to be loaded. [N.J.S.A. 2C:12-1(d)(4)].
- c. Aggravated Sexual Assault [N.J.S.A. 2C:14-2] - A person is a victim of an aggravated sexual assault when the actor commits an act of sexual penetration with the victim under any of the following circumstances:
  - (1) The victim is less than thirteen years old.
  - (2) The victim is:
    - (a) At least thirteen, but less than sixteen years old; and
      - i. The actor is related to the victim by blood or affinity to the third degree; or
      - ii. The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status; or
      - iii. The actor is a foster parent, a legal guardian or stands in loco parentis within the household.
  - (3) The act is committed on the victim during the commission, or attempted commission, whether alone or with one or more persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson or criminal escape.
  - (4) The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object on the victim.
  - (5) The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion on the victim.
  - (6) The actor uses physical force or coercion and severe personal injury is sustained by the victim.
  - (7) The victim is one whom the actor knew or should have known was physically helpless, mentally defective or mentally incapacitated.



5. Sexual Assault - A person is a victim of a sexual assault when:
  - a. The actor commits an act of sexual contact with a victim who is less than thirteen years old and the actor is at least four years older than the victim; or
  - b. The actor commits an act of sexual penetration with a victim under any of the following circumstances:
    - (1) The actor uses physical force or coercion, but the victim does not sustain severe personal injury.
    - (2) The victim is at least sixteen but less than eighteen years old.
    - (3) The actor has supervisory or disciplinary power of any nature or in any capacity over the victim.
    - (4) The victim is at least thirteen but less than sixteen years old and the actor is at least four years older than the victim.
6. Bias Intimidation [N.J.S.A. 2C:16-1(a)] - A person is a victim of the crime of bias intimidation when an actor commits, attempts to commit, conspires with another to commit or threatens the immediate commission of an offense specified in chapters 11 through 18 of Title 2C of the New Jersey Statutes; N.J.S.A. 2C:33-4; N.J.S.A. 2C:39-3; N.J.S.A. 2C:39-4 or N.J.S.A. 2C:39-5 in the following circumstances:
  - a. With a purpose to intimidate a victim or a group of specified victims because of race, color, religion, gender, handicap, sexual orientation or ethnicity; or
  - b. Knowing that the conduct constituting the offense would cause a victim or a group of specified victims to be intimidated because of race, color, religion, gender, handicap, sexual orientation or ethnicity; or
  - c. Under circumstances that caused any victim of the underlying offense to be intimidated and the victim, considering the manner in which the offense was committed, reasonably believed either that:
    - (1) The offense was committed with a purpose to intimidate the victim or any person or entity in whose welfare the victim is interested because of race, color, religion, gender, handicap, sexual orientation or ethnicity; or
    - (2) The victim or the victim's property was selected to be the target of the offense because of race, color, religion, gender, handicap, sexual orientation or ethnicity.
7. Terroristic Threat [N.J.S.A. 2C:12-3(a) and 2C:12-3(b)] - A person is a victim of a terroristic threat when the actor threatens to commit one of the violent criminal offenses enumerated under the USCO Policy Provision II against the victim with the purpose to put the pupil in imminent fear of one of the violent crimes enumerated in the USCO Policy Provision II under circumstances reasonably causing the victim to believe the immediacy of the threat and the likelihood that it will be carried out. The definition of terroristic threat applies to N.J.S.A.



- 2C:12-3(a) insofar as the threat was directed at a person (victim) or a group of specified individuals (victims).
8. Robbery [N.J.S.A. 2C:15-1] - A person is a victim of a robbery when the actor, in the course of committing a theft, inflicts bodily injury; or uses force upon the victim; or threatens the victim with or purposely puts the victim in fear of immediate bodily injury.
  9. Kidnapping [N.J.S.A. 2C:13-1] - A person is a victim of a kidnapping when the actor unlawfully removes the victim from the school or school grounds; or the actor unlawfully confines the victim with the purpose of holding the victim for ransom or reward as a shield or hostage; or the actor unlawfully removes the victim from the school or school grounds or a substantial distance from where he or she is found in school or on school grounds; or if the actor unlawfully confines a pupil for a substantial period of time to facilitate commission of a crime or flight thereafter, or to inflict bodily injury on or terrorize the victim.
  10. Arson [N.J.S.A. 2C:17-1] - A person is a victim of arson when the actor starts a fire or causes an explosion in or on the grounds of a school whereby purposely or knowingly the victim or group of specified victims are in danger of death or bodily injury; or with the purpose of destroying or damaging the victim's or group of specified victim's property that is in the school or on school grounds.

### Miscellaneous Provisions of USCO

1. Transfer Time Period – Persistently Dangerous Schools  
The transfer will be temporary and will be in effect as long as the pupil's original school is identified as persistently dangerous.
2. Charter School Transfer Option  
While NCLB permits affected pupils to be afforded the opportunity to attend a public charter school, in addition to a safe public elementary school or secondary school within the school district, the application of this provision in New Jersey is limited. Transfers to a charter school can only occur as a part of the charter school's "equal opportunity" selection process and among charter schools administered under the same managing authority (i.e., charter schools within the charter school district).  
Since charter schools in New Jersey are considered public LEA's, pursuant to N.J.S.A. 18A:36A-3, operated independently of a local board of education, transfers may only take place among charter schools within the LEA. Therefore, pupils may be permitted to transfer to another charter school that is administered under the same managing authority of the charter school, but are not permitted to transfer to a school in the local public school district administered by a local board of education.  
However, pursuant to N.J.S.A. 18A:36A-7, a charter school must be open to all pupils on a space available basis and may not discriminate in its admission policies or practices (although it may establish reasonable criteria to evaluate prospective pupils), and in accordance with N.J.S.A. 18A:36A-8, if there are more applications to enroll in the charter school than there are



spaces available, the charter school must select pupils to attend using a random selection process for enrollment.

### 3. Funding Sources for USCO

The Unsafe School Choice Option law does not authorize resources specifically to help cover USCO costs. However, under certain circumstances Federal funds may be used. For example, funds under SDFSCA (Title IV, Part A of the NCLB) may be used to establish safe zones of passage to and from school to ensure that pupils travel safely on their way to school and on their way home [Section 4115(b)(2)(E)(v)]. In addition, SDFSCA funds may be used to help cover costs such as tuition or transportation related to the Unsafe School Choice Option or expansion of public school choice [Section 5121(8) and 5131(12 and (25))].

### 4. Special Education Pupils

The district will provide transferred special education pupils with the program required by the pupil's Individualized Education Program (IEP).

### 5. Transfer Schools

In the event there is not another school within the school district for a transferring pupil, the district is not required to transfer the pupil to a school outside the school district.

Under the federal regulations (68 FR 16789), this Policy only applies to offenses that occur in the 2003–2004 school year and thereafter. Beginning with the 2004–2005 school year, the district must provide the transfer option to victims of violent criminal offenses that occurred in the previous school year, if the determination that the pupil was a victim was made thirty days or fewer before the end of the school year.

The district will use the school choice option as one response to incidents of victimization. Additionally, the district will develop and implement appropriate strategies for addressing the circumstances that contribute to or support victimization, as well as consistently and proactively manage individuals who have victimized pupils. The district will promote the importance of school safety and respond to the needs of pupils and staff. Pursuant to the law, the district will provide an opportunity for pupils, parents and school district and law enforcement personnel to discuss methods for keeping schools safe from violence; to create school safety plans; and to recognize pupils in need of help. The district will organize activities to prevent school violence, including, but not limited to, age-appropriate opportunities for pupil discussion on conflict resolution, issues of pupil diversity and tolerance. Law enforcement personnel will be invited to join members of the teaching staff in the discussions. Programs shall also be provided for school district employees that are designated to help school district employees recognize warning signs of school violence and to instruct school district employees on recommended conduct during an incident of school violence.

N.J.S.A. 18A:17-46 requires a public hearing in the third week in October of each year for the Superintendent to report to the Board all acts of violence and vandalism that occurred in the district during the previous school year. The public hearing shall be transcribed and kept on file in the Board



of Education Office. The transcript shall be made available to the public upon request. The Board must also file the transcript with the NJDOE for review.

### **Legal References**

No Child Left Behind Act of 2001 §9532

Adopted: August 18, 2009



### **2415.20 – No Child Left Behind Complaints (M)**

Pursuant to 20 USC 7844, Sec 9304 (a)(3)(C), of the No Child Left Behind Act of 2001 (NCLB), a Board of Education shall adopt a policy and written procedures that offer parent(s) or legal guardian(s), public agencies, other individuals, or organizations a method for receipt and resolution of complaints alleging violations in the administration of the NCLB programs as identified by the New Jersey Department of Education (NJDOE).

**Board Policy and Regulation #2415.20 – No Child Left Behind Complaints** sets forth the requirements for resolving complaints presented by any individual or organization that:

1. A school, school district, other agency authorized by the school district, or by the NJDOE violated the administration of education programs required by the Elementary and Secondary Education Act as amended by NCLB; and/or
2. The NJDOE violated the administration of education programs required by the Elementary and Secondary Education Act as amended by NCLB.

A Complaint shall be a written allegation that shall identify the alleged NCLB violation, the facts supporting the alleged violation, and any supporting documentation.

A Complaint alleging a school in the district, school district, or other agency authorized by the school district, or the NJDOE violated the administration of a program must be submitted to the Superintendent. The Superintendent shall be responsible to coordinate the investigation of the Complaint. The Superintendent shall submit a written report regarding the outcome of the investigation to the complainant. If the complainant is not satisfied with the outcome of the investigation, the complainant may initiate a Complaint by submitting a written Complaint to the NJDOE to the attention of the Executive County Superintendent. The County Superintendent will coordinate the investigation of a Complaint. When the investigation is complete, the Executive County Superintendent will notify the complainant in writing regarding the outcome of the investigation. If it is determined a violation has occurred, the Assistant Commissioner assigned to oversee the matter shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint. If the complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary.

#### **No Child Left Behind Complaints**

A Complaint alleging the NJDOE violated the administration of a program must be submitted to the New Jersey Department of Education Chief of Staff or the United States Department of Education Secretary. The NJDOE requests the complainant first contact the New Jersey Department of Education Chief of Staff to resolve the issue. The NJDOE Office of Strategic Initiatives and Accountability will coordinate the investigation of a Complaint. When the investigation is complete, the Chief of Staff will notify the complainant in writing regarding the outcome of the investigation. If it is determined a violation has occurred, the Chief of Staff shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint. If a complainant does not agree



with the NJDOE’s decision, the complainant may appeal to the United States Department of Education Secretary.

### **Legal Reference**

New Jersey Department of Education 1/26/07 Memorandum – No Child Left Behind Complaint Policy and Procedure

Adopted: August 18, 2009



### **R2415.20 – No Child Left Behind Complaints (M)**

Pursuant to 20 USC 7844, Sec 9304 (a)(3)(C), of the No Child Left Behind Act of 2001 (NCLB), a Board of Education shall adopt a policy and written procedures that offer parent(s) or legal guardian(s), public agencies, other individuals, or organizations a method for receipt and resolution of complaints alleging violations in the administration of the NCLB programs.

#### **A. Complaint Procedure Alleging A Violation By A School, School District, Or Other Agency Authorized By The School District Or The New Jersey Department Of Education (NJDOE)**

1. A Complaint is a written allegation that a school, school district, other agency authorized by the school district, or the NJDOE has violated the law in the administration of education programs required by the NCLB Act.
2. A Complaint shall identify:
  - a. The alleged NCLB violation;
  - b. The facts supporting the alleged violation; and
  - c. Any supporting documentation.
3. A Complaint may be submitted in writing or electronically. If a Complaint is submitted electronically, a hard copy should also be sent to the NJDOE via regular mail at the address indicated below.
4. A Complaint shall be submitted to the Superintendent. The Complaint shall be in writing and shall be mailed, hand-delivered, or electronically submitted to the Superintendent.
5. The Superintendent shall be responsible to coordinate the investigation of the allegations in the Complaint.
  - a. The Superintendent shall acknowledge receipt of the Complaint to the complainant within ten business days of receipt of the Complaint.
  - b. The Superintendent may meet with building and district administrative staff, teaching staff, support staff, pupils, and/or the complainant(s) to determine if a violation of the administration of a NCLB program has occurred.
  - c. The Superintendent may request additional information from the complainant regarding the Complaint.
  - d. The Superintendent shall submit a written report regarding the outcome of the investigation to the complainant.
  - e. If the outcome of the investigation concludes a violation has occurred, the Superintendent shall identify and impose the appropriate consequences or corrective action to resolve the Complaint.
  - f. The outcome of the investigation may conclude the Complaint alleges a violation in the administration of a program by the NJDOE and the complainant shall be informed of the NJDOE Complaint Policy and Procedures as outlined in B. below.



6. If the complainant is not satisfied with the outcome of the investigation, the complainant may initiate a Complaint by submitting a written Complaint to the NJDOE to the attention of the Executive County Superintendent. A list of the County Offices of Education and County Superintendents can be found at <http://www.state.nj.us/njded/regions/> or by calling (609) 292-4469.
  7. When a written Complaint is received by the Executive County Superintendent, the appropriate NJDOE personnel will issue a Letter of Acknowledgement to the complainant within ten business days of receipt of the Complaint. This letter shall contain the following information:
    - a. The date the Complaint was received;
    - b. A brief statement of the manner in which the NJDOE will investigate the Complaint;
    - c. If necessary, request for additional information regarding the Complaint;
    - d. The name and phone number of a contact person for status updates; and
    - e. A tentative resolution date that is sixty days from the date the written Complaint was received by the County Office.
      - (1) Based on the facts of the alleged violation, an extension of time may be required to resolve the Complaint. If an extension is required, the appropriate NJDOE personnel will issue a follow-up letter prior to the initial resolution date informing the complainant of the revised timeframe.
  8. The County Superintendent will coordinate the investigation of a Complaint. When the investigation is complete, the Executive County Superintendent will notify the complainant in writing regarding the outcome of the investigation.
  9. If a violation has occurred, the Assistant Commissioner assigned to oversee the matter shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint.
  10. If the complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary at:

Office of Hearings & Appeals  
400 Maryland Avenue, SW  
Washington, DC 20202-4611  
(202) 619-9700

or at their website at:  
<http://www.ed-oha.org/index.html>
- B. Complaint Procedure Alleging A Violation By The New Jersey Department Of Education (NJDOE)
1. A Complaint is a written allegation the NJDOE has violated the law in the administration of education programs required by the NCLB.



2. A Complaint shall identify:
  - a. The alleged NCLB violation;
  - b. The facts supporting the alleged violation; and
  - c. Any supporting documentation.
3. To initiate a Complaint alleging the NJDOE has violated the administration of a NCLB program, a complainant must submit a written Complaint to the New Jersey Department of Education Chief of Staff or the United States Department of Education Secretary at the address indicated below. The NJDOE requests the complainant first contact the New Jersey Department of Education Chief of Staff to resolve the issue.

New Jersey Department of Education  
Office of the Chief of Staff  
P.O. Box 500  
Trenton, New Jersey 08625-0500  
(609) 292-4442

U.S. Department of Education  
Office of Hearings & Appeals  
400 Maryland Avenue, SW  
Washington, DC 20202-4611  
(202) 619-9700

<http://www.ed-oha.org/index.html>

4. When a written Complaint is received by the NJDOE, the Chief of Staff will assign the investigation of this Complaint to the Office of Strategic Initiatives and Accountability or other designated office. This Office will issue a Letter of Acknowledgement to the complainant within ten business days of receipt of the Complaint. This letter shall contain the following information:
  - a. The date the Complaint was received;
  - b. A brief statement of the manner in which the Department of Education will investigate the Complaint;
  - c. If necessary, request for additional information regarding the Complaint;
  - d. The name and phone number of a contact person for status updates; and
  - e. A tentative resolution date that is sixty days from the date that the written Complaint was received.
    - (1) Based on the facts of the alleged violation, an extension of time may be required to resolve the Complaint. If an extension is required, the appropriate NJDOE personnel will issue a follow-up letter prior to the initial resolution date informing the complainant of the revised timeframe.



5. The NJDOE Office of Strategic Initiatives and Accountability will coordinate the investigation of a Complaint concerning an alleged violation by the NJDOE. When the investigation is complete, the Chief of Staff will notify the complainant in writing regarding the outcome of the investigation.
6. If it is determined a violation by the NJDOE has occurred, the Chief of Staff shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint.
7. If a complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary at the address above.

### Legal References

New Jersey Department of Education 1/26/07 Memorandum – No Child Left Behind Complaint Policy and Procedure

Adopted: August 18, 2009



### **2416 – Programs for Pregnant Pupils (M)**

No pupil, married or unmarried, who is otherwise eligible for enrollment in this district will be denied an educational program because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood.

The Board of Education reserves the right to require as a prerequisite for participation in the regular instructional program and in the co-curricular program that a pregnant pupil present to the school Building Principal her physician's written statement that such participation will not be injurious to her health or jeopardize her pregnancy.

The Superintendent shall develop a program of special instruction in health and nutrition and shall direct appropriate teaching staff members to counsel the pregnant pupil, to assist her in securing necessary medical services, to cooperate with community resources on her behalf, and to encourage her toward the completion of an appropriate educational program.

A pregnant pupil who does not wish to attend regular classes or is physically unable to do so during her pregnancy may, with her consent, be assigned to an alternate instructional program which may include home instruction or a program offered by another school district or institution.

The parent(s) or legal guardian(s) of a pregnant pupil under eighteen years of age shall be notified of any change in the pupil's regular educational program.

A pupil who has received an alternate instructional program for reasons associated with pregnancy shall be readmitted to the regular program upon her request and the written statement of her physician that she is physically fit for attendance.

#### **Legal References**

N.J.A.C. 6A:7-1.7

Adopted: August 18, 2009



### **2417 – Pupil Intervention and Referral Services (M)**

The Board of Education directs the establishment and implementation of a coordinated system in each school building in which general education pupils are served, for the planning and delivery of intervention and referral services that are designed to assist pupils who are experiencing learning, behavior, or health difficulties and to assist staff who have difficulties in addressing pupils' learning, behavior, or health needs in accordance with the requirements of N.J.A.C. 6A:16-8.1.

The intervention and referral services shall be provided to aid pupils in the general education program and, pursuant to N.J.S.A. 18A:46-18.1 et seq. and N.J.A.C. 6A:16-8.1 et seq., may be provided for pupils who have been determined to be in need of special education programs and services. The intervention and referral services provided for pupils who have been determined to be in need of special education programs and services shall be coordinated with the pupil's Individualized Education Program team, as appropriate.

The functions of the system of intervention and referral services in each school building shall be to:

1. Identify learning, behavior, and health difficulties of pupils;
2. Collect thorough information on the identified learning, behavior, and health difficulties;
3. Develop and implement action plans which provide for appropriate school or community interventions or referrals to school and community resources, based on the collected data and desired outcomes for the identified learning, behavior, and health difficulties;
4. Provide support, guidance, and professional development to school staff who identify learning, behavior, and health difficulties;
5. Provide support, guidance, and professional development to school staff who participate in each building's system for planning and providing intervention and referral services;
6. Actively involve parent(s) or legal guardian(s) in the development and implementation of intervention and referral services action plans;
7. Coordinate the access to and delivery of school resources and services for achieving the outcomes identified in the intervention and referral services action plans;
8. Coordinate the services of community-based social and health provider agencies and other community resources for achieving the outcomes identified in the intervention and referral services action plans;
9. Maintain records of all requests for assistance, intervention and referral services action plans, and related pupil information pursuant to N.J.A.C. 6A:16-8.2(a)9;
10. Review and assess the effectiveness of the provisions of each intervention and referral services action plan in achieving the outcomes identified in each action plan and modify each action plan to achieve the outcomes, as appropriate; and



11. At a minimum, annually review the intervention and referral services action plans and the actions taken as a result of the building's system of intervention and referral services and make recommendations to the Building Principal for improving school programs and services, as appropriate.

The Board of Education establishes the following guidelines for the involvement of school staff and community members in each building's system of intervention and referral services pursuant to N.J.A.C. 6A:16-8.3.

Each I&RS Team will be composed of the Building Principal or a regular teaching staff member appointed by the Building Principal to act in his/her place; a regular teaching staff member; an educational services staff member; the staff member who referred a pupil in need of assistance or identified an issue requiring remediation; and such other staff members as may be required to assist the pupil or study the issue.

The I&RS Team will identify pupils in need and plan for appropriate intervention or referral services and/or referral to community resources, based on desired outcomes.

When a pupil is referred to the I&RS Team, the team may provide support and guidance to the pupil's classroom teachers, plan and provide for appropriate interventions, coordinate access to and delivery of school services to the pupil, and coordinate the services of community members and/or community-based social and health provider agencies that may aid in the development and implementation of intervention and referral services action plans.

Parent(s) or legal guardian(s) shall be notified whenever a pupil is referred to the I&RS Team, except as such notice may be waived by laws protecting abused children and the confidentiality of persons seeking drug or alcohol rehabilitation. Parent(s) or legal guardian(s) shall be offered an opportunity to participate in the development and implementation of intervention and referral services action plans.

The Building Principal shall, in consultation with the I&RS Team, report to the Board at the end of the school year on the concerns and issues identified by the team and the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral services action plans.

### Legal References

N.J.S.A. 18A:46-18.1 et seq.

N.J.A.C. 6A:14; 6A:16-8.1; 6A:16-8.2; 6A:16-8.3

Adopted: August 18, 2009



### **R2417 – Pupil Intervention and Referral Services**

- A. The Superintendent will establish and implement district-wide procedures for each school building in which general education pupils are served for the planning and delivery of intervention and referral services that are designed to assist pupils who are experiencing difficulties and to assist staff who have difficulties in addressing pupils' learning, behavior, or health needs in accordance with the requirements of N.J.A.C. 6A:16-8.1.
- B. Each Building Principal will establish an Intervention and Referral Services Team referred to as the I&RS Team. The I&RS Team will be comprised of the following:
1. The Principal or a member of the teaching staff other than special education, who is appointed by the Principal to act on his/her behalf and with his/her authority, shall act as chairperson;
  2. A member of the Child Study Team (CST);
  3. The staff member who referred a pupil in need of assistance or identified a school issue for discussion; and
  4. Such other school staff members as may effectively aid in the development and implementation of the assistance plan for a particular pupil.
  5. The district will provide support, guidance, and professional development to school staff who participate in each building's system for planning and providing intervention and referral services.
- C. Pupil Referral
1. A pupil not known to have a disability who is experiencing difficulty in the classroom may be referred to the I&RS Team by the classroom teacher or by his/her parent(s) or legal guardian(s). The pupil's parent(s) or legal guardian(s) shall be informed of any such referral.
    - a. The district will provide support, guidance, and professional development to school staff who identify learning, behavior, and health difficulties.
  2. When it appears that a referred pupil may have a disability, the I&RS Team shall refer the pupil to the CST for evaluation pursuant to [Board Policy #2460 – Special Education](#) for a determination of the pupil's eligibility for special education and/or related services.
  3. The I&RS Team shall consult with the pupil's regular classroom teacher, parent(s) or legal guardian(s), and any school employee as appropriate to gather relevant information regarding the pupil's educational status, attendance, classroom behavior, and school conduct.
  4. The school nurse shall review the pupil's health records and inform the committee of any condition relevant to the pupil's difficulties. Any information regarding any infection with HIV virus or AIDS may be released only with the written permission of the adult pupil or the pupil's parent(s) or legal guardian(s).



5. As appropriate, the I&RS Team may consult with community-based social and health agencies that provide services to the pupil or the pupil's family.

#### D. Intervention and Referral Action Plans

1. The I&RS Team shall prepare a written action plan for referred pupils who require supportive services, modifications to their regular educational program, or assessment and referral to school or community-based social and/or health provider agencies.
2. The intervention and referral services action plan shall:
  - a. Detail any modifications in the pupil's educational program,
  - b. List the persons who will implement the action plan,
  - c. Include any recommendations for assessment and referral to specified school or community-based social and/or health provider agencies,
  - d. Document parental notification of the pupil's referral and any change in educational placement or the withholding of parental notification because child abuse was suspected or federal rules mandated confidentiality in an alcohol or drug related matter,
  - e. The parent(s) or legal guardian(s) shall be actively involved in the development and implementation of any intervention and referral services action plans, and
  - f. Identify the committee member to monitor and review the pupil's progress.
3. The implementation and effectiveness of the intervention and referral services action plan shall be reviewed within eight calendar weeks from the beginning of its implementation. The committee shall consult the referring staff member for his/her assessment of the effectiveness of the plan.
4. If the implementation of the action plan is determined to be ineffective, the plan shall be reviewed and amended as necessary. If the review indicates a disability, the pupil shall be referred to the CST.

#### E. Records and Reports

1. Records of all requests for assistance, intervention and referral services action plans, and related pupil information shall be maintained in accordance with federal and State laws pursuant to N.J.A.C. 6A:16-8.2(a)9.
2. At the end of the school year, the Principal shall, in consultation with the I&RS Team, develop a report on the concerns and problems identified through committee discussions and documented in intervention and referral services action plans. The report shall include:
  - a. A description of the needs and issues identified through referrals to the committee,
  - b. An identification and analysis of significant needs and issues that could facilitate school planning for the subsequent year,
  - c. A description of activities planned in response to the needs and issues significant in school planning, and



- d. The Principal's report shall be given to the Board of Education and kept on file as a public record.

Adopted: August 18, 2009



### **2422 - Health Education (M)**

The Board of Education will provide a comprehensive health education program aligned with the New Jersey Department of Education Core Curriculum Content Standards. This program will be a coordinated sequential curriculum at all grade levels, with instructional units appropriate to the age, growth and development, and maturity of pupils.

The Superintendent will develop and recommend to the Board a program of health education designed for pupils to master the Cumulative Progress Indicators of the Department of Education's Comprehensive Health Education and Physical Education Core Curriculum Content Standards.

#### **Staffing**

Except as provided below for human sexuality and family life education, courses in health education will be taught by teachers whose certification qualifies them to teach health education. Teachers of the human sexuality and family life, substance use and abuse, and HIV prevention programs will be offered specific in-service training.

#### **Excusal**

Any pupil whose parent(s) or legal guardian(s) presents to the School Building Principal a signed statement that any part of the instruction in health, human sexuality and family life education or sex education program is in conflict with his/her conscience or sincerely held moral or religious beliefs shall be excused from the portion of the course in which such instruction is being given, and no penalties as to credit or graduation shall result.

#### **Community Involvement**

The Superintendent will ensure the program is aligned with the New Jersey Department of Education's Core Curriculum Content Standards. The programs of instruction for human sexuality and family life education will be developed through appropriate consultation and in participation with teachers, school administrators, parent(s) or legal guardian(s), appropriate age school pupils, physicians, members of the clergy, and representative members of the community. Such consultation shall continue, as appropriate, as the program is continually evaluated and revised.

#### **Human Sexuality and Family Life Education**

All pupils will learn the biological, cultural, and psychological aspects of human sexuality and family life. The Board will adopt a coordinated, sequential human sexuality and family life education program aligned with the New Jersey Department of Education's Core Curriculum Content Standards. Any education that is given as part of any planned course, curriculum or other instructional program and that is intended to impart information or promote discussion or understanding in regard to human sexual behavior, sexual feelings and values, human sexuality and reproduction, pregnancy avoidance or termination, HIV infection or sexually transmitted diseases, and any materials including, but not limited, to handouts, speakers, notes or audiovisuals presented on school property concerning methods for the prevention of acquired immune deficiency syndrome (HIV/AIDS), other sexually transmitted



diseases and of avoiding pregnancy, will stress that abstinence from sexual activity is the only completely reliable means of eliminating the sexual transmission of HIV/AIDS and other sexually transmitted diseases and of avoiding pregnancy.

The Board will include in its human sexuality and family life curriculum instruction on reasons, skills and strategies for remaining or becoming abstinent from sexual activity. Any instruction concerning the use of contraceptives or prophylactics, such as condoms, will also include information on their failure rates for preventing pregnancy, HIV and other sexually transmitted diseases in actual use among adolescent populations and shall clearly explain the difference between risk reduction through the use of such devices and risk elimination through abstinence. In addition, the human sexuality and family life curriculum will stress the importance of avoiding intravenous drug use.

A copy of the complete district human sexuality and family life education curriculum and all instructional materials shall be available for public inspection in each school in the district prior to its use in any classroom. The parent(s) or legal guardian(s) of each pupil enrolled in the program shall receive annually an outline of the curriculum and a list of instructional materials for that pupil's grade along with notice of the availability for review of the complete curriculum and all materials.

The human sexuality and family life program may be taught by district personnel certified to teach biology, comprehensive science, elementary grades, health, health and physical education, home economics, nursery school, psychology, or special education classes, and the school nurse. The program may utilize the contributions of such community resource persons as parent(s) or legal guardian(s), physicians, the clergy, attorneys, school social workers, school psychologists, and law enforcement personnel. The Board encourages the utilization of teachers in other disciplines through an interdisciplinary approach.

### **Use and Abuse of Alcohol, Tobacco, and Other Drugs**

All pupils will learn the physical, mental, emotional, and social effects of the use and abuse of alcohol, tobacco, and other drugs. The Board will adopt a coordinated, sequential human sexuality and family life education program aligned with the New Jersey Department of Education's Core Curriculum Content Standards.

### **Legal References**

N.J.S.A. 18A:35-1 et seq.; 18A:35-4 et seq.; 18A:40A-1 et seq.

N.J.A.C. 6A:7-1.7

Adopted: August 18, 2009



### **2423 – Bilingual and ESL Education (M)**

The Board of Education will provide programs of bilingual education, English as a second language (ESL), and English language services for pupils of Limited English Proficiency (LEP) as required by law and rules of the State Board of Education. Pupils of LEP are those pupils whose native language is other than English and who have sufficient difficulty speaking, reading, writing, or understanding the English language as measured by an English language proficiency test, so as to be denied the opportunity to learn successfully in classrooms where the language of instruction is English.

#### **Identification of LEP Pupils**

The Board will conduct a screening process to determine the native language of each pupil at the time of enrollment in the school district. A census shall be maintained of all pupils whose native language is other than English. The English language proficiency of each pupil whose native language is not English shall be determined by a screening process that includes the administration of a New Jersey Department of Education approved English language proficiency test, an assessment of the pupil's level of reading in English, a review of the pupil's previous academic performance, results of standardized tests in English, and a review of the input reports of teaching staff members responsible for the educational program of the limited English proficient pupils.

#### **Program Implementation**

The district shall provide the following programs:

- A. An English language services program whenever there are one or more but fewer than ten LEP pupils enrolled within the schools of the district. English language services shall be in addition to the regular school program;
- B. An ESL program whenever there are ten or more LEP pupils enrolled within the schools of the district; and
- C. A bilingual program whenever there are twenty or more LEP pupils in any one language classification. Where the age range, grade span, and/or geographical location of eligible pupils makes a full-time bilingual program impractical, the Board may offer an instructional program alternative, provided that program has been approved or a waiver for the alternative program has been requested and approval has been granted by the Department of Education. The Board may establish a program in bilingual education for any language classification with fewer than twenty pupils.

All teachers in these programs shall be appropriately certified in accordance with the requirements as outlined in N.J.A.C. 6A:15-1.9. Every pupil participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years.



### **Bilingual, ESL, and English Language Services Program Enrollment, Assessment, Exit, and Re-entry**

Pupils enrolled in the bilingual, ESL, or English languages services program shall be assessed annually with a New Jersey Department of Education approved English language proficiency test to determine their progress in achieving English language proficiency goals and readiness for exiting the program. LEP pupils enrolled in a bilingual, ESL, or English language services program shall be placed in a monolingual English Program when they have demonstrated readiness to function successfully in the English-only program. This process shall be initiated by the pupil's level of English proficiency as measured by a New Jersey Department of Education established standard on an English language proficiency test, and the readiness of the pupil shall be further assessed on the basis of multiple indicators which shall, at a minimum, include classroom performance, the pupil's reading level in English, the judgment of the teaching staff member or members responsible for the education program of the pupil, and performance on achievement tests in English.

In accordance with provisions of N.J.S.A. 18A:35-2.2.1, a parent(s) or legal guardian(s) may remove a pupil who is enrolled in a bilingual education program at any time; except that during the first three years of a pupil's participation in a bilingual education program, parent(s) or legal guardian(s) may only remove the pupil at the end of each school year. If during the first three years of a pupil's participation in a bilingual education program, a parent(s) or legal guardian(s) wishes to remove the pupil prior to the end of each school year, the removal must be approved by the Executive County Superintendent of Schools. The parent(s) or legal guardian(s) may appeal the Executive County Superintendent's decision to the Commissioner of Education.

Newly exited pupils who are not progressing in the mainstream English program may be considered for re-entry to bilingual and ESL programs in accordance with the provisions of N.J.A.C. 6A:15-1.10(e)1 through (e)5.

When the exit review process is completed, the pupil's parent(s) or legal guardian(s) shall be informed by mail of the placement determination. A parent(s) or legal guardian(s), or teaching staff member who disagrees with the proposed placement may appeal the decision in writing to the Building Principal, who will provide a written explanation for the decision within five working days. The complainant may appeal this decision in writing to the Board. The Board will review the appeal and respond in writing within forty-five calendar days. A complainant not satisfied with the Board's explanation may appeal to the Commissioner of Education.

### **Parental Involvement**

The parent(s) or legal guardian(s) of a pupil of limited English proficiency will be notified, in accordance with the provisions of N.J.A.C. 6A:15-1.13 that their child has been identified as eligible for enrollment in a bilingual, ESL, or English language services program. Notice shall be in writing, in the language of which the child of the parents so notified possess a primary speaking ability, and in English. The notice must also include the information that the parents have an option of declining enrollment if they so chose.



The district will notify the parent(s) or legal guardian(s) of the LEP pupil by mail no later than thirty days after the beginning of the school year that their child has been identified as eligible for enrollment in a bilingual, ESL, or English language services program. If the pupil has not been identified as LEP prior to the beginning of the school year, then the parent(s) or legal guardian(s) must be notified within two weeks of the pupil's placement in a bilingual, ESL, or English language services program.

Parent(s) or legal guardian(s) shall receive progress reports in the same manner and frequency as those sent to parents or legal guardians of other pupils.

Parent(s) or legal guardian(s) of pupils of limited English proficiency will be offered opportunities for involvement in the development and review of program objectives. An advisory committee on bilingual education may be formed with the majority being parent(s) or legal guardian(s) of pupils of limited English proficiency.

### **Program Plan**

The Superintendent shall prepare and submit a plan for a bilingual, ESL, or English language services program every three years to the Board and the New Jersey Department of Education for approval in accordance with the provisions of N.J.A.C. 6A:15-1.6.

### **Legal References**

N.J.S.A. 18A:35-15 through 18A:35-25

N.J.A.C. 6A:15-1.1 et seq.

Adopted: August 18, 2009

Revised: March 8, 2011



### **R2423 – Bilingual and ESL Education (M)**

#### A. Definitions

1. “Bilingual education program” means a full-time program of instruction in all those courses or subjects which a child is required by law or rule to receive, given in the native language of the limited English proficient pupils enrolled in the program and also in English; in the aural comprehension, speaking, reading, and writing of the native language of the limited English proficient pupils enrolled in the programs, in the aural comprehension, speaking, reading, and writing of English; and in the history and culture of the country, territory, or geographic area which is the native land of the parents of limited English proficient pupils enrolled in the program, and in the history and culture of the United States. All pupils in bilingual education programs receive English as a second language instruction.
2. “Bilingual part-time component” means a program alternative in which pupils are assigned to mainstream English program classes, but are scheduled daily for their developmental reading and mathematics instruction with a certified bilingual teacher.
3. “Bilingual resource program” means a program alternative in which pupils receive daily instruction from a certified bilingual teacher in identified subjects and with specific assignments on an individual pupil basis.
4. “Bilingual tutorial program” means a program alternative in which pupils are provided one period of instruction from a certified bilingual teacher in a content area required for graduation and a second period of tutoring in other required content areas.
5. “Dual language bilingual education program” means a full-time program of instruction in elementary and secondary schools which provide structured English language instruction and instruction in a second language in all content areas for LEP pupils and for native English speaking pupils enrolled in the program.
6. “Educational needs” means the particular educational requirements of pupils of limited English proficiency, the fulfillment of which will provide them with equal educational opportunities.
7. “English as a second language (ESL) program” means a daily developmental second language program of up to two periods of instruction based on pupil language proficiency which teaches aural comprehension, speaking, reading, and writing in English using second language teaching techniques, and incorporates the cultural aspects of the pupil’s experiences in their ESL instruction. A period is the time allocated in the school schedule for instruction in core subjects.
8. “English language fluency” means the ability to speak the language with sufficient structural accuracy; use vocabulary to participate effectively in most formal and informal conversations on practical, social, and school topics; read material for information; and complete forms and write essays and reports on familiar topics. Language fluency is not the same as language proficiency, which is the full command of language skills.



9. “English language proficiency test” means a test which measures English language skills in the areas of aural comprehension, speaking, reading, and writing.
10. “English language services” means services designed to improve the English language skills of pupils of limited English proficiency. These services, provided in school districts with less than ten pupils of limited English proficiency, are in addition to the regular school program and have as their goal the development of aural comprehension, speaking, reading, and writing skills in English.
11. “ESL standards for Pre-Kindergarten through grade twelve pupils” means the WIDA English Language Proficiency Standards for English Language Learners in Pre-Kindergarten through Grade Twelve, 2007 edition, developed by the World-Class Instructional Design and Assessment (WIDA) Consortium. These are the standards and language competencies limited English proficient pupils in Pre-Kindergarten programs and elementary and secondary schools need to become fully proficient in English and to have unrestricted access to grade-appropriate instruction in challenging academic subjects.
12. “Exit criteria” means the criteria which must be applied before a pupil may be exited from a bilingual, ESL, or English language services education program.
13. “High-intensity ESL program” means a program alternative in which pupils receive two or more class periods a day of ESL instruction. One period is the standard ESL class and the other period is a tutorial or ESL reading class.
14. “Instructional program alternative” means a part-time program of instruction that may be established by a Board of Education in consultation with and approval of the New Jersey Department of Education. All pupils in an instructional program alternative receive English as a second language.
15. “Limited English proficient (LEP) pupils” means pupils from Pre-Kindergarten through grade twelve whose native language is other than English and who have sufficient difficulty speaking, reading, writing, or understanding the English language as measured by an English language proficiency test, so as to be denied the opportunity to learn successfully in the classrooms where the language of instruction is English. This term means the same as limited English speaking ability, the term used in N.J.S.A. 18A:35-15 to 26.
16. “Native language” means the language first acquired by the pupil, the language most often spoken by the pupil, or the language most often spoken in the pupil’s home, regardless of the language spoken by the pupil.
17. “Parent(s)” means the natural parent(s) or the legal guardian(s), foster parent(s), surrogate parent(s), or person acting in the place of a parent with whom the pupil legally resides. Where parents are separated or divorced, parent means the person(s) who has legal custody of the pupil, provided such parental rights have not been terminated by a court of appropriate jurisdiction.



18. “Review process” is the process established by the Board of Education to assess limited English proficient pupils for exit from a bilingual, ESL, or English language services program.
19. “Sheltered English instruction” is an instructional approach used to make academic instruction in English understandable to LEP pupils. Sheltered English classes are taught by regular classroom teachers who have received training on strategies to make subject area content comprehensible for LEP pupils.

### B. Identification of Eligible Limited English Proficient (LEP) Pupils

1. The Building Principal will determine the native language of each LEP pupil at the time of enrollment the pupil in the school district. The Building Principal will:
  - a. Maintain a census indicating all pupils identified whose native language is other than English; and
  - b. Report annually to the New Jersey Department of Education as part of the Fall LEP Enrollment Summary, the number of all LEP pupils whose native language is other than English and, of that group, the number who are LEP pupils.
2. The Board approved screening process, initiated by a home language survey, shall determine which pupils in Kindergarten to grade eight, of those whose native language is other than English, must be tested to determine English proficiency. The screening shall be conducted by a bilingual/ESL or other certified teacher and shall be designed to distinguish those pupils that are proficient English speakers and need no further testing.
3. The district shall determine the English language proficiency of all Kindergarten to grade eight pupils, who are not screened out, whose native language is other than English by the administration of a Department of Education approved English language proficiency test assessing the level of reading in English, reviewing the previous academic performance of pupils as well as standardized tests in English and reviewing the input of teaching staff members responsible for the educational program for the limited English proficient pupils. Pupils who do not meet the New Jersey Department of Education standard on a Department-approved language proficiency test and who have at least one other indicator, are pupils of limited English proficiency. The district shall also use age appropriate assessment methodologies to identify limited English proficient preschool pupils to determine their individual language needs.

### C. Bilingual Programs for Limited English Proficient Pupils

1. All Kindergarten through eighth grade LEP pupils enrolled in the district will receive required courses and support services outlined in a. through g. below to prepare LEP pupils to meet the Core Curriculum Content Standards for high school graduation. This may include tutoring, after-school programs, and remedial services as needed by LEP pupils. The district shall also provide appropriate instructional programs to eligible pre-school LEP pupils based on need according to the New Jersey Preschool Teaching and Learning Expectations: Standards of Quality (2004). These standards are guidelines for good practices and are intended for districts that provide preschool programs.



- a. English language services designed to improve English language proficiency of LEP pupils whenever there are one or more, but fewer than ten LEP pupils enrolled within the schools of the district. English language services shall be in addition to the regular school program.
- b. An ESL program that provides up to two periods of ESL instruction based on pupil language proficiency whenever there are ten or more LEP pupils enrolled within the schools of the district.
  - (1) The ESL curriculum that addresses the WIDA English Language Proficiency Standards as amended and supplemented shall be developed and adopted by the Board to address the instructional needs of LEP pupils.
  - (2) The ESL curriculum will be cross referenced to the district's bilingual and content area curricula to ensure that ESL instruction is correlated to all the content areas being taught.
- c. A bilingual education program will be established whenever there are twenty or more limited English proficient pupils in any one language classification enrolled in the district pursuant to N.J.S.A. 18A:35-18. The bilingual education program shall:
  - (1) Be designed to prepare LEP pupils to acquire sufficient English skills and content knowledge to meet the Core Curriculum Content Standards. All LEP pupils participating in the bilingual program will also receive ESL instruction;
  - (2) Include a bilingual program curriculum that addresses the Core Curriculum Content Standards, the WIDA English Language Proficiency Standards, and the use of two languages. The bilingual education curriculum shall be adopted by the Board; and
  - (3) Include a full range of required courses and activities offered on the same basis and under the same rules that apply to all pupils within the school district.
- d. LEP pupils will be provided equitable instructional opportunities to participate in all non-academic courses necessary to meet the Core Curriculum Content Standards, including comprehensive health and physical education, the visual and performing arts and career awareness programs. These instructional opportunities shall be designed to assist LEP pupils to fully comprehend all subject matter and demonstrate their mastery of the content matter.
- e. When sufficient numbers of pupils are not available to form a bilingual class in a subject area, plans shall be developed in consultation with and approved by the New Jersey Department of Education to meet the needs of the pupils.
- f. Additional programs and services shall be designed to meet the special needs of eligible LEP pupils and will include, but not be limited to, remedial instruction through Title I programs; special education; school to work programs; computer training; and gifted and talented education services.



- g. The Board may establish dual language bilingual education programs in the schools and may make provisions for the coordination of instruction and services with the district's World Languages program. This program, if established by the Board, shall also enroll pupils whose primary language is English and shall be designed to help pupils achieve proficiency in English and in a second language, while mastering subject matter skills. Instruction shall, to the extent necessary, be in all courses or subjects of study to allowing pupils to meet all grade promotion and graduation standards. Where possible, these classes will be comprised of approximately equal numbers of pupils of limited English proficiency and of pupils whose native language is English.
2. The Board may establish a program in bilingual education for any language classification with fewer than twenty pupils.

#### D. Waiver Process

The school district may request a waiver from establishing a bilingual education program, pursuant to N.J.S.A. 18A:35-18, to establish an instructional program alternative on an annual basis with the approval of the Department of Education when there are twenty or more pupils eligible for the bilingual education program in Kindergarten through grade eight, and the district is able to demonstrate that due to age range, grade span and/or geographic location of eligible pupils, it would be impractical to provide a full-time bilingual program.

1. Any instructional program alternatives shall be developed in consultation with and approved annually by the Department of Education after a review of pupil enrollment and achievement data. All bilingual instructional program alternatives shall be designed to assist LEP pupils to develop sufficient English skills and subject matter skills to meet the Core Curriculum Content Standards.
2. The instructional program alternatives to be established shall include, but are not limited to: bilingual part-time component, bilingual resource program, bilingual tutorial program, sheltered English instruction program, and high-intensity ESL program.
3. In the event the district implements program alternatives, the district shall annually submit pupil enrollment and achievement data that demonstrate the continued need for these programs.

#### E. Department of Education Approval of Bilingual, ESL and/or English Language Services Programs

1. The school district's bilingual, ESL, or English Language Services program plans shall be submitted to the New Jersey Department of Education every three years for approval. The plan will include the following information:
  - a. Identification of pupils;
  - b. Program description;
  - c. Number of certified staff hired for the program;
  - d. Bilingual and ESL curriculum development;
  - e. Evaluation design;



- f. Review process for exit; and
  - g. A budget for bilingual and ESL programs and/or English language services programs. The budget must indicate how the bilingual categorical aid funds are directly related to the bilingual/ESL program instructional services and materials.
2. The district shall annually submit data on the number of LEP pupils served, exit data for the LEP pupils enrolled in the district, and data on the number of immigrant pupils enrolled in the district.
  3. The district's bilingual/ESL programs will be monitored and evaluated by New Jersey Department of Education.
  4. A school that fails to make progress in meeting the New Jersey Department of Education's annual measurable achievement objectives, must separately inform the parent(s) or legal guardian(s) of an LEP pupil of the school's failure no later than thirty days after the failure occurs.

### F. Supportive Services

Pupils enrolled in bilingual, ESL or English language services programs shall have full access to educational services available to other pupils in the district. To the extent that it is administratively feasible, have supportive services to LEP pupils, such as counseling, tutoring, and career guidance, should be provided by bilingual personnel who are familiar with and knowledgeable of the unique needs and background of LEP pupils and their parents.

### G. In-service Training

1. In-service training will be provided for bilingual, ESL and mainstream teachers based on their needs and to include instructional strategies to help LEP pupils meet the Core Curriculum Content Standards and the WIDA English Language Proficiency Standards. All ESL and bilingual teachers will receive training in the use of the ESL curriculum
2. The Professional Development Plan of the district shall include the needs of bilingual and ESL teachers that should be addressed through in-service training.

### H. Certification of Staff

All teachers in these programs will hold the following certifications:

1. Bilingual Classes - a valid New Jersey instructional certificate with an endorsement for the appropriate grade level and/or content area, as well as an endorsement in bilingual education.
2. ESL Classes - a valid New Jersey instructional certificate in English as a second language.
3. English Language Services - a valid New Jersey instructional certificate.

### I. Bilingual, ESL and English Language Services Program Enrollment, Assessment, Exit and Reentry

1. All LEP pupils from Kindergarten through eighth grade shall be enrolled in the bilingual, ESL or English language services program.



2. Pupils enrolled in a bilingual, ESL, or English language services program shall be assessed annually with a Department of Education approved English language proficiency test to determine their progress in achieving English language proficiency goals and readiness for exiting the program.
3. LEP pupils enrolled in one of these programs shall be placed in a monolingual English program when they have demonstrated readiness to function successfully in an English only program. This process shall be initiated by the pupil's level of English proficiency as measured by a Department of Education established standard on an English language proficiency test, and the readiness of the pupil shall be further assessed on the basis of multiple indicators which shall, at a minimum, include classroom performance, the pupil's reading level in English, the judgment of the teaching staff member(s) responsible for the educational program of the pupil, and performance on achievement tests in English according to P.L. 1991c.12.
4. A parent(s) or legal guardian(s) may remove a pupil who is enrolled in a bilingual education program pursuant to provisions in N.J.S.A 18A:35-21.
5. Pupils enrolled in a bilingual, ESL or English language services programs shall be assessed annually to determine their progress in achieving English language proficiency goals and readiness for exiting the program.
6. Newly exited pupils who are not progressing in the mainstream English program may be considered for reentry to bilingual and ESL programs as follows:
  - a. After a minimum of one-half of an academic year and within two years of exit, the mainstream English classroom teacher, with the approval of the Building Principal, may recommend retesting.
  - b. A waiver of the minimum time limitation may be approved by the Executive County Superintendent upon the request of the Superintendent if the pupil is experiencing extreme difficulty in adjusting to the mainstream program.
  - c. The recommendation for retesting will be based on the teacher's judgment that the pupil is experiencing difficulties due to problems in using English as evidenced by the pupil's inability to; communicate effectively with peers and adults; understand directions given by the teacher and/or comprehend basic verbal and written materials.
  - d. The pupil shall be tested using a different form of the test or a different language proficiency test than the one used to exit the pupils.
  - e. If the pupil scores below the State established standard on the language proficiency test, the pupil shall be reenrolled into the bilingual or ESL program.
7. When the review process for exiting a pupil from a bilingual, ESL, or English language services program has been completed, the pupil's parent(s) or legal guardian(s) shall be informed by mail of the determination of placement. If the parent(s), legal guardian(s) and/or teaching staff member disagrees with the placement he/she may appeal the decision in writing to the Building Principal, who will provide a written explanation for the decision within ten working days. The



complainant may appeal this decision in writing to the Board. The Board will review the appeal and respond in writing within forty-five calendar days. Upon exhausting an appeal to the Board, the complainant may appeal to the Commissioner of Education pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:3.

### J. Location of Programs

All bilingual, ESL and English language services programs shall be conducted within classrooms approved by the Executive County Superintendent of Schools within the regular school buildings of the district per N.J.S.A. 18A:35-20.

### K. Notification to Parents/Legal Guardians

1. The district will notify the parent(s) or legal guardian(s) of the LEP pupil by mail no later than thirty (30) days after the beginning of the school year that their child has been identified as eligible for enrollment in a bilingual, ESL or English language services program. The parent(s) or legal guardian(s) must be notified within two (2) weeks of the pupil's placement in a bilingual, ESL, or English language services program, if the pupil has not been identified as a LEP pupil prior to the beginning of the school year.
  - a. The notice shall inform the parent(s) or legal guardian(s) why the pupil was identified as LEP and why the pupil needs to be placed in a bilingual, ESL, or English language services program;
  - b. The notice will include the pupil's level of English proficiency, how such level was assessed, and the pupil's academic level;
  - c. The notice will include the method of instruction that will be used to serve the pupil, including a description of other methods of instruction available and how those methods differ in content, instructional goals, and the use of English and a native language, if applicable;
  - d. The notice will inform the parent(s) or legal guardian(s) how the program will meet the specific needs of the pupil in attaining English and meeting State standards;
  - e. The notice will include the exit requirements, the expected rate of transition into a classroom not tailored for LEP pupils, and in the case of high school pupils, the expected rate of graduation;
  - f. The notice will inform the parent(s) or legal guardian(s) how the instructional program will meet the objectives of an individual education program of a pupil with a disability;
  - g. The notice will include written guidance on the rights that parents have to remove their child from a bilingual, ESL, or English language services program upon their request, in accordance with N.J.A.C. 6A:15-1.13, or to choose another program or method of instruction, if available, and how the parent(s) or legal guardian(s) will be provided assistance in selecting the best program to serve their child;



- h. The notice will inform the parent(s) or legal guardian(s) they have the option of declining enrollment if they choose by providing notice in writing to the district no later than ten days after receiving the eligibility notice.
    - i. The notice shall be in writing and in the language of which the child of the parent(s) or legal guardian(s) so notified possesses a primary speaking ability and in English.
    - j. Whenever the district determines, on the basis of a pupil's level of English proficiency, that a pupil should exit from a program of bilingual education, the district shall notify the parent(s) or legal guardian(s) of the pupil by mail.
  2. The parent(s) or legal guardian(s) of pupils enrolled in a bilingual, ESL, or English language services program shall receive progress reports in the same manner and frequency as progress reports that are sent to parents(s) and legal guardian(s) of other pupils enrolled in the school district.
  3. Progress reports shall be written in English and in the native language of the parent(s) or legal guardians(s) of pupils enrolled in the bilingual or ESL program unless it can be demonstrated and documented in the three-year plan that this requirement would plan an unreasonable burden on the district.
  4. The district shall notify the parent(s) or legal guardian(s) when pupils meet the exit criteria and are placed in a monolingual English program. The notice shall be in English and in the language in which the parent(s) or legal guardian(s) possesses a primary speaking ability.

### L. Joint Programs

The school district may join with any other school districts, with the approval of the Executive County Superintendent of Schools, on a case by case basis to provide bilingual, ESL or English language services programs.

### M. Parental Involvement

1. The Building Principal will provide for maximum practicable involvement of parent(s) or legal guardian(s) of LEP pupils in the development and review of program objectives and dissemination of information to and from the Boards of Education and communities served by the bilingual, ESL or English language services education program.
2. A parent(s) or legal guardian(s) will be informed on how they can become involved in the education of their child and how they can actively participate in helping their child learn English, achieve at high levels in the core academic subjects, and meet State standards.
3. A district that implements a bilingual education program may establish a parent advisory committee on bilingual education on which the majority will be parent(s) or legal guardian(s) of pupils of limited English proficiency.

Adopted: August 18, 2009

Revised: March 8, 2011



### **2425 – Physical Education**

The Board of Education recognizes the value of physical activity in the development and maintenance of sound physical and mental health. Accordingly, the Board directs the establishment, in accordance with law, and the New Jersey Core Curriculum Content Standards of a program of physical education and the enrollment therein of every pupil in attendance in the schools of this district, insofar as each is physically capable of participation. Each course will provide pupils with a regimen of physical exercise and activity, assist pupils in the development of physical skills and achievements, encourage pupils in a spirit of sharing and cooperation, and instill in pupils a life-long appreciation for physical activity. The successive courses of physical education will be so designed as to provide pupils with exposure to a variety of athletic and physical activities.

#### **Legal References**

N.J.S.A. 18A:35-5

Adopted: August 18, 2009



### **2428.01 – Standards-Based Instructional Priorities**

#### **Standards-Based Instruction**

The school district shall implement a coherent curriculum for all pupils, including English Language Learners (ELLs), gifted and talented pupils, and pupils with disabilities, that is content-rich and aligned to the Core Curriculum Content Standards (CCCS). The curriculum shall guide instruction to ensure every pupil masters the CCCS.

Instruction shall be designed to engage all pupils and modified based on pupil performance. The curriculum shall include: interdisciplinary connections throughout; integration of 21<sup>st</sup> century skills; a pacing guide; a list of instructional materials including various levels of text at each grade; benchmark assessments; and modifications for special education pupils, English language learners in accordance with N.J.A.C. 6A:15, and gifted pupils.

The school district shall collect and analyze pupil achievement data by subgroups (such as economically disadvantaged, race and ethnicity, pupils with disabilities, English language learners) and make educational decisions based on such data.

The school district shall:

1. Transmit required pupil, faculty, school, and school district data to New Jersey Standards Measurement and Resources for Teaching (NJ SMART), the New Jersey Department of Education's data warehouse, on a schedule and in a form specified by the Department of Education;
2. Use NJ SMART and its data query resources to track pupil progress year-to-year and school-to-school and to identify continuously enrolled pupils by school and school district;
3. Ensure teachers, school administrators, and central office supervisors receive training in NJ SMART and its data query resources;
4. Analyze assessments of pupil progress in relation to curricular benchmarks and the results of State and non-State year-end tests reported by subgroups (such as economically disadvantaged, race and ethnicity, pupils with disabilities, and English language learners).

The school district central office staff shall prepare data on comparative performance for all schools in the district and make them available to the schools. This analysis shall include the following comparisons using State assessment data:

1. Each grade level across all schools within the district;
2. Schools within the district;
3. Comparable districts by district factor groups; and
4. Data with State averages.



The school district shall ensure a free appropriate public education is available to all pupils with disabilities according to the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 et seq., and N.J.A.C. 6A:14.

The school district shall provide English language learners with instructional services pursuant to N.J.A.C. 6A:15 and provide gifted and talented pupils with appropriate instructional services pursuant to N.J.A.C. 6A:8-3.1.

The school district shall provide library-media services that are connected to classroom studies in each school building, including access to computers, district-approved instructional software, appropriate books including novels, anthologies and other reference materials, and supplemental materials that motivate pupils to read in and out of school and to conduct research. The school district will provide these library-media services under the direction of a certified school library media specialist.

### **Secondary Education Initiatives**

The school district shall develop a plan in 2008-2009 for implementing the secondary education initiatives specified in N.J.A.C. 6A:13-2.2(c) through (e) by the 2009-2010 school year, except that secondary school districts previously subject to N.J.A.C. 6A:10 and 6A:10A shall immediately comply with the secondary education initiatives specified in N.J.A.C. 6A:13-2.2(c) through (e).

The school districts shall:

1. Have a school-level planning team to guide the development and implementation of the secondary education reforms described in N.J.A.C. 6A:13-2.2. A representative group of teachers and administrators shall determine team membership and operating procedures.
2. Provide instructional services, professional development, and other support to assist secondary schools with the implementation of the secondary education initiatives specified in N.J.A.C. 6A:13-2.2.
3. Create personalized learning environments that strengthen relationships among pupils, teachers, staff members, families and the larger community for pupils in grades six through twelve. These personalized learning environments may include:
  - a. Small learning communities in free-standing facilities or within larger facilities;
  - b. Ninth grade academies where freshman pupils remain together and are provided with a supportive environment to enhance their successful transition to high school;
  - c. Pupil support systems where pupils are assigned an adult mentor or team of adults who know(s) them and can support pupil efforts in achieving goals and solving problems;
  - d. Academies with a career focus;
  - e. Multi-grade academies where pupils at various grade levels may remain with a core group of teachers for multiple years in an academy-type format which may be organized around a particular theme and involve interdisciplinary teaming; or
  - f. Other practices for personalizing learning environments that strengthen relationships among pupils, teachers, staff members, families, and the larger community.



The school district shall implement academic coursework aligned to N.J.A.C. 6A:8-5.1 that prepares all pupils for success in postsecondary education and/or careers after graduation, including the development of academic skills integral to success in rigorous high school courses.

Beginning in 2008-2009, all pupils entering grade nine shall complete by the end of their high school education, at a minimum, coursework in language arts literacy, mathematics, and science. These shall include college level preparatory English I, II, III and IV, Algebra I, Lab Biology or the equivalent content taught in an integrated or career-based format, and other coursework as specified in N.J.A.C. 6A:8.

All required courses shall:

1. Be developed, reviewed, evaluated, and revised by a broad cross-section of teachers, content supervisors, and Building Principals;
2. Satisfy the Core Curriculum Content Standards and indicators in each content area according to the graduation requirements in N.J.A.C. 6A:8-5.1; and
3. Be aligned to the district curriculum which identifies the purpose of instruction, including the essential content to be mastered in each course with interim benchmarks and assessments and final assessments.

Secondary school districts that administer the high school State assessment and in which ten percent or more of their pupils satisfy high school graduation requirements through the Special Review Assessment (SRA) shall submit to the Department of Education by November 15 of the subsequent school year an analysis of all pupils who graduated by means of the SRA in the previous school year. The analysis shall include:

1. The names of high school courses and grades achieved for SRA pupils in language arts literacy, mathematics, and science;
2. The attendance records for SRA pupils for each year of high school;
3. Review of the High School Proficiency Assessment (HSPA) and corresponding Grade Eight Proficiency Assessment (GEPA)/New Jersey Assessment of Skills and Knowledge 8 (NJ ASK8) scores attained by pupils;
4. Review of whether SRA pupils were taught by appropriately certified staff in English, mathematics, and science in grades nine through twelve; and
5. Development of a plan for increasing the proportion of pupils graduating by means of the State high school assessment based on data.

Where applicable, secondary school districts shall collaborate with sending and receiving districts to implement the secondary education initiatives outlined in N.J.A.C. 6A:13-2.2.

The Commissioner shall appoint and consult with an advisory committee composed of educators with experience and knowledge in secondary education to guide the implementation of secondary education reform.



### Legal References

N.J.A.C. 6A:13-2.1; 6A:13-2.2

Adopted: August 18, 2009



### **2430 – Co-Curricular Activities (M)**

The Board of Education believes that the goals and objectives of this district are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular instructional program of the school. The purpose of such co-curricular activities shall be to develop leadership capacities and good organizational skills, to aid in the socialization of pupils, and to enable pupils to explore a wider range of individual interests than might be available in the regular curricular program.

The Board shall make school facilities, supplies, and equipment available and assign staff members for the support of a program of co-curricular activities for pupils in grades Kindergarten through eight. The Board shall maintain the program of co-curricular activities at no cost to participating pupils, except that pupils may be required to provide supplies in accordance with [Board Policy #2520 – Instructional Supplies](#) on instructional supplies and pupils may be required to assume all or part of the costs of travel and attendance at co-curricular events and trips.

For purposes of this policy, co-curricular activities are those activities conducted on or off school premises by clubs, associations, and organizations of pupils sponsored by the Board and do not include athletic competitions and practices. Co-curricular activities must be related to the curriculum but are not offered for credit toward promotion or graduation and are ordinarily conducted wholly or partly outside the regular school day.

The Board will permit the use of school facilities by organizations of pupils during pupil activity periods. No group of ten or more pupils will be denied an opportunity to meet on the basis of the religious, political, philosophical, or other content of the speech at their meeting. However, speech that advocates: discrimination against others based on gender, race, ancestry, national origin, color, creed, religious belief, sexual orientation, social or economic status, and/or disabilities; drug or alcohol use; and/or illegal activities will not be tolerated.

Ten or more pupils that want to start a new club must develop a proposal that states the proposed club's purpose and objectives, outlines the activities in which the club will engage; projected costs and sources of revenue (if needed), and meeting schedule (e.g., weekly, monthly). A staff member willing to sponsor the club and attend all club meetings must be identified. The proposal will be submitted to the Building Principal for approval. Once approved, the club will be allowed to meet using school facilities for a one-year trial period. After the trial period, the club will create a report assessing the club's success based on continued pupil interest and its ability to meet its stated purpose and objectives and submit it to the Building Principal. Based on the report and recommendation from the club's staff member sponsor, the Building Principal will determine if the club should be added to the list of ongoing co-curricular activities or disbanded.

#### **Co-Curricular Activities**

No co-curricular activity shall be considered to be under the sponsorship of this Board unless it has been approved by the Board on recommendation of the Superintendent.



Pupils shall be fully informed of the co-curricular activities available to them and of the eligibility standards established for participation in co-curricular activities. Co-curricular activities shall be available to all pupils who voluntarily elect to participate and meet the eligibility requirements. Eligibility requirements will be published annually in the student handbook.

The Superintendent shall prepare procedures to implement a co-curricular program and shall assess the needs and interests of the pupils of this district and provide for the continuing evaluation of the co-curricular program.

### **Legal References**

39 U.S.C.A. 1701 et seq.

N.J.S.A. 18A:11-3; 18A:42-2; 18A:42-5

Adopted: August 18, 2009



### **2432 – School Sponsored Publications**

The Board of Education permits and encourages the preparation and distribution of school sponsored publications under staff direction in order that pupils learn the rights and responsibilities of the press in a free society.

No school sponsored publication may contain materials that:

1. Are grossly prejudicial to an ethnic, national, religious, or racial group or to either gender;
2. Libel any person or persons;
3. Infringe rights of privacy protected by law or regulation;
4. Seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other;
5. Advocate the use or advertise the availability of any substance or material that constitutes a direct and substantial danger to the health of pupils;
6. Contain obscenity or material otherwise deemed to be harmful to impressionable pupils;
7. Incite violence, advocate the use of force, or urge the violation of law or school regulations;
8. Advertise goods or services for the benefit of profit-making organizations;
9. Solicit funds for non-school organizations when such solicitations have not been approved by the Board;
10. Promote, favor or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or question submitted at any school election; or
11. Except as may be required for literary purposes, do not conform to acceptable standards of grammar, clear expression, and responsible research.

Issues on which opposing points of view have been responsibly promoted may be introduced in a school sponsored publication provided that all proponents are given an equal opportunity to present their views.

In order to ascertain that school sponsored publications do not violate the standards established by this policy, the Board requires that each publication be submitted to the Building Principal for review in advance of its distribution. A publication that contains material in violation of this policy may not be distributed.

Where the Building Principal cannot show, within two school days, that the publication violates the prohibitions of this policy, the publication must be released for distribution. The Building Principal's determination, if any, that the publication violates this policy must be supported by references to specific material in the publication. Material cannot be censored merely because it is personally offensive to the reviewer or may tend to embarrass the Board. Pupils must be offered the opportunity to modify or delete any material that violates this policy.



The Building Principal's determination may be appealed to the Superintendent and the Board.

The Board requires that the distribution of school publications take place only at the places and during the times established by regulation in order that the instructional program is not disrupted.

### **Legal References**

N.J.S.A. 2C:34-3

N.J.S.A. 18A:42-4

Adopted: August 18, 2009



### **R2432 – School Sponsored Publications**

#### A. Objectives

The program of school sponsored publications is intended to:

1. Disseminate news to those who are actively interested in the school —pupils, teachers, parent(s) or legal guardian(s), administrators, alumni/ae, and other members of the school community;
2. Provide a means for the expression of thought;
3. Foster a wholesome school spirit and support the best traditions of the school;
4. Promote and encourage other school sponsored activities;
5. Provide training and experience in journalism, graphics, photography, and creative writing;
6. Create an appreciation for the best forms of journalism both in and out of school;
7. Record the history of the school;
8. Assist the district's public information program; and
9. Teach pupils the rights and responsibilities of the press in a free society.

#### B. Guidelines

1. Excellence in writing will be sought, and the ethics of responsible journalism will determine what will be printed. All facts printed will be based on careful research.
2. Pupils will have a right to their views and attitudes on all issues with the proviso that the tenor of articles and stories submitted will not violate the prohibitions of paragraph C.
3. Constructive criticism is encouraged.
4. A by-line will accompany every printed article or story.

#### C. Prohibited Material

No school sponsored publication may contain materials that:

1. Are grossly prejudicial to an ethnic, national, religious, or racial group or to either gender;
2. Libel any person or persons;
3. Infringe rights of privacy protected by law or regulation;
4. Seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other;
5. Advocate the use or advertise the availability of any substance or material that constitutes a direct and substantial danger to the health of pupils;
6. Contain obscenity or material otherwise deemed to be harmful to impressionable pupils;
7. Incite violence, advocate the use of force, or urge the violation of law or school regulations;



8. Advertise goods or services for the benefit of profit making organizations;
9. Solicit funds for nonschool organizations when such solicitations have not been approved by the Board;
10. Promote, favor, or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or question submitted at any school election; or
11. Except as may be required for literary purposes, do not conform to acceptable standards of grammar, clear expression, and responsible research.

#### D. Review Procedures

1. To ensure compliance with these rules, all material intended for publication in a school sponsored publication will be reviewed by the advisor.
2. The author of material found unacceptable for publication in a school sponsored publication pursuant to paragraph D1 may appeal that decision to the Principal.
3. The Principal will promptly convene a committee comprised of the advisors of the school newspaper, yearbook, and literary magazine and the president of each class.
4. The committee will review the appeal, including the material and the advisor's specific reason for rejecting the material, and will render an advisory opinion to the Principal.
5. The Principal will decide whether or not the material may be published and will deliver his/her decision to the appellant within two school days of the receipt of the appeal.
6. If the Principal denies publication, the author may appeal that decision to the Superintendent and any adverse decision of the Superintendent may be appealed to the Board of Education. At each level, a decision will be made within three school days of the receipt of the appeal.

#### E. Faculty Duties

Faculty advisors to school sponsored publications shall:

1. Serve in a liaison capacity between the staff of the publication and the faculty and administration;
2. Instruct members of the publication staff in proper journalistic techniques and standards;
3. Offer editorial advice and suggestion when necessary;
4. Interpret the publication guidelines set forth in paragraph C;
5. Review material intended for publication; and
6. Proofread each publication before it is printed and distributed.



### F. Distribution

1. Distribution of school publications will be limited to those times and places that best serve the purpose of reaching the designated audience without disturbing normal school building activities.
2. Any materials discarded or not distributed must be retrieved or retained to avoid litter.

Adopted: August 18, 2009



### **2436 – Activity Participation Fee Program**

The Board of Education recognizes the value of co-curricular activities outside the regular instructional program. However, with reduced or limited revenue and increased expenses, the Board must consider alternative revenue options to support these school-sponsored activities. Therefore, the Board of Education authorizes the establishment of an activity participation fee program as a supplemental revenue source contributing to a percentage of the school district's total costs for operating school-sponsored activities.

The Activity Participation Fee Program will require each pupil participating in certain school-sponsored co-curricular activities to pay a participation fee. The specific activities and fee amounts will be recommended by the Superintendent and approved by the Board on an annual basis prior to the commencement of the registration or sign-up process for the activity.

The activity fee may be waived or reduced based on financial hardship using the New Jersey eligibility standards established for free and reduced price meals.

Each individual activity fee will be determined by considering the school district's costs for operating the activity to include, but not be limited to: advisor stipends; equipment and/or supply costs; rental fees; school/facility preparation, clean-up, and maintenance costs; custodial overtime costs; insurance costs; and other expenses incurred by the district in the operation of the activity. The activity fee shall be paid prior to the pupil's participation in the activity.

A refund of the activity fee will only be made in the event the pupil is not accepted into the activity due to the lack of available space or opportunity within the activity (e.g., the pupil does not receive a part in a drama program production, it is determined the pupil is ineligible for participation in the activity due to any reason prior to participation in the activity). A refund of the activity fee will also be provided in the event the district does not offer the activity subsequent to the registration/sign-up process. A refund will not be provided in the event the pupil quits, or otherwise becomes unable or ineligible to participate (e.g., disciplinary), during the course of the activity. The Superintendent shall be authorized to approve an activity fee refund to a pupil for a reason(s) not listed above in extenuating circumstances.

Adopted: June 29, 2010



### **2440 – Summer School**

The Board of Education may conduct a summer program of instruction for pupils enrolled in grades Kindergarten through eight. The summer session must be approved by the Executive County Superintendent and may include remedial instruction for pupils and Title I programs.

The Board directs the Superintendent to determine a need for, and, if applicable to implement a suitable educational program to carry out this policy and to submit to the Board for its approval each proposed course of study.

Pupils eligible for the summer school of this district shall include resident pupils eligible for regular attendance in this district. No tuition shall be charged to pupils domiciled within the district for enrollment in remedial or Title I courses

A pupil will be enrolled in a remedial course only on the written recommendation of the Building Principal of the school that the pupil regularly attends. The recommendation must state the subject(s) recommended and the purpose for each. A pupil previously retained at grade level may be promoted on successful completion of a required remedial course, but no pupil shall be required to attend summer school.

The Board will not provide transportation to and from summer school classes for pupils, except special education pupils.

The Superintendent shall develop regulations for the summer school that include provisions for appropriate planning, proper staffing, pupil assignments, pupil evaluation, pupil records, award of credit, grade placement, and the utilization of facilities. Such regulations for the operation of the summer school shall be consistent with rules of the State Board of Education and Board policies, and the operation of summer school shall not conflict in any way with the administration of the regular school sessions of this district.

#### **Legal References**

N.J.S.A. 18A:54B-1 et seq.

N.J.A.C. 6:3-1.8 et seq.

Adopted: August 18, 2009



### **R2440 – Summer School**

#### A. Definitions

1. “Summer school” means the instructional program operated by this school district during the summer months of July and August.
2. “Remedial course” means any course or subject that is a review of a course or subject the pupil has already taken and for which credit may be earned.

#### B. Instructional Program

1. Summer school will be conducted and staffed in accordance with N.J.S.A. 18A:54B-1.
2. Principals will suggest to the Superintendent topics appropriate for enrichment courses.
3. A proposed schedule of courses approved by the Board of Education will be forwarded to the Executive County Superintendent for approval.

#### C. Staffing

1. Summer school positions will be posted and filled in accordance with district practice and/or the negotiated contract.
2. All summer school teaching staff member positions must be filled with appropriately certified persons appointed by the Board of Education.
3. Curriculum enrichment may involve resource persons serving for specific periods of time under the supervision of a certified administrator, supervisor, or teacher.

#### D. Pupil Conduct

1. Summer school pupils will be governed by the rules of conduct established for pupils in the regular school session. Rules regarding substance abuse, smoking, and aggressive, assaultive, insulting, and insubordinate behavior, among others, will be in full force and effect.
2. Pupils who violate the rules of conduct or disobey persons in authority will be subject to discipline, which may include expulsion from the summer school program. A pupil recommended for expulsion from the summer school program will be given a brief administrative hearing in which the pupil will be given an opportunity to explain his/her conduct. Summer school is not a part of the thorough and efficient system of free education to which the pupil is entitled by law, and expulsion from summer school does not involve the deprivation of a right.
3. The summer school staff and pupils may develop a summer school dress code that takes into account warmer temperatures. No dress code, however, will be so relaxed as to permit bare feet, scanty clothing, or clothing inappropriate to the school setting.

Adopted: August 18, 2009



### **2460 – Special Education (M)**

The Lopatcong Township Board of Education assures compliance with Part B of the Individuals with Disabilities Education Act (IDEA) and the New Jersey Administrative Code 6A:14-1 et seq. Furthermore, the Board will have programs and procedures in effect to ensure the following:

1. All pupils with disabilities, who are in need of special education and related services, including pupils with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3.
2. Homeless pupils are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq.
3. Pupils with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.
4. An Individualized Education Program (IEP) is developed, reviewed and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.
5. To the maximum extent appropriate, pupils with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.
6. Pupils with disabilities are included in State-wide and district-wide assessment programs with appropriate accommodations, where necessary according to N.J.A.C. 6A:14-4.10. All pupils with disabilities will participate in State-wide assessments or the applicable Alternative Proficiency Assessment in grades three, four, five, six, seven, eight, and eleven in accordance with their assigned grade level.
7. Pupils with disabilities are afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent, when appropriate.
8. A free appropriate public education is available to all pupils with disabilities between the ages of three and twenty-one, including pupils with disabilities who have been suspended or expelled from school:
  - a. The obligation to make a free, appropriate public education available to each eligible pupil begins no later than the pupil's third birthday and that an individualized education program (IEP) is in effect for the pupil by that date;
  - b. If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP will begin;
  - c. A free appropriate public education is available to any pupil with a disability who is eligible for special education and related services, even though the pupil is advancing from grade to grade;



- d. The services and placement needed by each pupil with a disability to receive a free, appropriate public education are based on the pupil's unique needs and not on the pupil's disability; and
  - e. The services and placement needed by each pupil with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the pupil's home as possible and, when the IEP does not describe specific restrictions, the pupil is educated in the school he or she would attend if not a pupil with a disability.
9. Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14 will experience a smooth transition and have an IEP developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.
10. Full educational opportunity to all pupils with disabilities is provided.
11. The compilation, maintenance, access to, and confidentiality of pupil records are in accordance with N.J.A.C. 6A:32-7.
12. Provision is made for the participation of pupils with disabilities who are placed by their parent(s) in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.
13. Pupils with disabilities who are placed in private schools by the district Board are provided special education and related services at no cost to their parent(s) according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.
14. All personnel serving pupils with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law.
15. The in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified, and that appropriate in-service training is provided. The district Board shall maintain information to demonstrate its efforts to:
- a. Prepare general and special education personnel with content knowledge and collaborative skills needed to meet the needs of children with disabilities;
  - b. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of pupils with disabilities that impedes the learning of pupils with disabilities and others;
  - c. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
  - d. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
  - e. Provide for joint training activities of parent(s) and special education, related services and general education personnel.



16. Instructional material will be provided to blind or print-disabled pupils in a timely manner.
17. For pupils with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services the district will provide, pursuant to the Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., the necessary materials to the parent(s) to apply for such services.
18. The school district will not accept the use of electronic mail from the parent(s) to submit requests to a school official regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education.
19. The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each pupil's IEP.

The school district shall provide an Assurance Statement to the County Office of Education that the Board of Education has adopted the required special education policies and procedures/regulations and the district is complying with the mandated policies and procedures/regulations.

### Legal References

N.J.A.C. 6A:14-1 et seq.  
20 USC §1400 et seq.  
34 C.F.R. §300 et seq.

Adopted: April 14, 2009  
Re-Adopted: August 18, 2009



### **R2460 – Special Education (M)**

School district officials and staff shall adhere to all regulations included in N.J.A.C. 6A:14-1.1 et seq. and the following special education regulations:

- R2460.01 Special Education – Location Identification, and Referral
- R2460.08 Special Education – Free and Appropriate Public Education
- R2460.09 Special Education – Transition From Early Intervention Programs to Preschool Programs
- R2460.16 Special Education – Instructional Material to Blind or Print-Disabled Pupils

#### **Definitions:**

Refer to N.J.A.C. 6A:14-1.3 for definitions of terms used in Regulations 2460.1 through 2460.16.

Adopted: April 14, 2009  
Re-Adopted: August 18, 2009



### **R2460.01 – Special Education – Location, Identification, and Referral (M)**

All pupils with disabilities, who are in need of special education and related services, including pupils with disabilities attending nonpublic schools, and highly mobile pupils such as migrant workers' children and homeless pupils regardless of the severity of their disabilities, are located, identified and evaluated according to N.J.A.C. 6A:14-3.3

#### **Procedures for Locating Pupils With Disabilities**

1. The Child Study Team (CST) Coordinator will coordinate the child find activities to locate, identify and evaluate all children, ages three through twenty-one, who reside within the Lopatcong Township School District and who may be disabled.
2. By September 30 of each school year, the CST Coordinator or his/her designee will conduct child find activities including but not limited to:
  - a. Development of child find materials for distribution.
  - b. Distribution of flyers to the parents of all pupils enrolled in the school district.
  - c. Mailing of child find material to nonpublic schools in the area.
  - d. Mailing of child find material to local pediatricians, hospitals, healthcare clinics and clergy.
  - e. The Superintendent or designee ensures that if any native language speakers for languages other than English are identified, public service communications will include but not be limited to native language announcements on local foreign language radio stations and/or cable television stations.
  - f. Public service announcements in local newspapers.
  - g. Distribution of child find materials in supermarkets, convenience stores, shelters for the homeless, public and private social service or welfare agency locations and nursery school providers.
  - h. Mailing information letters to local physicians, hospitals, healthcare clinics nursery schools, daycare providers, non-public schools, health departments, community centers, rescue squads and churches.
  - i. A guide to preschool services for potentially disabled children ages three to five is made available to community residents and on the district website.
  - j. Posting of State developed child find materials in both school locations and the municipal building for potentially disabled pupils and/or early intervention program.
  - k. Training of home school advocate/school community liaisons or others to assist in the identification of potentially disabled pupils.



- l. Listings of Early Intervention Program (EIP), local nursery schools and pediatricians are maintained. The district’s preschool coordinator (or other) maintains contact with EIP coordinator and nursery school director.
  - m. Information is distributed through the Parent Advisory Committee.
  - n. School handbooks distributed to parents contain information describing special education services.
  - o. Distribution of information to the school district’s ESL/Bilingual teachers describing child find activities
  - p. Pupils entering Kindergarten are screened annually to identify potentially disabled pupils.
  - q. Intervention and Referral Services Committee (I&RS) have been established in all school buildings.
3. No later than September 30 of each school year the CST Coordinator will contact by mail the Principal of the nonpublic school(s) to request input from nonpublic school parents and officials for suggestions on ways to conduct child find activities for pupils attending nonpublic schools. The child find activities for nonpublic pupils shall be comparable to the child find activities for public school pupils.

The following individual(s) shall serve as representatives from nonpublic schools:

<u>School</u>	<u>Title of the Individual Representing the Nonpublic School</u>
Phillipsburg Christian Academy	Principal
Kiddie Academy	Principal

Based on the suggestions from the representatives of the nonpublic schools and parent(s), the CST Coordinator will modify the child find activities for the next school year, as appropriate.

### **Procedures for Intervention in the General Education Program**

A staff member or agency shall provide in writing a request for intervention services for pupils ages three to fourteen, to the Building Principal or designee. The request shall contain the following:

1. Reason for request (including parental or adult pupil request);
2. Descriptive behavior of pupil performance; and
3. Indication of the prior interventions.

Teachers and other school professionals, as appropriate, will be in-serviced annually by the Building Principal or designee regarding the procedures for initiating and providing interventions in the general education program. The parent(s) will be informed of the procedures to initiate interventions in the general education program.

The Superintendent or designee will oversee the district’s implementation and effectiveness of the procedures for interventions in the general education program.



An Intervention and Referral Services Committee (I&RS) Committee will be in place in each school building pursuant to N.J.A.C. 6A:16-8.1.

The Building Principal or designee will be responsible for the following:

1. The implementation and effectiveness of building level I&RS Committee;
2. Will identify the roles and responsibilities of building staff who participate in planning and providing intervention services; and
3. Review, assess and document the effectiveness of the services provided in achieving the outcome identified in the intervention plan.
  - \* Sample forms are located in the Resource Manual for Intervention and Referral Services published by the NJDOE.
4. The I&RS Committee shall:
  - a. Plan and provide appropriate intervention services;
  - a. Actively involve parent(s) in the development and implementation of intervention plans;
  - b. Develop an action plan for an identified pupil which specifies specific tasks, resources, persons responsible, completion dates, date for review;
  - c. Coordinate the services of community based social and health provider agencies;
  - d. Process and complete the documentation forms;
  - e. Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan; and
  - f. Ensure the type, frequency, duration, and effectiveness of the interventions are documented.
5. The Building Principal will insure that:
  - a. I&RS Committee receive in-service training by the Building Principal or designee by October 16 each school year;
  - b. Staff handbooks are updated by September 1 and include information regarding intervention procedures;
  - c. New instructional staff attend the district's orientation program commencing in the month of August which includes information on I&RS Committee;
  - d. School calendars distributed in the month of September and provide information on intervention services; and
  - e. Parent/pupil handbooks distributed in the month of September and include information on intervention services.

### **Procedures for Referral**

Referral procedures are included in professional staff handbooks and referral forms are available in the Principal's office, and the Child Study Team office.



### 1. Parental Notification of Referral Procedures

Referral procedures shall be included in the Parent Handbook or other school district publication, which shall be distributed to the parent(s). These procedures and publications shall be updated annually and be distributed to the parent(s) and appropriate social service and welfare agencies not later than October 1 of each year.

### 2. Parent Initiated Referral

When a parent makes a written request for an evaluation to determine eligibility for services:

- a. The written request shall be received and dated by the CST Coordinator;
- b. The written request shall be immediately forwarded to the office of special services/special education;
- c. A file will be initiated to include a timeline for processing the referral including the date that initiates the twenty-day timeline for conducting the referral/identification meeting and (any forms used to open a case);
- d. Upon receipt of the referral a request for a summary and review of health and medical information regarding the pupil shall be forwarded to the school nurse who will transmit the summary to the Child Study Team (CST);
- e. The Child Study Team will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date the request was received by the district;
- f. A “Notice of a Referral/Identification Meeting” will be sent to the parent(s);
- g. The notice will contain “Parental Rights in Special Education” (PRISE) Booklet; and
- h. The referral/identification meeting will be attended by the parent(s), CST and regular education teacher.

### 3. School Initiated Referral

Referral of a pupil may be made by administrative, instructional or other professional staff to determine eligibility for special services when:

- a. It is determined that interventions in the general education program have not adequately addressed the educational difficulties and it is believed that the pupil may be disabled; or
- b. It can be documented that the nature of the pupil’s educational problem(s) is such that an evaluation to determine eligibility for services is warranted without delay.

The Principal, through in-service training, shall ensure that pupils who may be potentially disabled are identified and referred even though they are advancing from grade to grade.

The following procedure will be followed for a school initiated referral:

- a. A referral to the CST will be completed by the referring staff member;



- b. I&RS documentation including, but not limited to: teacher reports, grades and other relevant data shall be forwarded with the referral to the CST along with any other relevant data;
  - c. I&RS/PAC documentation does not need to be forwarded for direct referral when the nature of the pupil's problem is such that the evaluation is warranted without delay;
  - d. The referral should be dated upon receipt by the CST Coordinator;
  - e. A file will be initiated to include a timeline for conducting the referral/identification meeting;
  - f. Upon receipt of the referral, a request for a summary and review of health and medical information regarding the pupil shall be forwarded to the school nurse who will transmit the summary to the CST;
  - g. The Child Study Team will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date recorded on the referral;
  - h. A "Notice of a Referral/Identification Meeting" will be sent to the parent(s);
  - i. The notice shall contain "Parental Rights in Special Education" (PRISE); and
  - j. The referral/identification meeting will be attended by the parent(s), CST and regular education teacher.
2. The district may use community rehabilitation programs approved by the New Jersey Department of Labor, Division of Vocational Rehabilitation Services or any other State agency empowered to accept secondary level pupil placement according to N.J.A.C. 6A:14-4.7(f)1.
  3. Each evaluation of the pupil requires an assessment to determine appropriate post-secondary outcomes as part of transition services planning.
  4. Each IEP team member is required to certify in writing whether the IEP team report reflects his or her conclusions. In the event the IEP team report does not reflect the IEP team member's conclusion, the IEP team member must submit a dissenting opinion in order to ensure the parent(s) is aware of dissenting opinions regarding the determination of eligibility for a specific learning disability.
  5. Parent(s) must receive a copy of their child's evaluation report and any documentation leading to a determination of eligibility not less than ten calendar days prior to the eligibility conference in order to ensure parent(s) has a reasonable amount of time to review documentation prior to an eligibility conference.
  6. A pupil may be referred directly to the Child Study Team when warranted.

Adopted: April 14, 2009  
Re-Adopted: August 18, 2009



### **R2460.08 – Special Education – Free and Appropriate Public Education (M)**

A free and appropriate public education is available to all pupils with disabilities between the ages of three and twenty-one including pupils with disabilities who have been suspended or expelled from school.

**Procedures regarding the provision of a free and appropriate public education to pupils with disabilities who are suspended or expelled are as follows:**

1. School officials responsible for implementing suspensions/expulsions in the district are the following:
  - a. Elementary School Principal; and
  - b. Middle School Assistant Principal.
2. Each time a pupil with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager by the Principal or designee. (Notification must be in written format for documentation.)
  - a. Removal for at least half of the school day shall be reported via the Electronic Violence and Vandalism Reporting System.
3. Each Principal or designee will ensure that a system is in place to track the number of days a pupil with disabilities has been removed for disciplinary reasons. Documentation will include:
  - a. Pupil's name;
  - b. The infraction;
  - c. Time suspended; and
  - d. The cumulative days suspended including removal for a portion of the school day which is counted proportionately.
4. When a pupil is suspended from transportation:
  - a. Suspension from transportation is not counted as a day of removal if the pupil attended school.
  - b. Suspension from transportation is counted as a day of removal if the pupil does not attend school.
  - c. If transportation is included in the pupil's IEP as a required related service, the school district shall provide alternate transportation during the period of suspension from the typical means of transportation.
  - d. Suspension from transportation may be counted as a day of absence rather than a day of removal if the district made available an alternate means of transportation and the pupil does not attend school.



5. When a pupil with a disability participates in an in-school suspension program, the Principal or designee shall ensure that participation in the program is not considered removal when determining whether a manifestation determination must be conducted if the program provides the following:
  - a. Opportunity for the pupil to participate and progress in the general curriculum,
  - b. Services and modifications specified in the pupil's IEP,
  - c. Interaction with non-disabled peers to the extent they would have in the current placement, and
  - d. The pupil is counted as present for the time spent in the in-school suspension program.
6. When a series of short-term removals will accumulate to more than ten school days in the year:
  - a. The Principal or designee and the case manager will consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(c)2. Written documentation of the consultation between the school administration and the case manager shall be maintained by the case manager.
  - b. If it is determined that there is no change in placement, the Principal or designee, the case manager, and special education teacher will consult to determine the extent to which services are necessary to:
    - (1) Enable the pupil to participate and progress appropriately in the general education curriculum; and
    - (2) Advance appropriately toward achieving the goals set out in the pupil's IEP.Written documentation of the consultation and services provided shall be maintained in the pupil's file.
7. When a disabled pupil is removed from his/her current placement for more than ten days and the removal does not constitute a change in placement, the case manager shall convene a meeting of the IEP Team and, as necessary or required, conduct a functional behavior assessment and review the behavioral intervention plan according to N.J.A.C. 6A:14 Appendix A, 20 U.S.C. §1415(k). The IEP Team shall:
  - a. Review the behavioral intervention plan and its implementation;
  - b. Determine if modifications are necessary; and
  - c. Modify the behavioral intervention plan and its implementation as appropriate. The plan will be modified to the extent necessary if at least one member of the team determines that modifications are necessary.

The case manager will document the date and the outcome of the meeting.

The documentation shall be placed in the pupil's file.



### **Procedures Regarding the Provision of a Free and Appropriate Public Education to Preschool Age Pupils with Disabilities**

To ensure that preschoolers with disabilities who are not participating in an early intervention program have their initial IEP's in effect by their third birthday, a written request for an initial evaluation shall be forwarded to the district.

The following procedures will be followed:

1. A parent of a preschool-age pupil suspected of having a disability, who requests a Child Study Team (CST) evaluation by telephone, will be advised to submit a written request for an evaluation to the CST Coordinator;
2. Upon receipt of the written request, the request shall be dated and signed by the CST Coordinator;
3. The district will respond to referrals of preschoolers according to N.J.A.C. 6A:14-3.3(e); and
4. A file will be initiated for the potentially disabled preschooler:
  - a. The Child Study Team will convene a referral/identification meeting within twenty calendar days (excluding school holidays but not summer vacation) of the date recorded on the request;
  - b. A "Notice of Referral/ Identification Meeting" will be sent to the parent(s);
  - c. The notice will contain "Parental Rights in Special Education" (PRISE) Booklet;
  - d. The meeting will be attended by the CST, including a speech language specialist, the parent(s), and a teacher who is knowledgeable about the district's program; and
  - e. A program shall be in place no later than ninety calendar days from the date of consent.

### **Procedures Regarding the Provision of a Free, Appropriate Public Education to Pupils with Disabilities Who Are Advancing From Grade to Grade**

The Principal through in-service training shall ensure pupils with disabilities who are advancing from grade to grade with the support of specially designed services, continue to be eligible when as part of a reevaluation, the IEP Team determines the pupil continues to require specially designed services to progress in the general education curriculum and the use of functional assessment information supports the IEP Team's determination.

### **Procedures Involving Procedural Safeguards to Pupils Not Yet Eligible For Special Education**

Disciplinary procedural safeguards will apply to pupils not yet eligible for special education. The parent(s) and/or adult pupil may assert any of the protections of the law if the district had knowledge the pupil was a pupil with a disability before the behavior that precipitated the disciplinary action occurred.

Adopted: April 14, 2009

Re-Adopted: August 18, 2009



### **R2460.09 – Special Education – Transition From Early Intervention Programs to Preschool Programs (M)**

Children with disabilities participating in early intervention programs (EIP) assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14-1.1 et seq. will experience a smooth transition and will have an Individualized Education Program (IEP) developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

#### **Procedure for Child Study Team (CST) Member Attendance at the Transition Planning Conference:**

1. The district will make available a CST member to participate in the preschool transition planning conference arranged by the designated service coordinator from the early intervention system and will:
  - a. Review the Part C Individualized Family Service Plan for the child;
  - b. Provide the parent(s) written registration requirements;
  - c. Provide the parent(s) written information with respect to available district programs for preschool pupils, including general education placement options; and
  - d. Provide the parent(s) a form to use to request that the Part C service coordinator be invited to the child's IEP meeting.
2. The district will work collaboratively with the EIP designated service coordinator or early intervention system to eliminate barriers regarding meeting times and locations.
3. School district officials shall adhere to all procedures contained in N.J.A.C. 6A:14-1.1 et seq. for transitioning children with disabilities from EIP to preschool programs.
4. The Part C service coordinator shall be invited to the initial IEP meeting for a pupil transitioning from Part C to Part B.

Adopted: April 14, 2009  
Re-Adopted: August 18, 2009



### **R2460.16 – Special Education – Instructional Material for Blind or Print-Disabled Pupils (M)**

All pupils that are blind or print-disabled will be provided instructional materials in a timely manner in accordance with a plan developed by the district.

The plan to provide the instructional material to blind or print-disabled pupils in a timely manner will:

1. Be included in the Individualized Education Program (IEP) of each pupil with a disability;
2. Set forth the instructional materials needed by the pupil;
3. Indicate how the instructional material will be provided to the blind or print-disabled pupil; and
4. Address any assistive technology needed to permit the pupil to utilize the instructional material to be provided.

Adopted: April 14, 2009  
Re-Adopted: August 18, 2009



### **2464 – Gifted and Talented Pupils (M)**

The Board of Education recognizes its responsibility to identify gifted and talented pupils within the school district and to provide these pupils appropriate instructional adaptations and services. To that end, the Board directs each such pupil in the school district be identified and offered an appropriate educational program and services.

For purposes of this policy, gifted and talented pupils will be defined as those exceptionally able pupils who possess or demonstrate high levels of abilities, in one or more content areas and creative potential, when compared to their chronological peers in the district and who require modification of their educational program if they are to achieve in accordance with their capabilities.

The Board will develop appropriate curricular and instructional modifications to be used for gifted and talented pupils indicating content, process, products and learning environments.

The Superintendent will ensure the development of procedures, using multiple measures, for an ongoing identification process and appropriate educational challenges for gifted and talented pupils initiated in Kindergarten and reviewed annually through grade eight. The identification methodology will be developmentally appropriate, non-discriminatory and related to the programs and services offered by the district. These procedures will be reviewed annually.

The educational program offered to gifted and talented pupils will encourage and challenge them in the specific areas of their abilities, but will not replace the basic instructional program of the various grades of this district. The program offered to a gifted and talented pupil may be infused into the pupil's regular instructional program, provided that a written description of the infusion has been prepared and filed in the pupil's record.

Programs for the gifted and talented will be periodically evaluated for their continuing efficacy and adjusted accordingly.

The parent(s) or legal guardian(s) of any pupil identified as gifted or talented shall be consulted regarding any program designed to address the pupil's particular needs.

#### **Legal References**

N.J.S.A. 18A:61A-2; 18A:35-4.16  
N.J.A.C. 6:37-1.1; 6A:8-1.3; 6A:8-3.1(a)5.  
P.L. 108-382, Sec. 10201 et seq.

Adopted: August 18, 2009  
Revised: November 9, 2010



### **R2464 – Gifted and Talented Pupils (M)**

#### **A. Identification and Selection**

The Board of Education recognizes its responsibility to identify gifted and talented pupils within the school district and to provide these pupils with appropriate instructional services. To that end, the Board directs that gifted and talented screening measures approved in the current policy be used in the identification of these pupils and appropriate services for gifted and talented students be provided.

For purposes of this policy, gifted and talented pupils will be defined as those exceptionally able pupils who possess or demonstrate high levels of abilities and creativity compared to their chronological peers in the district. The gifted and talented program will address appropriate content, process, products, and learning environment for the gifted and talented student.

The gifted and talented coordinator, in conjunction with building principals, and the district superintendent, develops procedures and an ongoing identification process. Appropriate educational challenges for gifted and talented pupils will be initiated in kindergarten and reviewed annually through grade eight. The identification methodology will be developmentally appropriate, non-discriminatory and related to the programs and services offered by the district.

The educational program offered to gifted and talented pupils will encourage and challenge them. Units of study will be interdisciplinary and will challenge students to work independently and as a member of a team. Projects will reflect creative ability and provide opportunities to develop leadership skills.

#### **B. Selection Criteria**

Pupils will be considered for participation in the gifted and talented program when compared to their peers within the district.

Gifted and talented pupil identification will begin in kindergarten. First grade students will be assessed and identified in the same manner.

1. The gifted and talented coordinator and kindergarten teacher will look for exceptional scores on the district kindergarten screening instrument.
2. The gifted and talented coordinator and the reading specialist will look for individual DRA scores that are one and one half years above grade level at the time of the first DRA screening.
3. Students with exceptional ability and elevated DRA scores will be assessed by the homeroom teacher using a rating scale to indicate motivation, creativity and leadership ability.
4. If the first three criteria are met, the Otis Lennon Test of School Ability will be administered. First grade and Kindergarten children with a 125+ level CSI will be admitted to the gifted and talented program.



A student in grades 2-8 will be offered participation in the program if that child attains 17 or more points out of a possible 27 on the identification matrix (RUBRIC). A student may attain up to 5 or 6 points, but as few as 1 or 2 points in each category. The categories are as follow:

1. A CSI (Cognitive Skills Index) in the range of 119 - 139+.
2. A standardized test score in mathematics on the state or group achievement test.
3. A standardized test score in reading/language arts on the state or group achievement test.
4. A teacher recommendation using a rating scale that indicates motivation, as well as intellectual or creative ability of a nature not readily assessed by standardized testing.
5. A creative thinking test score (Torrance Test) that exhibits creative thinking ability not readily indicated by standardized testing.

### C. Program

1. When a pupil has been identified as gifted and talented, the program coordinator will notify the student's parent or guardian by mail that the child has met the requirements to be accepted. into the program. Parents will be asked to sign the provided form, giving written permission for their child to participate in the gifted and talented program.
2. The enrichment needs of gifted and talented pupils can be met through a wide variety of activities and teaching strategies. Programs will address appropriate content, process, products, and learning environments. The gifted and talented program will seek to involve pupils in all subject areas to provide growth and stimulation in higher cognitive processes such as interpretation, extrapolation, translation, application, analysis synthesis, and evaluation.
3. No enrichment program will replace the basic instructional program appropriate to the pupil's grade level.
4. The enriched educational program for a gifted and talented pupil is a pullout program in grades 3-8. In addition, students in grades 3-8 may attend several countywide or statewide, day long gifted and talented programs in which they will have the opportunity to mix with and engage in problem solving activities with peers of similar abilities from other school districts.

### D. Exit Procedure

1. Each pupil who participates in the gifted and talented program will be assessed annually.
  - a. the student's file will be reviewed, including relevant test results, and
  - b. the student's work in the preceding school year will be reviewed, and
  - c. teacher recommendation from the previous school year will be considered.
2. The student will be placed on probation for one school year and parents will be notified by mail with a signed acknowledgement that they received the notice if one or more of the following occurs:
  - a. the student fails to complete projects that are part of the gifted and talented program.



- b. the student's academic record indicates a decline in performance.
  - c. the student's scores on standardized tests indicate a decline in performance.
  - d. the student's scores no longer meet the 17 point requirement on the approved matrix.
3. If a student wishes to exit the program he/she may do so with parent's written request.
  4. A parent may wish to remove his/her child from the program and may do so by written request.
  5. After examining all records and assessments and compiling data, the decision to place a student in the gifted and talented program, or to place that child on probation for one year, or to remove a student from the gifted and talented program will be made by the gifted and talented teacher and the building administrator. In the event gifted and talented placement is challenged, the district superintendent will make the final decision.

Adopted: August 18, 2009  
Revised: November 9, 2010



### **2466 – Needless Public Labeling of Pupils with Disabilities (M)**

The Board of Education guarantees the privacy provided by law that no pupil with a disability be labeled publicly. Therefore, any reference to a pupil with a disability brought to the attention of the Board and/or any other potential public reference to a pupil with a disability will be through the use of a district-developed method of coding that would ensure a pupil's name or other labeling would not identify the pupil as a pupil with a disability. Examples where public labeling of pupils with disabilities shall be avoided include, but are not limited to, Board meeting agenda information, public address announcements, building/classroom signs, public school documents, and/or any other school publication identifying a pupil with a disability or class/program of pupils with disabilities.

Special education classes shall be referred to publicly by the name of the teacher. This applies to schedules, class lists, transportation lists, public address announcements, and any other form of communication that has any potential for any exposure other than for the use by appropriately authorized school staff.

Exceptions to the prohibition of public labeling of pupils with disabilities may be made upon consent of the pupil's parent(s) or legal guardian(s).

All pupil records shall be maintained strictly in accordance with N.J.A.C. 6A:32-7.1 et seq.

Adopted: August 18, 2009



### **2467 – Surrogate Parents and Foster Parents (M)**

Federal and State laws require the Board ensure the rights of a pupil are protected through the provision of an individual to act as surrogate for the parent(s) and assume all parental rights under N.J.A.C. 6A:14-2.2 when:

1. The parent (as defined according to N.J.A.C. 6A:14-1.3) cannot be identified or located after reasonable efforts;
2. An agency of the State of New Jersey has guardianship of the pupil and that agency has not taken steps to appoint a surrogate parent for the pupil;
3. The pupil is a ward of the State and no State agency has taken steps to appoint a surrogate parent for the pupil;
4. No parent can be identified for the pupil in accordance with N.J.A.C. 6A:14-1.3 except a foster parent, the foster parent does not agree to serve as the pupil's parent, and no State agency has taken steps to appoint a surrogate parent for the pupil; and
5. The pupil is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the pupil.

#### **Qualifications and Selection**

The district will make reasonable efforts to appoint a surrogate parent within thirty days of its determination that a surrogate parent is required for a pupil. If the district fails to appoint a surrogate parent for a ward of the State, a judge may appoint a surrogate parent if the judge determines a surrogate parent is necessary for such a pupil.

The person serving as a surrogate parent:

1. Shall have no interest that conflicts with those of the pupil he/she represents;
2. Shall possess the knowledge and skills that ensure adequate representation of the pupil;
3. Shall not be replaced without cause;
4. Shall be at least eighteen years of age;
5. Shall have a criminal history review in accordance with N.J.S.A. 18A:6-7.1 completed prior to his or her serving as the surrogate parent, if the school district compensates the surrogate parent for such services; and
6. Shall not be an employee of the New Jersey Department of Education, this district, or a public or nonpublic agency that is involved in the education or care of the child.

The Child Study Team (CST) Coordinator will determine whether there is a need for a surrogate parent for a pupil, contact any State agency that is involved with the pupil to determine whether the State has a surrogate parent appointed for the pupil, and will make reasonable efforts to appoint a surrogate parent for the pupil within thirty days of determining that there is a need for a surrogate parent for the pupil.



When a pupil (who is or may be a pupil with a disability) is in the care of a foster parent residing in this district, and the foster parent is not the parent of the pupil as defined in N.J.A.C. 6A:14-1.3, the CST Coordinator shall contact the pupil's case manager at the Division of Youth and Family Services (DYFS) in the Department of Human Services to determine whether the parent(s) retains the right to make educational decisions and to determine the whereabouts of the parent(s).

If the parent(s) retains the right to make educational decisions and the parent's whereabouts are known to the school district, the CST Coordinator shall obtain all required consent from and provide written notices to the parent(s).

If the district cannot ascertain the whereabouts of the parent(s), the CST Coordinator shall consult with the pupil's case manager at DYFS to assist in identifying an individual, including the foster parent, who may serve as a surrogate. If there is no foster parent, or if the foster parent is unwilling to serve as the pupil's parent pursuant to N.J.A.C. 6A:14-1.3, the CST Coordinator shall consult with the pupil's case manager at DYFS to assist in identifying an individual to serve as a surrogate parent and the Superintendent shall appoint a surrogate parent and obtain all required consent from and provide written notices to the surrogate parent.

### **Training**

N.J.A.C 6A:14-2.2(d) requires the district train surrogate parents so they have the knowledge and skills that ensure adequate representation of the pupil. The Superintendent shall coordinate the training for surrogate parents. The training will include, but not be limited to:

1. Providing the surrogate parent a copy of:
  - a. Parental Rights in Special Education booklet;
  - b. N.J.A.C. 6A:14;
  - c. The Special Education Process;
  - d. Code Training Materials from the Department of Education website; and
  - e. Other relevant materials.
2. Providing the surrogate parent an opportunity to meet with the Child Study Team Coordinator to discuss the rights of the surrogate parent and the applicable statutes, administrative codes, and Federal laws. The CST Coordinator shall provide the surrogate parent the opportunity to review and to become familiar with the State and Federal requirements for assessment, individualized educational program development, and parental rights with respect to the referral and placement process, including their rights with respect to seeking a due process hearing if they disagree with the local procedure or decisions;
3. Providing the surrogate parent adequate time to become familiar with the pupil and the nature of the pupil's disability through a review of the pupil's record;
4. Providing the surrogate parent an opportunity to confer with the pupil's case manager to discuss the pupil; and



5. Other information and resources to provide the surrogate parent the knowledge and skills to ensure adequate representation of the pupil.

### **Rights of the Surrogate Parent**

A surrogate parent appointed in accordance with N.J.A.C. 6A:14-2.2 shall assume all parental rights under N.J.A.C. 6A:14.

### **Legal References**

N.J.A.C. 6A:14-2.2

Adopted: April 14, 2009  
Re-Adopted: August 18, 2009



### **2481 – Home or Out-of-School Instruction for General Education Pupils (M)**

The district will provide instructional services to enrolled general education pupils at the pupil's home or other suitable out-of-school setting under the following conditions:

1. The pupil is mandated by State law and rule for placement in an alternative education program for violations of N.J.A.C. 6A:16-5.5 (firearm offenses) and 6A:16-5.6 (assault with weapons offenses), but placement is not immediately available;
2. The pupil is placed on short-term or long-term suspension from participation in the general education program pursuant to N.J.A.C. 6A:16-7.2 and 7.3; or
3. A court order requires the pupil receive instructional services in the home or other out-of-school setting.

The district in which the pupil resides is responsible for the costs of providing instruction in the home or out-of-school setting either directly or through contract with another Board of Education, Educational Services Commission, Jointure Commission or approved clinic or agency. The district shall provide services no later than five school days after the pupil has left the general education program.

The services to be provided shall meet the minimum standards as required in N.J.A.C. 6A:16-10.2(d). The district will develop an Individualized Program Plan (IPP) for the delivery of instructional services and pupil progress in accordance with requirements of N.J.A.C. 6A:16-10.2(d)1. The IPP shall be based upon consultation with the pupil's parent(s) or legal guardian(s) and a multi-disciplinary team of professionals with appropriate instructional and educational services credentials to assess the educational, behavioral, emotional, social, and health needs of the pupil and recommend a program to address both educational and behavioral goals. The IPP shall incorporate any prior findings and actions recommended through the school building's system of Intervention and Referral Services pursuant to N.J.A.C. 6A:16-8 and recommend placement in an appropriate educational program. The school district shall review the pupil's progress, consult with the pupil's parent(s) or legal guardian(s), and revise the IPP no less than every sixty calendar days.

The teacher(s) providing the instruction will be appropriately certified for the subject and grade level of the pupil. One-on-one instruction will be provided for no fewer than ten hours per week on three separate days of the week and no fewer than ten hours per week of additional guided learning experiences that may include the use of technology to provide audio and visual connections to the pupil's classroom. If home instruction is provided to pupils in a small group rather than through one-on-one instruction, direct instruction, that may include guided learning experiences, shall be provided for no fewer than twenty hours per week provided on no fewer than three separate days during the week and the pupil to teacher ratio shall not exceed 10:1.



Pupils will receive instruction that meets the Core Curriculum Content Standards in accordance with N.J.A.C. 6A:8 and that meets the school district's requirements for promotion and graduation.

If instruction is delivered in the pupil's home, a parent or other adult 21 years of age or older who has been designated by the parent shall be present during all periods of home instruction. Refusal or failure by a parent(s) or legal guardian(s) to participate in the development and revision of the pupil's IPP or to be present in the home as required may be deemed a violation of compulsory education laws, pursuant to N.J.S.A. 18A:38-25 through 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq.

The Building Principal shall maintain a summary record, pursuant to N.J.A.C. 6A:16-10.2(g)1, concerning pupils receiving home or out-of-school instruction because they could not be placed in the setting recommended as most appropriate in the pupils' IPPs. The Superintendent shall provide the summary report annually to the Executive County Superintendent pursuant to N.J.A.C. 6A:10.2(g).

### Legal References

N.J.S.A. 18A:38-1 through 18A:38-25

N.J.A.C. 6A:16-10.2

Adopted: August 18, 2009



### **R2481 – Home or Out-of-School Instruction for General Education Pupils**

The Board of Education will provide instructional services to an enrolled general education pupil at the pupil's home or other suitable out-of-school setting pursuant to N.J.A.C. 6A:16-10.2.

#### A. Conditions For Providing Instructional Services – N.J.A.C. 6A:16-10.2(a)

1. The pupil is mandated by State law and rule for placement in an alternative education program for violations of N.J.A.C. 6A:16-5.5 and 5.6 but placement is not immediately available;
2. The pupil is placed on short-term or long-term suspension from participation in the general education program pursuant to N.J.A.C. 6A:16-7.2 and 7.3; or
3. A court order requires the pupil receive instructional services in the home or other out-of-school setting.

#### B. Providing Services

1. The school district shall provide services no later than five school days after the pupil has left the general education program.
2. The school district in which the pupil resides shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly or through contract with another Board of Education, Educational Services Commission, Jointure Commission or approved clinic or agency.

#### C. Standards For Home or Out-Of-School Instruction

1. The Building Principal shall coordinate the development of an Individualized Program Plan (IPP) for delivery of instruction and maintain a record of delivery of instructional services and pupil progress.
  - a. For a pupil expected to be on home instruction for thirty calendar days or more, the IPP shall be developed within thirty calendar days after placement;
    - (1) For a pupil on short-term suspension from the general education program pursuant to N.J.A.C. 6A:16-7.2, development of an IPP is not required.
    - (2) For a pupil on long-term suspension from the general education program pursuant to N.J.A.C. 6A:16-7.3, the IPP shall be developed within thirty days following a determination by the school district.
  - b. The IPP shall be based upon consultation with the pupil's parent(s) or legal guardian(s) and a multi-disciplinary team of professionals with appropriate instructional and educational services credentials to assess the educational, behavioral, emotional, social, and health needs of the pupil and recommend a program to address both educational and behavioral goals;



- c. The IPP shall incorporate any prior findings and actions recommended through the school building system of Intervention and Referral Services, pursuant to N.J.A.C. 6A:16-8, Intervention and Referral Services;
  - d. The IPP shall recommend placement in an appropriate educational program, including supports for transition back to the general education setting; and
  - e. The Building Principal shall review the pupil's progress, consult with the pupil's parent(s) or legal guardian(s), and coordinate the revision of the IPP no less than every sixty calendar days.
2. The teacher providing instruction shall be appropriately certified for the subject and grade level of the pupil pursuant to N.J.A.C. 6A:9, Professional Licensure and Standards.
  3. The teacher shall provide one-on-one instruction for no fewer than ten hours per week on three separate days of the week and no fewer than ten hours per week of additional guided learning experiences that may include the use of technology to provide audio and visual connections to the pupil's classroom.
    - a. If home instruction is provided to pupils in a small group rather than through one-on-one instruction, direct instruction, that may include guided learning experiences, shall be provided for no fewer than twenty hours per week provided on no fewer than three separate days during the week and the pupil to teacher ratio shall not exceed 10:1.
  4. The instruction shall meet the Core Curriculum Content Standards in accordance with N.J.A.C. 6A:8 and the district's requirements for promotion and graduation.
  5. If instruction is delivered in the pupil's home, a parent(s) or legal guardian(s) or other adult twenty-one years of age or older who has been designated by the parent(s) or legal guardian(s) shall be present during all periods of home instruction.
  6. Refusal or failure by a parent(s) or legal guardian(s) to participate in the development and revision of the pupil's IPP as required or to be present in the home as required in 5. above may be deemed a violation of compulsory education laws, pursuant to N.J.S.A. 18A:38-25 through 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq.

#### D. Record Keeping

1. The Building Principal shall maintain a summary record concerning pupils receiving home or out-of-school instruction because they could not be placed in the setting recommended as most appropriate in the pupils' IPPs.
  - a. The summary record shall provide information concerning the number of pupils categorized by age, grade and gender, the number of weeks on home instruction before placement in the recommended setting, and the reasons for delay.
  - b. The Superintendent shall provide the summary report annually to the Executive County Superintendent.



# Regulation

## Lopatcong Township Board of Education

Program  
R2481 – Home or Out-of-School Instruction  
for General Education Pupils  
Page 3 of 3

Adopted: August 18, 2009



### **2510 – Adoption of Textbooks**

The Board of Education shall approve all textbooks used in the educational program of this district. “Textbook” means the principal source of instructional material for any given course of study, in whatever form the material may be presented, which is available or distributed to every pupil enrolled in the course of study.

The Board shall consider for approval only those textbooks that have been selected and recommended by the Superintendent and Education Committee.

In considering the approval of any proposed textbooks, the Board will weigh its value as a learning tool; its suitability for the maturity level and educational accomplishment of the pupils who will be using the book; its freedom from bias; its relationship to a course of study adopted by the Board; its relationship to a continuous multi-grade program; its impact on community standards of taste; the manner by which it was selected; and its cost, appearance, and durability.

The Superintendent shall develop regulations for the selection of textbooks that include effective consultation with professional staff members at all appropriate levels.

Textbooks currently in use shall be periodically evaluated for their continuing usefulness and relevance and shall be replaced or updated with new editions as often as necessary to meet the needs of pupils and the curriculum.

A list of all approved textbooks shall be maintained and revised annually by the Superintendent and made available for the use of the professional staff and for the information of members of the Board and the public.

#### **Legal References**

N.J.S.A. 18A:34-1; 18A:34-2

Adopted: August 18, 2009



### **R2510 – Adoption of Textbooks**

#### A. Definition

A “textbook” is the principal source of instructional material for any given course of study, in whatever form the material may be presented, which is available to or distributed to every pupil enrolled in the course of study.

#### B. Textbook Selection Committee

1. A textbook selection committee(s) will be named annually by the Principal of each school.
2. The Principal of a non-departmentalized school will appoint to the committee no fewer than two teaching staff members, who represent a range of interests and backgrounds.
3. The Principal of a departmentalized school will appoint to the committee no fewer than two teaching staff members, who represent different subject areas or departments in the school.
4. The Superintendent’s designee will chair the committee.
5. If the Board so approves, members of the textbook selection committees may be given compensation during the summer months for the work of reviewing potential textbook selections.

#### C. Recommendation Procedures

1. Any teaching staff member may request the textbook selection committee’s consideration of a possible textbook.
2. The textbook selection committee will investigate current textbooks on the market.
3. A textbook recommended for screening should be read and examined by each of the textbook selection committee members or, in a departmentalized school, by the appropriate subject area representatives. The committee members should have examined, wherever possible, at least three other books similar in nature to the textbook recommended for adoption.
4. Each textbook selection committee member should submit to the chairperson a written evaluation of the textbook.
5. The committee chairperson will also read and examine each recommended textbook.
6. The committee chairperson or the person initiating the request for consideration will prepare an evaluation report for submission to the Superintendent and Education Committee.
7. After review by the Education Committee, the Superintendent will forward the recommendation to the Board. He/she may first convene the textbook selection committee or confer with the chairman of the committee to discuss the evaluation report and the merits of the recommended textbook.



### D. Review of Textbooks Currently In Use

1. Each textbook that has been in use in the district for five years or more will be evaluated annually by the textbook selection committee for its continuing usefulness. In addition, any teaching staff member may recommend the review of a textbook currently in use and used for less than five years.
2. The textbook selection committee will consider:
  - a. The length of service of the current textbook,
  - b. The copyright date,
  - c. The average condition of the textbooks currently in use,
  - d. The cost of replacements,
  - e. The merits of the textbook in the light of the standards by which new textbooks are measured, and
  - f. If review has been especially requested, the reason for the request.
3. A recommendation to retire a textbook will be forwarded to the Superintendent with a full report of the committee's findings. Any such recommendation should be accompanied by the committee's suggestion for a replacement textbook.

### E. Standards of Review

In the review of any suggested textbook, the textbook selection committee shall consider:

1. The reliability and reputation for scholarship of its author and publisher;
2. Whether the content of the textbook
  - a. Relates to the course of study in which it will be used,
  - b. Can be read and understood by the pupils for which its use is intended,
  - c. Is accurate and up to date,
  - d. Clearly distinguishes fact from opinion,
  - e. Is well organized and presented,
  - f. Includes helpful and thoughtfully prepared indexes, graphic materials, references, bibliographies, glossaries, and appendices, and
  - g. Is biased.
3. The ways in which a proposed textbook improves on the book it replaces;
4. Whether the proposed textbook's binding, paper, and typeface are appropriate and durable;
5. The cost and probable life of the proposed textbook;
6. Whether the presentation of any controversial subject is objective and suitable to the maturity of the pupils for whose use the book is intended;



7. The experience other schools and/or districts may have had with the use of the proposed textbook; and
8. The textbook's compliance with the district's affirmative action plan for school and classroom practices, as set forth in [Board Policy #2260 – Affirmative Action Program for School and Classroom Practices](#).

Adopted: August 18, 2009



### **2520 – Instructional Supplies (M)**

The Board of Education shall supply each teaching staff member with the supplies, materials, and equipment necessary for the implementation of the approved program and each pupil with the supplies and materials required for the successful completion of courses of study.

The Board expressly exempts from this policy such clothing or personal equipment as may be required by the Board for reasons related to the safety and health of pupils or the protection of school property and are individualized or non-reusable, and any materials used in the manufacture or preparation of useful or decorative items that pupils are permitted to retain, except that no pupil will be denied participation in any course of study or school sponsored activity because of his or her financial inability to bear the cost of such clothing, equipment, or materials.

The Superintendent shall develop regulations for the selection and utilization of instructional supplies that include effective consultation with teaching staff members at all appropriate levels.

#### **Legal References**

N.J.S.A. 18A:34-1

Adopted: August 18, 2009



### **R2520 – Instructional Supplies**

#### A. Definition

“Supplies” are the consumable materials distributed to teachers and pupils for the implementation of the instructional program. “Supplies” include, but are not necessarily limited to, paper, pencils, chalk, erasers, paste, clay, artistic materials, craft paper, markers, string, adhesive tape, scissors, soap, and the like.

#### B. Supply Procedures

1. Supplies will be kept in a supply closet or room in each school building. The office staff will be responsible for the content and inventory of the supply closet.
2. Each teacher will request supplies each year by submitting a written request to the Principal. The teacher should request a sufficient quantity of supplies to satisfy the needs of his/her class for at least eight weeks.
3. The teacher’s request will be recorded in the school office.
4. At the end of each school year, a record of the supplies requested and used in each classroom will be given to the Principal.
5. In January the Principal will invite all teaching staff members to suggest additional supplies and/or replacements for the supplies currently used, so they can be considered in developing the budget.

#### C. Cost of Supplies

Supplies will be made available without charge to all pupils, except in the following circumstances:

1. Where non-reusable clothing or personal equipment, such as gym outfits, is required for reason of safety, health, or the protection of school property, pupils will be requested to provide their own clothing or equipment. The Principal may require that such clothing or equipment meet school standards (other than color or style) and may recommend a suitable commercial source for the clothing or equipment.
2. Where a pupil enrolled in a class or activity in which a product is made, such as woodshop or home economics, chooses to prepare and keep a useful item, the pupil may be required to pay the costs of the materials used. Pupils shall always be given the option of preparing an item for use by the school, for which no charge will be made. Any charge made under this regulation will be presented in writing by the teacher with a copy to the Principal, and the moneys collected will be deposited with the Main office.
3. Pupils may be required to provide supplies for their participation in co-curricular activities.
4. A pupil who is eligible for free and reduced rate meals will not be required to pay for any supplies, including those exempted from free distribution in paragraphs D1, 2, and 3 above.



5. Teachers are advised to report to the Principal any pupil who is unable to pay for the supplies listed above.

Adopted: August 18, 2009



### **2530 – Resource Materials**

The Board of Education shall provide resource materials to implement district and school educational goals and objectives as pupil needs dictate and district resources permit. Such materials include reference books, other supplementary titles, maps, library print and non-print materials, and other sources of information for use by pupils that are not designated as textbooks.

The Superintendent shall be responsible for the selection and maintenance of all resource materials, in accordance with the following standards:

1. Material will be suited to the varied interests, abilities, reading levels, and maturation levels of the pupils to be served;
2. Wherever possible, materials will provide major opposing views on controversial issues so that pupils may develop under guidance the practice of critical reading and thinking;
3. Wherever possible, materials will represent the many religious, ethnic, and cultural groups and their contribution to American heritage;
4. Materials will be factually accurate and of genuine literary or artistic value;
5. Materials will be of a quality and durability appropriate to their intended uses and longevity;
6. Materials will relate to, support, and enrich the courses of study adopted by the Board.

The Superintendent will develop regulations for the selection of resource materials that provide for the effective consultation of teaching staff members at all appropriate levels; ensure that the Board's budgetary allotment for resource materials is efficiently spent and wisely distributed throughout the instructional program and the district; and ensure an inventory of resource materials that is well balanced and well rounded in coverage of subject, types of materials, and variety of content.

The Superintendent will evaluate the continuing effectiveness and utility of resource materials and recommend to the Board the removal of those materials that no longer meet the standards set forth in this policy. Any request for the removal of resource materials will be governed by Board Policy #9130 – Public Complaints and Grievances on public complaints.

Adopted: August 18, 2009



### **R2530 – Resource Materials**

#### A. Definition

“Resource materials” are all those sources of information for the use of pupils that have not been designated as textbooks and generally must be shared by individual pupils. Resource materials include reference books, fiction and nonfiction books, maps, audio and audio-visual materials, CD ROM’s, pamphlets, periodicals, pictures and on-line references. Resource materials may be maintained in classroom library collections and/or in the school library or media center.

#### B. Selection Process

1. The Principal in each school building will accept the written requests of teaching staff members for new and revised reference materials. Each request should include the:
  - a. Name and originator of the work,
  - b. Its publisher or distributor,
  - c. A brief description of the material, and
  - d. The reason for the request, including the relevance of the material to the instructional program.
2. All recommendations will be forwarded to the Superintendent for consideration. The Principal will attempt to review each requested work or, alternatively, to consult with other educational institutions that have used the material.
3. The Principal may consult such selection aids as booklists, school library journals, previews, school library catalogs, and subject bibliographies prepared by specialists in the field.
4. The Principal will measure each recommendation against the standards for selection (see paragraph C) and the amount budgeted for resource materials in the current or succeeding school year, as appropriate.
5. The Principal will present to the Superintendent a list of recommended purchases. The list will include multiple copies of material for which a high level of interest and need is anticipated.

#### C. Selection Standards

Standards to be applied in the selection of resource materials are those set forth in [Board Policy #2530 – Resource Materials](#), repeated here.

1. Material will be suited to the varied interests, abilities, reading levels, and maturation levels of the pupils to be served.
2. Wherever possible, materials will provide major opposing views on controversial issues so that pupils may develop under guidance the practice of critical reading and thinking.
3. Wherever possible, materials will represent the many religious, ethnic, and cultural groups and their contribution to American heritage.



4. Materials will be factually accurate and of genuine literary or artistic value.
5. Materials will be of a quality and durability appropriate to their intended uses and longevity.
6. Materials will relate to, support, and enrich the courses of study adopted by the Board.

#### D. Removal of Reference Materials

1. The Media Specialist will conduct a periodic review of reference collections for their:
  - a. Continuing usefulness,
  - b. Relevance to the curriculum,
  - c. Representation of the needs and interests of all grade levels, subject areas, and departments, and
  - d. Balance of content, types of material, and manner of presentation.
2. Standard materials subject to frequent use that are worn or missing should be replaced periodically.
3. Outdated materials and materials no longer relevant to the curriculum may be withdrawn from the collection on Board approval.
4. A complaint about reference materials shall be handled in accordance with Board Policy and Regulation# 9130 – Public Complaints and Grievances.

Adopted: August 18, 2009



### **2531 – Use of Copyrighted Materials**

The Board of Education encourages teaching staff members to make judicious use of appropriate printed materials, sound recording, televised programs, and computer software in the curriculum but recognizes that federal law, applicable to public school districts, protects the originators of those materials from the unauthorized use of their copyrighted works. The Board expressly forbids the use of school equipment for the illegal reproduction of copyrighted materials.

In order to define the fair and reasonable use that teaching staff members may make of copyrighted works for educational purposes without the permission of the copyright owner and to reduce the risk of copyright infringement, the Board directs the Superintendent to promulgate regulations regarding the copying and distribution of copyrighted materials for instructional purposes.

Computer software may be reproduced only for archival purposes or when copying is an essential step in the utilization of the program. Computer software should be purchased in sufficient quantity to permit its classroom use without simultaneous loading. Where appropriate, the Superintendent shall seek a licensing agreement with the software publisher that permits the reproduction of software, the simultaneous use of software, and the purchase of multiple copies of software at discount prices.

Pupils and staff members shall be instructed that copyright infringement is a form of theft. A pupil or staff member who reproduces or uses copyrighted material in violation of this policy will be subject to discipline.

#### **Legal References**

17 U.S.C. 101 et seq.

Adopted: August 18, 2009



### **R2531 – Use of Copyrighted Materials**

#### A. Literary Material

1. A single copy may be made of any of the following by or for a teacher at his/her individual request for scholarly research or for use in teaching or in preparation for teaching a class:
  - a. A chapter from a book;
  - b. An article from a periodical or newspaper;
  - c. A short story, short essay or short poem; whether or not from a collective work; or
  - d. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper.
2. Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion provided that:
  - a. Each copy includes a notice of copyright; and
  - b. The material copied is brief and the copying is spontaneous and noncumulative as measured by the following definitions of brevity, spontaneity, and noncumulative effect.
    - (1) Brevity: A reproduced work is brief if it consists of the following:
      - (a) Poetry: Not more than a complete poem if fewer than 250 words and if printed on not more than two pages or an excerpt from a longer poem if the excerpt is not more than 250 words. These numerical limits may be expanded to permit completion of an unfinished line of poetry.
      - (b) Prose: Not more than a complete article, story, or essay of fewer than 2,500 words; or an excerpt from any prose work of not more than 1,000 words or ten percent of the work, whichever is less, but in any event a minimum of 500 words. These numerical limits may be expanded to permit completion of an unfinished prose paragraph.
      - (c) Illustration: Not more than one chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.
      - (d) Special Works: Certain works in poetry, prose or in poetic prose which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience often fall short of 2,500 words in their entirety. Paragraph 2b(1)(b) above notwithstanding, such special works may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than ten percent of the words found in the text thereof may be reproduced.
    - (2) Spontaneity: Reproduction of a copyrighted work is spontaneous if:
      - (a) The copying is at the instance and inspiration of the individual teacher; and



- (b) The inspiration and decision to use the work and the moment of its use of maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission to use the work.
- (3) Noncumulative Effect: Reproduction of a copyrighted work is noncumulative if:
  - (a) The copying of the material is for only one course in the school in which the copies are made;
  - (b) Not more than one short poem, article, story, essay or two excerpts has been copied from the same author or more than three from the same collective work or periodical volume during one class term. This section does not apply to current news periodicals and newspapers and current news sections of other periodicals;
  - (c) There have been no more than nine instances of such multiple copying for one course during one class term. This section does not apply to current news periodicals and newspapers and current news sections of other periodicals.
- 3. Notwithstanding any of the above, the following prohibitions shall be in effect:
  - a. Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts there from are accumulated or reproduced and used separately;
  - b. There shall be no copying of or from works intended to be consumable in the course of study or of teaching. Consumable works include workbooks, exercises, standardized tests, test booklets, answer sheets, and like material;
  - c. Copying shall not substitute for the purchase of books, publishers' reprints, or periodicals; or be directed by higher authority; or be repeated with respect to the same item by the same teacher from term to term;
  - d. No charge shall be made to the pupil for the copied material.

### B. Televised Material

- 1. A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained for a retention period of forty-five calendar days after the date of the recording; at the expiration of the retention period the recording must be erased or destroyed.
- 2. An off-air recording may be used once by individual teachers in the course of relevant teaching activities and may be repeated once only when instructional reinforcement is necessary, in the classroom or similar place of instruction or the home of a pupil receiving home instruction, during the first ten school days in the retention period. After the first ten school days, an off-air



recording may be used during the remainder of the retention period only to permit teachers to evaluate its effectiveness in the instructional period.

3. Off-air recordings may be made only at the request of and used by individual teachers and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.
4. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recording. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.
5. Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

### C. Pre-recorded Video

The use of commercially pre-recorded video (such as video cassettes and DVD disks rented by commercial enterprises) may be used for instructional purposes without the purchase of a public performance license. Such tapes shall not be used in school situations in violation of the copyright laws which prohibit use for reward or entertainment or in other school activities. The use of such materials for these purposes in the school shall be considered a public performance and require:

1. A blanket license for showing the pre-recorded video obtained from the Motion Picture Licensing Corporation (MPLC) or other group authorized to license the pre-recorded material.
2. A specific license for the showing of a pre-recorded video not covered by a blanket license.

The use of non-commercially pre-recorded video shall require the written permission of the producer of the video prior to its use for other than instructional purposes.

If the requested license or permission has not been obtained, the material shall not be shown in the school.

### D. Music

1. The following uses of copies of copyrighted music are permissible.
  - a. Emergency copies of printed music may be made to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies are substituted in due course.
  - b. For academic purposes other than performance:
    - (1) Multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement, or aria, but in no case more than ten percent of the work. The number of copies shall not exceed one copy per pupil.



(2) A single copy of an entire performable unit (section, movement, aria, etc.) that is

- (a) Confirmed by the copyright proprietor to be out of print, or
- (b) Unavailable except in a larger work, may be made by or for a teacher solely for the purpose of scholarly research or in preparation to teach a class.

c. Printed copies that have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist.

d. A single copy of recordings of performances by pupils may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.

e. A single copy of a sound recording (such as a tape, disc, or cassette) of copyrighted music may be made from sound recordings owned by the school district or by an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the district or the teacher. (This pertains only to the copyright of the music itself and not to any copyright that may exist in the sound recording.)

2. The following uses of copies of copyrighted music are prohibited.

- a. Copying to create or replace or substitute for anthologies, compilations, or collective works;
- b. Copying of or from works intended to be consumable in the course of study or of teaching such as workbooks, exercises, standardized tests, answer sheets, and like material;
- c. Copying for the purpose of performance, except as permitted in paragraph C1a;
- d. Copying for the purpose of substituting for the purchase of music, except as permitted in paragraph C1a and paragraph C1b; and
- e. Copying without inclusion of the copyright notice that appears on the printed copy.

E. Computer Software and the Internet

- 1. A software program shall not be copied onto a blank disk except as expressly permitted by the program itself.
- 2. An archival disk may be made as a back-up program disk. The archival disk shall be used only when the original software disk has been mistakenly damaged or destroyed and may not be used for any other purpose.
- 3. Software shall not be loaded into more than one computer at any one time, unless a site license has been purchased to permit loading multiple computers.
- 4. Copyrighted materials shall not be downloaded from the Internet without the express permission of the author and the payment of any required fees.



### F. Obtaining Permission for Copying

1. A teacher may request and obtain permission to copy material from a copyrighted work; the teacher may then use the work as expressly permitted and will not be bound by the limitations and prohibitions set forth above.
2. Request for permission must be in writing and should be sent, together with an envelope addressed to the sender, to the permissions department of the publisher of the work. The request should include:
  - a. The title, author or editor, and edition of materials for which permission is sought;
  - b. The exact material to be used, with specification of amount, page numbers, chapters, including, if possible, a photocopy of the material;
  - c. The number of copies the requestor proposes to make;
  - d. The use to be made of the duplicated materials;
  - e. The form of distribution;
  - f. Whether or not the copies will be sold; and
  - g. The process by which the material will be reproduced.
3. A copy of the written permission granted by the publisher or copyright owner shall be preserved by the teacher who may be required to present the written permission to the Principal or designee.
4. Teachers shall inform pupils on the limitations of the use of copyrighted material.

Adopted: August 18, 2009



### **2551 – Musical Instruments**

The Board of Education will purchase and maintain a supply of musical instruments for pupils enrolled in the instrumental music program to use.

In general, pupils are encouraged to purchase their own musical instruments. District-owned instruments may be available for loan to those pupils for whom the purchase of a musical instrument would impose a difficult financial burden.

District-owned instruments that are available for loan will be offered to eligible pupils, in the order in which requests are made, until the supply is exhausted. If necessary, instruments may be redistributed between schools to satisfy the demand.

Instruments will be loaned only to those pupils whose parent(s) or legal guardian(s) has agreed in writing to assure the safe return of the instrument and to bear the cost of necessary repairs.

No fee will be charged for the loan of district-owned musical instruments.

Adopted: August 18, 2009



### **2560 – Live Animals in School**

The Board of Education recognizes the appropriate use of live animals as instructional resources can enrich the educational program. The observation and nurture of live animals can help children learn specific biological and behavioral principles and gain respect for all living things.

A staff member who uses live animals shall observe proper precautions for the safety of pupils and the animals. The Building Principal or designee must approve a live animal being brought into the school building and the use of any animal in a course of instruction or the establishment of an animal habitat in a classroom.

Any animal used in school must have been lawfully acquired in accordance with applicable State law and local ordinance. An animal susceptible to rabies must have been vaccinated against rabies and proof of such vaccination must be included with the request to bring a live animal into school submitted to the Building Principal before a live animal is brought onto school grounds or into a school building. No animal shall be permitted in any area of the school where a pupil who is allergic to the animal might be exposed to the animal.

A teaching staff member or other qualified adult must assume primary responsibility for the animal, its nourishment, and its sanitary living conditions. The teaching staff member in charge must make proper arrangements for the animal's care and feeding over weekends, holidays, and school vacation periods.

No experiment that deprives a living animal of nourishment or exposes the animal to harm shall be conducted.

A pupil in Kindergarten through grade eight may refuse to dissect, vivisection, incubate, capture, or otherwise harm or destroy animals or any parts thereof as part of a course of instruction. In the event the school program will require any such activities, the school will notify the pupil and parent(s) or legal guardian(s) at the beginning of each school year of the right to decline participation in such activities. Within two weeks of the receipt of the notice from the school, the parent(s) or legal guardian(s) shall notify the school if the right to decline participation in such activities will be exercised. Any pupil who chooses to refrain from participation in or observation of such activities shall be offered an alternative education project for the purpose of providing the pupil with the factual knowledge, information, or experience required by the course of study. A pupil may refuse to participate in an alternative education project which involves or necessitates any harmful use of an animal or animal part(s). A pupil shall not be discriminated against, in grading or in any other manner, based upon a decision to exercise the rights afforded pursuant to this act.

Staff members must obtain prior permission from the Building Principal or designee before bringing any animal (including, but not limited to insects, amphibians, fish, and birds) into a school building whether it is used as part of the classroom instruction or not.



### Legal References

N.J.S.A. 18A:35-4.25

Adopted: August 18, 2009

Revised: March 9, 2010



### **R2560 – Live Animals in School**

#### A. Standards for Use

1. A teaching staff member or other qualified adult supervisor must assume primary responsibility for the purposes and conditions of any study, activity, or performance that involves live animals in school.
2. Each study involving live animals will have as a clearly defined objective the teaching of some biological principle(s).
3. All animals used must be lawfully acquired in accordance with state and local laws, be healthy and free from transmissible diseases, and must have been vaccinated against rabies if susceptible. Proof of vaccination must be provided to the Building Principal or designee before the live animal is brought onto school grounds or into a school building.
4. Animals may be handled only by the teaching staff member or responsible adult supervisor and the pupil(s) directly involved in the study or performance.
5. Animals must be properly fed and provided with sanitary cage quarters.
6. When animals are kept on school grounds or in a school building over vacation periods, adequate housing must be provided and a qualified caretaker must be assigned the specific duties of care and feeding.
7. Teachers of pupils pursuing investigations at other than regular class periods while in school as part of a school assignment or project (such as a school science fair) will be bound by these regulations.
8. The Building Principal or designee must approve a live animal being brought in a school building and the use of any animal in the course of instruction or the establishment of an animal habitat in a classroom.
9. The Building Principal or designee will make a determination that no pupil in a class where the animal will be housed is allergic to the animal and would suffer an adverse reaction to the animal. The Principal or designee should also attempt to determine, if any other pupil in the school building could suffer an adverse reaction. If the Building Principal or designee determines that there is a pupil(s) who would suffer an adverse reaction, the Building Principal or designee shall deny approval to have the animal in the school.

#### B. Injury to Persons

The following steps will be followed in the event a pupil, staff member, or visitor to school is bitten or scratched by an animal in school. The teaching staff member or responsible adult supervisor in charge will:

1. Take immediate and prudent steps to prevent further injury;
2. Follow Board Regulation #8441 – The Care of Injured and Ill Persons; and



3. Capture and impound the animal, pending a determination of the Board of Health regarding any further action.

Adopted: August 18, 2009  
Revised: March 9, 2010



### **2610 – Educational Program Evaluation (M)**

The Board of Education directs the Superintendent to develop and implement a systematic plan for the continuous evaluation of the educational program against the educational goals established by this Board. To this end, the Superintendent shall employ such tests and methods as may be indicated by sound professional judgment. Wherever possible, the assessment program shall follow evaluation procedures set forth in the course guides.

The Superintendent shall maintain a calendar of assessment activities and shall make periodic evaluation reports to the Board during the school year. Findings of the assessment program may be used to evaluate the progress of pupils and the effectiveness of staff members. The Board will annually make available to the public the collective progress of pupils toward the goals of the district.

The Board will annually, prior to the end of the school year and in conjunction with appropriate members of the administrative staff, conduct a review of the educational progress of the district, assess district and pupil needs, and establish long range and short range objectives for the educational program. The Board's annual report will be submitted to the Commissioner of Education as required.

The Superintendent shall annually recommend improvements in the educational program based on the Board's evaluation of the district's program. The Board reserves the right to employ experts from outside the school district to serve in the evaluation process.

#### **Legal References**

N.J.S.A. 18A:7A-11

N.J.A.C. 6:8-3.2; 6A:8-4.1 et seq.

Adopted: August 18, 2009



### **2622 – Pupil Assessment (M)**

The New Jersey statewide assessment program has been designed to measure the extent to which all pupils at the elementary, middle, and secondary levels have attained New Jersey’s Core Curriculum Content Standards. The Board of Education will comply with implementing the schedule of the New Jersey State Board of Education statewide assessment program.

#### **Assessments**

The Superintendent shall develop and present to the Board annually for its approval an assessment program that complies with rules of the State Board of Education.

#### **Records**

Notwithstanding Board Policy #8330 – Pupil Records, information regarding individual pupil test scores shall be released only to the pupil, his/her parent(s) or legal guardian(s), or individuals eligible by court order and school personnel and school officials deemed appropriate by the Commissioner.

#### **Dissemination of Information**

The school district must release to the public the results of statewide assessments in accordance with the New Jersey Department of Education guidelines. Additionally, the results of the performance of school district pupils on statewide assessments shall be released annually through the dissemination of the school district’s New Jersey School Report Card and other such means as determined by the Superintendent.

#### **Parental Notification**

Parent(s) or legal guardian(s) shall be informed of the district assessment program and of any special tests that are to be administered to their children.

#### **Program Exceptions**

##### **Pupils With Disabilities**

Pupils with disabilities shall participate in all state assessments unless the pupil’s disability is so severe that the pupil is not receiving instruction in any of the knowledge and skills measured by the statewide assessment in a subject area with or without accommodations. The Board shall provide appropriate accommodations or modifications to the statewide assessment system as specified by the New Jersey Department of Education as defined in N.J.A.C. 6A:14-1.3 or Section 504 of the Rehabilitation Act as determined by the Individual Education Plan (IEP) Team or the 504 Team in compliance with the New Jersey Department of Education guidelines. Special Review Assessment (SRA) may be used for pupils who have not demonstrated proficiency in one or more content areas of the High School Proficiency Assessment. Alternate Proficiency Assessment (APA) may be used for pupils with severe disabilities.



### *Pupils With Limited English Proficiency (LEP)*

Pupils with limited English proficiency (LEP) shall participate in all statewide assessments and may be provided appropriate accommodations or modifications as specified by the New Jersey Department of Education.

All pupils of limited English proficiency shall satisfy the requirements for high school graduation according to N.J.A.C. 6A:8-5.1, except any pupil of limited English proficiency may demonstrate they have attained State minimum levels of proficiency through:

1. Passage of the SRA process in their native language and passage of an English fluency assessment approved by the New Jersey Department of Education; or
2. Passage of the SRA process in English with appropriate accommodations.

### **Legal References**

N.J.S.A. 18A:7C-6.2

N.J.A.C. 6:8-2.2 ; 6A:7-1.7; 6A:8-4.1 ; 6A:8-5.1 et seq.;

N.J.A.C. 6A:14-1.1 et seq.; 6A:14-3.7; 6A:14-4.12; 6A:15-1.11

Adopted: August 18, 2009



### **2624 – Grading System**

The Board of Education recognizes that a system of measuring, recording, and reporting the achievements of individual pupils is important to the continuing process of learning. The Board, therefore, directs the instructional program of this school district include a system of grading that measures progress toward the New Jersey Core Curriculum Content Standards and the educational goals of the district.

Pupils shall be informed at the outset of any course of study of the behaviors and achievements that are expected of them and shall be kept informed of their progress during the course of study. As a rule, grading should reward pupils for positive efforts and minimize failure, and pupils should be encouraged to evaluate their own achievements.

The Superintendent shall develop and continually review in consultation with teaching staff members, parent(s) or legal guardian(s), and pupils, a grading program appropriate to the course of study and maturity of pupils. The final decision on any contested grade will be the responsibility of the Building Principal. A pupil classified as disabled will be graded in accordance with his/her Individualized Educational Program (IEP) or the Section 504 Plan.

Adopted: August 18, 2009



### **R2624 – Grading System**

#### A. Purpose of Grading

1. The purpose of grading is to assist pupils in the process of learning; all grading systems will be subject to continual review and revision to that end.
2. Grades acknowledge a pupil's demonstrated proficiency in the New Jersey Core Curriculum Content Standards and locally established learning goals and objectives:
  - a. Active participation in and attention to daily lessons,
  - b. Frequent contribution to discussions,
  - c. Prompt, thorough, accurate, and neat preparation of assignments,
  - d. Thorough preparation and performance on tests and assessments,
  - e. Display of an eagerness to learn and an inquisitive approach to lessons,
  - f. Attention to the need for proper materials,
  - g. Cooperation with the teacher's efforts, and
  - h. Willingness to work to the best of his/her ability and to do more than the minimum expected.

#### B. Preparation for Grading

1. Each pupil must be informed of the behavior and achievements expected of him/her at the outset of each course of study or unit of study.
2. Each pupil must be kept informed of his/her progress during the course of a unit of study. Pupils who so request are entitled to see the grades resulting from their performance during the grading period.
3. Each method of grading shall be appropriate to the course of study and the maturity and abilities of the pupils.
4. Pupils should be encouraged to evaluate their own achievements.
5. The process of review and revision will involve teaching staff members, parent(s) or legal guardian(s), and, as appropriate, pupils.

#### C. Grading Periods

1. Grades will be awarded at the end of four marking periods in each school year.
2. Pupils will be given notice of their mid-term grades at mid-point of each marking period.
3. Pupils will be given a final grade in each subject at the end of the school year.
4. Grades will be recorded on report cards for parent(s) or legal guardian(s) notification in accordance with Board Policy and Regulation #5420 – Reporting Pupil Progress.



### D. Basis for Grading

The teacher responsible for assigning a grade should take into consideration the pupil's:

1. Completion of written assignments prepared in the classroom or elsewhere;
2. Oral contributions in class, including discussion responses, observations, panel participation, presentations, initiation of topics;
3. Performance on oral and written tests and quizzes;
4. Research into standard references and other background materials;
5. Oral and written reports on materials read by the pupil;
6. Laboratory work;
7. Term papers;
8. Special oral or written reports;
9. Other evidences of the pupil's constructive efforts and achievements in learning; and
10. For the final grade, the pupil's attendance record, in accordance with Board Policy #5200 – Attendance and Board Policy #5410 – Promotion and Retention.

### E. Meaning of Grades

1. The following grades will be given in each academic subject at the end of each marking period:
  - a. A grade of A indicates superior performance. It may be given to a pupil whose achievement is significantly above grade level; whose work achieves a quality and quantity that consistently excels; and who demonstrates a high degree of initiative, application, and purpose.
  - b. A grade of B indicates above average performance. It should be given to a pupil whose achievement is above grade level; whose work frequently excels; and who generally demonstrates strength in the subject.
  - c. A grade of C indicates average performance. It should be given to a pupil whose achievement in most areas of the subject are average; whose work is acceptable; and who demonstrates a satisfactory degree of proficiency.
  - d. A grade of D indicates below average performance. It should be given to a pupil whose achievement in the subject is barely passing; whose work is the minimum acceptable for credit; and who demonstrates only weak proficiencies in the subject.
  - e. A grade of F indicates failing performance and that no credit can be given for the subject. It should be given to a pupil who has not met the minimum requirements of the course; who has demonstrated an inability or unwillingness to master the basic elements of the course; or who has failed to meet the minimum attendance standards necessary to pass a course of study.
  - f. Letter grades may be modified by a plus sign.



2. The following grading scales and indicators shall be used:

### Elementary School

S	=	Secure/Independent
D	=	Developing
E	=	Emerging
N	=	Not Evident
NA	=	Not Applicable

### Middle School

98+	=	A+
90+	=	A
88+	=	B+
80+	=	B
78+	=	C+
70+	=	C
68+	=	D+
60+	=	D
0+	=	F

### F. Grade Validation

In order that he/she may justify a grade, each teacher is directed to retain in his/her possession the following records to validate grades awarded to pupils. The records should be kept for a minimum of six years after the end of the school year in which the grades were awarded.

1. The daily attendance and tardiness record;
2. All grades earned for classroom activities such as quizzes, tests, reports, and class recitations;
3. All grades earned for activities conducted elsewhere, such as homework assignments and term papers;
4. Any notation regarding the meaning of each grade and its relation to the type of activity or material covered;
5. Any notation of discussions with the pupil on a grade or the pupil's cumulative grade average;
6. Any referrals for guidance, discipline, and the like; and
7. Any notations recording communications between the teacher and the parent(s) or legal guardian(s), the Principal, or other teaching staff members.



### G. Appeal

1. Each teacher is responsible for the determination of the grade a pupil receives for participation in the teacher's course of study.
2. Each teacher may be required to furnish reasons, supported by evidence (see paragraph E above) to substantiate any grade earned.
3. If a grade is challenged by a pupil or a parent(s) or legal guardian(s), the teacher will convene a conference and will explain the grading system and the reasons for the final grade.
4. If the parent(s) or legal guardian(s) or pupil is not satisfied by the teacher's explanations, he/she may appeal the grade to the Principal, who will consult with the teacher and the pupil in an attempt to resolve the dispute. The Principal will give every reasonable deference to the teacher's professional judgment.
5. If the Principal determines that the grade should be changed, he/she will alter the grade on all records and indicate by whose authority the grade has been changed.
6. No reprisals will be taken in any form against a teacher who remains determined in his/her belief that the grade originally given is fair and correct.
7. The Superintendent may hear an appeal from the Principal's determination. Only in the most extraordinary circumstances will the Superintendent alter a grade determined at the school building level.

Adopted: August 18, 2009



### **2631 – New Jersey Quality Single Accountability Continuum (QSAC)**

The Board of Education and Superintendent will work with the New Jersey Department of Education to comply with the requirements of the New Jersey Quality Single Accountability Continuum (QSAC) system in accordance with the provisions of N.J.A.C. 6A:30-1.1 et seq. QSAC is the New Jersey Department of Education monitoring and evaluating system for public school districts. Public school districts in New Jersey are evaluated in five key component areas of school effectiveness – instruction and program, personnel, fiscal management, operations, and governance – to determine the extent to which the school district is providing a thorough and efficient education.

Weighted quality performance indicators established by the Department of Education shall be used by the Commissioner of Education to assess school district performance and capacity during the comprehensive reviews pursuant to N.J.A.C. 6A:30-3.1 through 3.4, the in-depth evaluation pursuant to N.J.A.C. 6A:30-5.3, and monitoring of an approved QSAC district improvement plan pursuant to N.J.A.C. 6A:30-5.6. The weighted quality performance indicators shall also be used by the Commissioner in determining whether to initiate intervention activities pursuant to N.J.A.C. 6A:30-6.2, withdrawal from intervention pursuant to N.J.A.C. 6A:30-7.1, and initial placement of Level II, Level III, and State-Operated School Districts on the performance continuum pursuant to N.J.A.C. 6A:30-8.3.

The Commissioner shall conduct a comprehensive review of each public school district every three years. In the intervening years, the Commissioner shall assess the school district's performance to determine whether conditions exist in the school district that significantly and negatively impact the educational program or operations of the school district.

The Superintendent shall be responsible for completing the District Performance Review in accordance with the requirements as outlined in N.J.A.C. 6A:30-3.2. The District Performance Review and a Statement of Assurance prepared in accordance with N.J.A.C. 6A:30-3.2(e) shall be approved by the Board of Education by resolution and submitted to the Executive County Superintendent in accordance with the provisions of N.J.A.C. 6A:30-3.2(f) and (g). The district's District Performance Review and the Statement of Assurance will be reviewed and evaluated in accordance with the requirements of N.J.A.C. 6A:30-3.3. The Commissioner shall issue a final determination of the school district's performance and initial placement on the performance continuum in accordance with N.J.A.C. 6A:30-4.1.

The district will be required to commence improvement activities as set forth in N.J.A.C. 6A:30-5.3 through 5.7 in the event it satisfies less than eighty percent of the weighted quality performance indicators in one or more key components of school district effectiveness. Where appropriate, pursuant to the factors as outlined in N.J.A.C. 6A:30-6.2, the Commissioner may seek forms of partial or full intervention in a school district as outlined in N.J.A.C. 6A:30-6.1 et seq. Withdrawal from partial or full State intervention shall be in accordance with the provisions of N.J.A.C. 6A:30-7 et seq.

No provision of N.J.A.C. 6A:30 – Evaluation of the Performance of School Districts, shall limit the ability of the Department to monitor public school districts' practices by, among other things,



conducting on-site visits to observe instructional practices and school facilities or take other such action as in the judgment of the Commissioner or his/her designee that may be warranted to ensure the satisfaction of any statutory or constitutional obligation.

### Legal References

N.J.S.A. 18A:7A-3 et seq.

N.J.A.C. 6A:30-1.1 et seq.

Adopted: August 18, 2009



### **2700 – Services to Nonpublic School Pupils (M)**

The Board of Education shall provide, in accordance with law and to the limit of State aid available for such purposes, services to pupils enrolled in nonpublic schools located within this school district in which a child may legally fulfill compulsory school attendance requirements and which complies with Title VI of the Civil Rights Act of 1964.

Textbooks            N.J.S.A. 18A:58-37.1 et seq.  
                              N.J.A.C. 6A:23-6.1 et seq.

The Board shall, on individual request, purchase and loan, without charge, textbooks to pupils attending a nonpublic school located in this district, provided the pupil is a New Jersey resident and the pupil's tuition is not paid by a district Board of Education. Such loan of textbooks will be indicated in each book by a label. Any textbook so loaned will remain the property of this Board. Textbooks loaned to nonpublic school pupils shall be returned at the end of the school year or the district may enter into agreements with the nonpublic schools to store the textbooks without cost to this Board.

A request for the loan of textbooks shall be signed by the parent(s) or legal guardian(s) of nonpublic school pupils and submitted in writing directly to this Board or may be forwarded collectively by the nonpublic school. Requests must be received by the Board by March 1 of the preceding school year.

Textbooks shall be purchased in the same manner as are textbooks purchased for use in this district. Nonpublic school pupils shall be subject to the rules and sanctions for the care of textbooks set forth in Board Policy #5513 – Care of School Property, in the same manner as are pupils of this district.

Remedial Services    N.J.S.A. 18A:46-19.1 et seq.  
                              N.J.A.C. 6A:14-1.1 et seq.

The Board shall provide services for the identification, referral, evaluation, and determination of eligibility for special education and/or related services, the development of individualized education programs, and speech correction for articulation disorders.

The eligibility of pupils in nonpublic schools for such services shall be determined by the criteria established by rules of the State Board and used to determine the eligibility of pupils enrolled in this district for the same services. Services shall be provided only upon the written consent of the parent(s) or legal guardian(s) of the pupil and shall include procedural safeguards provided to pupils of this district under N.J.A.C. 6A:14.2 et seq. and [Board Policy #2460 – Special Education](#).

Remedial services will be supplied by appropriately certified personnel who are not employees of the nonpublic school, except that speech correction may be provided by employees of the nonpublic school. Such services shall be provided only upon consent of the parent(s) or legal guardian(s) of the pupil. Services may also be provided under contract with a public or private agency approved by the Commissioner for the provision of remedial services. The location in which services are provided will be determined by the Board, and will comply with rules of the State Board.





contractor. The location of the services will be determined by the Board and will comply with the rules of the State Board.

The Board may purchase equipment and supplies for the provision of services under this policy, within the allocation of funds, and may lend any such equipment to a nonpublic school without charge provided it is understood that such equipment remains the property of the Board.

A nonpublic school pupil whose parent(s) or legal guardian(s) objects in writing to the receipt of nursing services shall not be compelled to receive such services; except for a physical examination to determine whether the pupil is ill or infected with a communicable disease.

The Superintendent or designee will retain a written statement verifying the annual meeting was held with the nonpublic school. The Superintendent or designee will also retain a copy of the contract document; Board meeting minutes approving the contract that describes the methods by which nursing services to the nonpublic pupils will be provided for the ensuing school year; a rationale for the distribution of funds; and a description of the type and number of services which were provided during the previous year to nonpublic pupils will be recorded on a form provided by the Commissioner of Education as required in N.J.A.C. 6A:16-2.4(a).

### **Delivery of Services**

The Board shall provide any transportation necessitated by the provision of services under this policy.

Records regarding individual pupils receiving services under this policy shall be kept in accordance with State Board rules and Board Policy #8330 - Pupil Records.

The Board shall, file with the Commissioner a report on the number of nonpublic school pupils identified as eligible to receive services at a time and in a form required by the New Jersey Department of Education.

### **Legal References**

N.J.S.A. 18A:40-23 et seq.; 18A:40A-17(c);

N.J.S.A. 18A:46-19.1 et seq.; 18A:46A-1 et seq.;

N.J.S.A. 18A:58-37.1 et seq.

N.J.A.C. 6A:14-1.1 et seq.; 6A:16-2.4 et seq.

Adopted: August 18, 2009

