R 2000 TABLE OF CONTENTS
R 2000 TABLE OF CONTENTS

Number	Title
R 2200	Curriculum Content (M)
R 2230	Course Guides
R 2260	Affirmative Action Program for School and Classroom Practices omplaint Procedure (M)
R 2330	Homework
R 2340	Field Trips
R 2361	Acceptable Use of Computer Networks/Computers and Resources
R 2411	Guidance and Counseling (M)
R 2412	Home Instruction Due to Health Condition
R 2414	Programs and Services for Students in High Poverty and in High Need School Districts
R 2415	Title I Services (M)
R 2415.20	No Child Left Behind Complaints (M)
R 2417	Pupil Intervention and Referral Services
R 2418	Section 504 of the Rehabilitation Act of 1973 - Students
R 2423	Bilingual and ESL Education (M)
R 2425.01	HIV Prevention/Education
R 2430	Extra-Curricular Activities

R 2431.1 Emergency Procedures for Athletic Practices and Competitions (M)

R2431.2 Medical Examination Prior to participation on a School-Sponsored Interscholastic or Intramural Team or Squad(M)

R2431.4 Prevention and Treatment of Sports-Related Concussions and Head Injuries (M)

R 2460 Special Education (M)

R 2464 Gifted and Talented Pupils (M)

R 2481 Home or Out-of-School Instruction for General Education Pupils

R 2510 Adoption of Textbooks

R 2531 Use of Copyrighted Materials

R 2560 Live Animals in School

R 2460.1 Special Education – Location, Identification, and Referral

R 2460.16 Special Education – Instructional Material to Blind or Print Disabled Pupils

R 2460.8 Special Education – Free and Appropriate Public Education (M)

R 2460.9 Special Education – Transition From Early Intervention Programs to Preschool Programs (M)

R 2464 Gifted and Talented Pupils (M)

R 2481 Home or Out-Of-School Instruction for General Education Pupils

R 2510 Adoption of Textbooks

R2531 Use of Copyrighted Materials

REGULATION

R 2560 Live Animals in School

R 2622 Student Assessment

R 2624 Grading System

2000 TABLE OF CONTENTS

Number	Title
2110	Philosophy of Education/District MissionStatement (M)
2132	School District Goals and Objectives
2200	Curriculum Content (M)
2210	Curriculum Development (M)
2220	Adoption of Curriculum (M)
2230	Curriculum Guides (M)
2240	Controversial Issues
2260	Affirmative Action Program for School and Classroom Practices (M)
2270	Religion in the Schools
2310	Pupil Grouping
2312	Class Size
2330	Homework
2340	Field Trips
2360	Use of Technology
2361	Acceptable Use of Computer Networks/Computers and Resources (M)
2411	Guidance Counseling (M)
2412	Home Instruction Due to Health Condition (M)
2415	No Child Left Behind Programs (M)

2415.01 Academic Standards, Academic Assessments and Accountability (M)

2415.02 Title I – Fiscal Responsibilities (M)

2415.03 Highly Qualified Teachers (M)

2415.04 Title I – District-Wide Parental Involvement (M)

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

2415.06 Unsafe School Choice Option (M)

2415.20 No Child Left Behind Complaints (M)

2415.30 Title 1 - Educational Stability for Children in Foster Care

2416 Programs for Pregnant Pupils (M)

2417 Student Intervention and Referral Services (M)

2418 Section 504 of the Rehabilitation Act of 1973 - Students

2422 Health and Physical Education (M)

2423 Bilingual and ESL Education (M)

2425.01 HIV Education

2428.1 Standards-Based Instructional Priorities

2430 Co-Curricular Activities (M)

2431 Athletic Competition (M)

2431.3 Practice and Pre-Season Heat-Acclimation for Interscholastic Athletics

2431.4 Prevention and Treatment of Sports-Related Concussions and Head Injuries

2432 School Sponsored Publications

2440 Summer Session

2460 Special Education (M)

2464 Gifted and Talented Pupils (M)

2466 Needless Public Labeling of Pupils with Disabilities(M)

2467 Surrogate Parents and Foster Parents (M)

2468 Independent Educational Evaluations

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

2510 Adoption of Textbooks

2520 Instructional Supplies (M)

2530 Resource Materials

2531 Use of Copyrighted Materials

2551 Musical Instruments

2560 Live Animals in School

2610 Educational Program Evaluation (M)

2622 Student Assessment (M)

2624 Grading System

2631 New Jersey Quality Single Accountability Continuum (QSAC)

2700 Services to NonpublicSchool Pupils (M)

2110 PHILOSOPHY OF EDUCATION/DISTRICT MISSION STATEMENT (M)

M

MendhamTownship, a caring, supportive and involved school community, provides all students with a comprehensive educational experience of the highest quality incorporating the Common Core State Standards, in a nurturing environment serving as a foundation for life-long learning and responsible, productive lives.

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

Adopted: 17 December 2013

2132 SCHOOL DISTRICT GOALS AND OBJECTIVES

We expect the children of Mendham Township Schools:

1. To acquire the basic academic skills needed to achieve their immediate and long range goals. These skills shall include, but not be limited to, the ability to think critically, obtain information, solve problems and communicate clearly, especially as they relate to their role as a producer and consumer in today's world.

2. To develop an understanding of their own worth, abilities, and potential.

3. To learn the importance of self-discipline and respect for others, to value and respect individual differences, and to demonstrate understanding of ethical principles.

4. To gain an appreciation for the arts, to recognize their particular fields of interests, and to develop these interests.

5. To achieve an understanding of their physical development and to acquire good health habits.

6. To become effective and responsible citizens of their school, community, and State through knowledge and understanding of American and world cultures.

Pupils shall learn to use their minds well, so that they may be prepared for responsible citizenship, further learning, and productive employment in our modem economy.

1. The district shall provide pupils with experiences in higher level thinking, information processing, the responsibilities of citizenship, and employability skills.

2. All pupils shall demonstrate competency in the skills identified in the cross-content workplace readiness standards.

3. All pupils shall demonstrate respect for racial, cultural, ethnic and religious diversity.

All pupils shall increase their achievement levels in science and mathematics to contribute to our country's ability to compete academically with all other countries of the world.

1. The district shall revise its curriculum offerings in science and mathematics according to State standards.

2. The district shall provide staff training in the teaching of mathematics and science at grades Kindergarten through eight to increase teachers' understanding of and ability to teach these subjects.

Every adult shall be literate and possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

1. Adult education programs may be increased in conjunction with other local districts, community colleges and other educational agencies, to provide greater opportunities for adults to continue learning for work skills, leisure pursuits, intellectual and cultural growth and to assist their children in learning.

2. Business and industry may be encouraged to collaborate with educational agencies to design and increase access to educational programs for adults, such as flex time, distance learning and interactive technology.

District schools shall be free of drugs and violence and offer a safe, disciplined environment conducive to learning.

1. The district shall develop partnerships with parents to establish the responsibilities of each to create and maintain safe and healthy educational environments for all pupils.

2. The district shall provide programs and staffing to deal with pupils at risk.

3. The school and community shall expand their cooperative efforts to create drug and violence-free environments.

4. All pupils shall develop a positive view of self and learn to use effective interpersonal skills.

N.J.A.C. 6A:32-12.2

Adopted: 17 December 2013

2200 CURRICULUM CONTENT (M)

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 students 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 Policy 2220.

For purposes of this policy “curriculum” means planned learning opportunities designed to assist students 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.

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: 17 December 2013
Revised: 20 December 2016

R 2200 CURRICULUM CONTENT (M)

M

Courses of study and instructional materials and programs shall be designed to eliminate discrimination and promote understanding and mutual respect between children regardless of race, color, creed, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, ancestry, national origin, socioeconomic status, and/or disability.

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 students identify the stereotypes or discriminatory statement(s) and discuss with students the consequences of repeated stereotyping and discriminatory statements.

B. If a particular instructional material is highly objectionable, staff should not use it, 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.

D. Community involvement when developing instructional programs and attendant materials shall be encouraged.

Issued: 17 December 2013
Revised: 20 December 2016

2210 CURRICULUM DEVELOPMENT (M)

M

The Superintendent shall be responsible to the Board for the development of curriculum to meet the needs of all pupils. The Board shall ensure that curriculum and instruction are designed and delivered in a way that all pupils are able to demonstrate the content knowledge, conceptual understanding, and skills outlined by the New Jersey Core Curriculum Content Standards/Common Core State Standards and those of national content specific organizations. In addition, the Board shall ensure that appropriate instructional adaptations are designed and delivered for pupils with disabilities, for pupils with limited English proficiency, and for pupils who are gifted and talented.

The Superintendent shall follow procedures for curriculum renewal, revision, and evaluation as detailed in the district's Curriculum Renewal and Evaluation Plan. The Superintendent will ensure that curriculum is guided by staff input, research-based best practices, and pupil achievement data. Care shall be taken that certified staff shall not be assigned to teach material outside the limits of their certification and endorsements.

The Superintendent shall report to the Board the objectives, evaluative criteria and costs of each proposed program before seeking Board adoption. New programs and courses of study shall not be acted upon by the Board until the meeting following their presentation, in order for Board members to have an opportunity to review the proposed program.

The acceptability of renewed or revised curricula will be evidenced by the responses to the following essential questions:

1. How have the State and national content area standards been used to develop essential learning outcomes which serve as the core of the curriculum document?

2. How did the process for reviewing standards translate into the organization of the essential learning outcomes which serve as the core of the curriculum document?

3. How will the essential learning outcomes serve as the basis of accountability for instruction and pupil achievement?

4. How do the instructional materials support what we expect pupils to know, understand, and be able to do within each grade level or course?

5. How will the essential learning outcomes, benchmark assessments, and the selected support materials assist in the remediation of skills fragility and the extension of challenge for all pupils?

A curriculum development cycle, based on the stages of curriculum renewal and evaluation, as defined in the district's Curriculum and Renewal Plan, will be approved annually at the Board of Education's Reorganization Meeting. The Superintendent shall provide progress reports related to curriculum, pupil achievement, and the curriculum development cycle to the Board of Education bi-annually.

Adopted: 17 December 2013

2220 ADOPTION OF CURRICULUM (M)

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;

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.

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: 17 December 2013

2230 COURSE GUIDES (M)

M

A curriculum guide shall be prepared for each curricular program approved by the Board of Education in order to direct and assist the professional staff toward the attainment of the New Jersey Core Curriculum Content Standards/Common Core State Standards, nationally defined content standards, and locally developed essential learning outcomes.

Teachers shall use the guides as the core of their instructional planning. It shall be the responsibility of the Building Principal to ensure that curriculum guides are being followed.

Each curriculum guide shall contain:

1. Standards-based Essential Learning Outcomes
2. Unit Frameworks
3. Unit Outcomes
4. Unit Overviews
5. Learning Objectives
6. Time Allocations
7. Essential Questions
8. Snapshot and Benchmark Assessments
9. Resources
10. Study Skills

11. Addendum/Attachments/Suggested Strategies and/or Activities

Each teacher will use the curriculum guide when planning for instruction and assessing pupils. Teachers are expected to provide and implement assessments and design lessons directly related to the essential learning outcomes. The essential outcomes clearly defined in each curriculum guide are non-negotiable expectations for all pupils and will be measured based on assessment data, but are not to be viewed as limitations or constraints when meeting the needs of diverse learners. School-wide and classroom interventions are to be enacted for pupils in need of assistance meeting the essential outcomes and those requiring challenging extensions.

The Superintendent shall be responsible for the development of the curriculum renewal and revision cycle as it relates to the Curriculum Renewal and Evaluation Plan. The Superintendent is also responsible for the planning and process by which curriculum guides are developed which includes the participation of appropriate staff members and resource personnel.

The Board of Education directs that a copy of each guide in use be maintained in the Board office for review by members of the staff, Board and community. New curriculum guides or revisions to existing guides shall be provided by the Superintendent to the Curriculum Committee of the Board of Education for study before implementation. The Board will approve all alterations to courses of study before implementation.

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

Adopted: 17 December 2013

R 2230 COURSE GUIDES

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

A. Preparation

1. The preparation of course guides is the responsibility of departmental supervisors at the secondary level and of the Principal at the elementary level.

2. Course 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 course 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 appreciations 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 course guides in accordance with Policy No. 2230.

Issued: 17 December 2013

2240 CONTROVERSIAL ISSUES

Free discussion of controversial issues--political, economic, social--shall be encouraged in the classroom whenever appropriate for the level of the group.

Issues may be considered controversial which arouse strong reactions, based either on personal conviction or allegiance to a group. School treatment of controversial issues shall be designed to instruct pupils in fair and objective study techniques. The decision on whether a particular controversial issue shall become a matter for school study shall be based on the timeliness of the question, the maturity and needs of the pupils and the purposes of the schools. Classroom discussions on controversial questions which arise unexpectedly shall be the responsibility of the teacher, who shall provide relevant information on both sides of the question. Such discussions shall be kept free from the assumption that there is one correct answer that should emerge from a discussion and be taught authoritatively to the pupils.

Pupils shall be taught to recognize each other's right to form an opinion on controversial issues, and shall be assured of their own right to do so without jeopardizing their relationship with the teacher or the school.

When public employees make statements pursuant to their official duties: in the classroom, at Board meetings, and at other meetings related to educational issues affecting the district, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline (Garcetti v. Ceballos).

The Building Principal shall have the authority to limit or suspend discussion of controversial issues pending a review of the issue/materials. Instructional materials not previously approved must be reviewed by the Principal before being introduced into the classroom.

Adopted: 17 December 2013

2260 AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES (M)

M

The Board of Education shall provide equal and bias-free access for all students 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, gender identity or expression, 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 of English language learners and their progress in learning English pursuant to N.J.A.C. 6A:15-1.3(b);

4. Utilizing bias-free multiple measures for determining the special needs of students 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 students; and

6. Ensuring that a student is not discriminated against because of a medical condition. A student shall 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 student shall be provided with equivalent and timely instruction that may include home instruction, without prejudice or penalty.

The Board of Education shall 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 students to interact positively with others regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, 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, gender identity or expression, 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, gender identity or expression, 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 students, provided that the course content for such separately conducted sessions is the same.

3. Reducing or preventing the underrepresentation of minority, female, and male students 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 students 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 students have access to adequate and appropriate counseling services. When informing students about possible careers, professional or vocational opportunities, the Board shall not restrict or limit the options presented to students on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, 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, gender identity or expression, 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, gender identity or expression, 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 students 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 students 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.

N.J.S.A. 18A:36-20
N.J.A.C. 6A:7-1.7

Adopted: 17 December 2013
Revised: 20 December 2016

R 2260 AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES COMPLAINT PROCEDURE (M)

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 Affirmation Action Plan for school and classroom practices, as set forth in Policy No. 2260.

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 MendhamTownshipSchool 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 MendhamTownshipSchool District.

9. "Violation" means the failure of a district official or employee to take the positive steps outlined in Policy No. 2260 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.

Issued: 17 December 2013

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 exerciseswill 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; baccalaureate 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.

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

Adopted: 17 December 2013

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: 17 December 2013

2312 CLASS SIZE

The Superintendent shall recommend for Board approval the number of class sections for each course or grade level. He/she shall take into consideration such factors as student needs, curriculum requirements, types of instructional setting, district finances and space or equipment limitations.

Particular attention shall be paid to space-per-pupil requirements of the State Department of Education.

Adopted: 17 December 2013

2330 HOMEWORK

The Board of Education believes that homework relevant to material presented in class provides an opportunity to broaden, deepen or reinforce the pupils knowledge. Teachers must use discretion in deciding the number and length of assignments. The Board encourages the use of interrelated major homework assignments such as term papers, themes and creative art projects.

Homework shall not be used for punitive reasons.

Pupils absent for any reason must make up assignments, classwork and tests within a reasonable length of time. In most cases, a reasonable length of time shall be the same number of school days as the days missed.

Pupils being excused for any reason must make arrangements with the teacher of the missed classes in order to make up the work missed. This must be done before the absence from class.

Incomplete

When a pupil does not complete work missed for absence or other reasons, he/she will receive an "incomplete" for the marking period. Pupils will be given ten school days following the end of the marking period to make up the missed work.

If work critical to the pupils understanding of the subject is not made up by the end of the next marking period, the grade for that subject area may be an "F".

If work is missing during the final marking period of the school year, the grade will be left to the discretion of the teacher. The teacher who has given an incomplete is responsible for reporting to the pupil the work he/she has missed and citing the consequences mentioned above.

Adopted: 17 December 2013

R 2330 HOMEWORK

Homework Guidelines – Middle School

Homework is an important part of each school day. It extends educational experiences beyond the classroom and reinforces learning by giving children an opportunity to practice without the pressure of time. Homework teaches students to be responsible, to organize time, to work independently, to practice good study skills and to develop self-discipline. Homework is one of the links between home and school that enables the parent to become more involved with his/her child's education. All MendhamTownshipMiddle School classroom teachers will post all homework, test, quiz, and project due dates located on the Middle School home page. Parents can check the status of their child's homework completion each Friday via the online "Live Grades."

Fifth and sixth graders are required to use the agenda books issued by the middle school at the beginning of the school year. Any seventh or eighth grade teacher may also require for students to utilize the agenda book. A stand alone 5th and 6th grade homework guideline, which was sent home in the summer mailing and will be followed by all grade five and six teachers.

Homework must be legible, neat, and accurate in form and content and must be completed on time. Late assignments may not be accepted for credit and may negatively impact a student's grade point average. Teachers' expectations are to be clearly expressed to the students.

In cases of an excused absence due to illness, the following procedures will be followed:

- One day or single classes: Students are expected to retrieve assignments online, and or contact friends for assignments, class notes, notices, and to be prepared for class activities the following day.

- Two or more days: Parents and students should retrieve homework assignments online from the middle school webpage. Missed assignments should be completed as soon as possible

following the student's return to school. It is generally recommended that the number of days absent is the number of days a student requires to make up missed assignments.

Students who have missed classes or assignments because of attendance at school sponsored activities are responsible for all missed homework and class work.

Online Posting Guidelines

1. Teachers will reproduce their in-class 'homework board' online every day that school is in session. If there is no homework, the teacher will post "no homework" or "none" will be posted.

2. Homework, quizzes, and special projects will be placed online via links from the middle school home page located on the webpage under "Homework Assignments". Tests will be posted on the homework assignment calendars as soon as the teachers are aware of the dates. Unannounced assessments obviously will not be posted.

3. All homework/assignments that are due on the next school day will be posted by the teacher by no later than 3:30 pm. For example, assignments due on Tuesday will be posted no later than Monday afternoon at 3:30 pm. If it is not posted, a student will be given an extra day to complete the assignment if necessary.

4. Once an assignment is written on the homework board and the students leave the classroom at the end of the period, the teachers will not alter or adjust the assignment online in any way. If circumstances arise and this does occur, see number 6 below.

5. Students in 7th and 8th grades are encouraged, but not required, to utilize their agendas in class to write down homework assignments. However, internet outages, webpage outages, or lack of internet access will never suffice as an excuse for missed assignments. Students in 5th and 6th grades will still be required to maintain a paper agenda book.

6. If there is a conflict between what is written on the classroom homework board and what is posted online, students will be permitted an additional day to complete the assignment only if he/she successfully completes one of the assignments. It is not permissible for students to identify the conflict as the reason for not completing either assignment.

7. Teachers will not post documents that require students to have online access in order to successfully complete an assignment. If circumstances arise and this does occur, students without online access shall be granted an additional day to complete the assignment.

To access teachers' online postings:

1. Go to the middle school homepage

2. Under "Homework Assignments" click the appropriate grade level

3. Select class (and teacher if applicable) from the calendar tabs

Homework Guidelines – Elementary School

Homework is an extension of the school curriculum and should be viewed as an important school related activity.

1. It is important to set aside a specific time each evening for school assignments. A suitable place free from distractions, and a few inexpensive study aides such as a dictionary, atlas and almanac will help to assure assignments are completed adequately. The recommended times for such homework, including any short and long-term project activity, is:

Grade 1 -- 10-15 minutes	Grade 3 -- 30-45 minutes
Grade 2 -- 15-30 minutes	Grade 4 -- 45-60 minutes

2. On days when no specific homework is assigned, the provided time should be used for academic reinforcement (practicing math facts, reading, reviewing spelling words, journal writing, etc.).

3. Procedures for helping children with their homework will be discussed at Back to School Night by classroom educators. Should your child consistently struggle with homework and spend an inordinate amount of time completing school activities be sure to notify your child's classroom educator.

4. If a student is absent two or more days, homework may be requested by calling the school on the second day of absence and assignments will be available after 9:00 a.m. the following day in the main office.

Issued: 17 December 2013

2340 FIELD TRIPS

The Board of Education recognizes that field trips, used as a device for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the school. The tradition and culture of community and schools will be considered when planning and approving field trips.

For purposes of this policy, a field trip shall be defined as any journey by a group of pupils away from the school premises, under the supervision of a teacher, which is an integral part of an approved course of study and conducted for the purpose of affording first-hand educational experiences, which enable pupils to personally interact with content and materials or have exposure to activities not ordinarily available in the classroom. Prior to planning a field trip, the respective teachers and administrators shall consider resources such as traveling museums that could provide similar instructional benefits without removing pupils and staff from the school campus.

All trips must be individually approved by the Board. Times and locations of field trips shall not be posted on the district website.

When field trips and excursions are to be arranged, the following guidelines apply:

A. All field trips must have a direct correlation with grade-level curricula and New Jersey Core Curriculum Content Standards/Common Core State Standards, while providing meaningful experiences or knowledge that cannot be achieved in the school building.

B. Overnight and extended field trips are not encouraged due to safety concerns and the potential for extended loss of instructional time. Local resources must be considered as options for field trips, as our community is a valuable resource that can enrich learning experiences.

C. All trips, and the arrangements for them, must have Board approval a minimum of one month in advance of the trip. Proposals must include whether district buses will be used or private vehicles; the route to be

followed; and parking arrangements if necessary. All private transportation companies must be on the Board approved list and possess a minimum of $5,000,000 of liability insurance. Transportation in private vehicles must be in compliance with Board Policy.

D. Costs must be ascertained and demonstrate worthiness via a cost benefit analysis by the trip coordinator.

E. Each child who goes on a field trip or excursion must have written parental permission.

F. The Superintendent shall have discretion in determining the appropriateness of all trips, assigning chaperones, and granting approval of the trip itineraries.

G. Pupil safety must be of prime concern, and adequate supervision must be provided by staff and aided by other adult chaperones if necessary. The pupil chaperone ratio must not exceed the following standards:

K-2 1 chaperone for every 6 children
3-5 1 chaperone for every 8 children
6-8 1 chaperone for every 10 children

H. Pupil and staff medical/health needs are a significant concern. Emergency medical cards, including medication and allergy information, must be in possession of the Principal-designated "teacher in charge". Pupils with significant health concerns shall be accompanied by a certified school nurse or a substitute nurse (in addition to traditional chaperones) who possesses training necessary to support the respective medical needs.

I. Exemplary pupil conduct is expected on all field trips. All school and district conduct regulations apply during field trips. If pupils demonstrate dangerous or continued unruly behavior, his/her parents shall be required to pick the child up from the site of the trip. While awaiting the parent(s) or legal guardian(s) arrival, the pupil shall be properly supervised by a district staff member.

J. Each field trip should be evaluated by pupils, teachers, and the administration through a survey within five school days of the trip. The

survey will include measures of success relative to the attainment of curricular objectives, pupil enjoyment, authenticity of the experience, safety, and cost-benefit worthiness.

The Board shall bear all expenses of field trips included in the curriculum guides. Parents/guardians shall be asked to bear the expense of all other excursions. No pupil is to be denied the right to participate because of inability to pay. In cases of financial hardship, parents or legal guardians must communicate need in writing to the Building Principal.

The Superintendent shall develop guidelines for planning trips suitable to the various grade levels, and regulations governing frequency, distance and expense.

The Board does not endorse, support or assume liability in any way for any staff member of this district who takes pupils on trips not approved by the Board. No staff member may solicit pupils of this district for such trips within the facilities or on the school grounds of this district without Board permission.

Pupil Self-Administration of Medication

The Board shall permit self-administration of medication on field trips for asthma or other potentially life-threatening illness by pupils in grades Kindergarten through eight. Affected pupils must be accompanied by a trained, epi-pen designee on all field trips. All conditions established by law and Board Policy shall be met.

NOTE: This Section Applies to the Emergency Administration of Epinephrine on Field Trips.

Epinephrine shall be administered via epi-pen to pupils in emergencies on field trips by the school nurse, his/her designee(s), the pupil's parent/guardian or the pupil himself/herself, in accordance with Board Policy.

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

Adopted: 17 December 2013

R 2340 FIELD TRIPS

A. Definition

A "field trip" is any journey by a group of pupils away from the school premises that has been duly approved in accordance with Policy No. 2340. A school sponsored trip taken by pupils as part of a co-curricular activity or a class trip is not a field trip and is governed instead by Regulation No. 5850.

B. Approval of Trips

1. A list of field trips considered appropriate for each grade level or subject area will be prepared cooperatively by teaching staff members and approved by the School Principal. The approved list will be reviewed annually for additions, deletions, and revisions and will be distributed to teachers as a suggested guideline. In addition, the curriculum guide for a specific course of study may include suggested field trips.

2. To ensure the equitable allocation of budgeted field trip funds, each teacher shall submit a list of proposed field trips to the School Principal at the beginning of the school year. The acceptance of the list does not constitute approval of any specific field trip on the list or of the number of field trips proposed by a teacher.

3. A teacher shall request approval of a specific field trip by submitting a written application to the School Principal, then to the Superintendent no less than 60 working days prior to the date of the anticipated trip. Field trip application forms are available in the office of the School Principal.

4. The field trip application will include:

   a. Proposed date of the trip (which should be checked in advance against the school calendar) and any alternate date(s);

b. The proposed destination and, if the destination is not generally known, its description and the reason it is selected by the teacher;

c. The relationship of the trip to curriculum goals and objectives;

d. The location of the destination and the route that will be taken to it;

e. Transportation arrangements, the estimated cost of transportation, and the provision of safe and adequate loading and unloading areas for bus-borne pupils;

f. The time of departure and the estimated time of return to the school;

g. Provisions for emergency and sanitation facilities;

h. Admission fees and tolls, if any; and

i. Provisions for meals, if any are required.

5. The Principal may deny a field trip request when:

a. The application is incomplete;

b. The anticipated cost is excessive;

c. The proposed trip bears insufficient relationship to the curriculum;

d. The pupils involved will have been taken from the class for the trip and other activities for an excessive amount of time;

e. The trip conflicts with other scheduled events or with other demands on school buses;

f. The class has exceeded its equitable allocation of field trips;

g. The trip will bring elementary pupils back to the school later than 3:00 p.m. or secondary pupils back to the school later than 2:30 p.m.;

h. The trip will occur during an exam period or immediately before the end of a marking period; or

i. The destination and trip activity are inappropriate choices for pupils of the age and maturity typical of the class.

6. A request for an overnight field trip must receive the preliminary approval of the School Principal and Superintendent before it is submitted to the Board of Education for final approval.

7. The teacher will be given written approval or denial of the teacher's request for a field trip. A denial of approval will include the reason(s) for the denial.

C. Planning and Preparation

1. Each teacher who plans a field trip should take the following preliminary steps:

a. Determine that the proposed trip is the best method available for achieving the desired learning outcomes. Consult the list of approved field trip destinations for alternatives;

b. Consult the school calendar for any conflicts with the projected date of the field trip and for any clusters of field trips on or about that date;

c. Determine whether classes can be combined in a joint field trip for maximum economy;

d. Gather the information necessary to fill out the field trip application form; and

e. Complete and submit the form.

2. If the field trip is approved, the teacher should take the following preparatory steps:

a. Discuss the proposed trip with pupils, giving particular attention to;

(1) The purpose of the trip and its relationship to the course of study,

(2) What in the trip the pupils should give particular attention to and ask questions about,

(3) Any reports, note taking, sketching, or the like pupils should accomplish on the trip,

(4) The assignment of background materials and research to enhance the value of the trip, and

(5) Rules of conduct and expected behaviors, both at the trip destination and in transit to and from the destination.

b. Distribute and collect a permission slip for each pupil who will participate in the trip. The slip must be signed by the pupil's parent(s) or legal guardian(s). The slip will include notice of:

(1) The date, departure time, and return time;

(2) The destination and its location;

(3) The name of the teacher in charge;

(4) The means of transportation; and

(5) The purpose of the trip.

Signed permission slips will be filed with the School Principal, who will file them until the end of the school year.

c. Make arrangements for travel and inform the School Principal/Transportation Director of those arrangements in writing no later than 30 before the trip.

(1) District-owned buses may be reserved by telephone call to Transportation Director at 973-543-2505 (telephone number).

(2) Private vehicle transportation may be arranged only on the express written permission of the School Principal and Transportation Director, and in accordance with Policy No. 8660.

d. Arrange with officials at the point of destination for:

(1) The pupils'' admission;

(2) The provision of any materials that will enhance the trip;

(3) The services of guides, if necessary; and

(4) The provision of meals, if necessary.

e. Arrange for chaperones, who may be other teaching staff members or volunteer parent(s) or legal guardian(s), and apprise them of their responsibilities (see paragraph D below).

f. If unfamiliar with trip destination, make a reasonable effort to visit the premises to become acquainted with points of

interest, special features, potential problem areas, and the food and restroom accommodations.

g. Notify other teachers or departments, as appropriate, of the nature of the field trip and the pupils involved in the trips:

(1) To permit other teachers to plan for the absences; and

(2) To encourage other teachers to incorporate the field trip experience in their lesson plans.

h. Notify the cafeteria manager, no later than 10 working days in advance, of the number of pupils who will miss lunch on the day of the field trip.

i. Prepare a roster of pupils who will participate in the field trip.

j. Make alternate educational arrangements for any pupils who will not participate in the field trip.

k. Ascertain whether any pupil participating in the field trip will or may require medication in the course of the trip and arrange for the presence of the school nurse, a registered nurse, or the pupil's parent(s) or legal guardian(s) to administer the medication, except where pupils are allowed to self administer medication under statutory authority. If none can be present, report the matter to the Principal who may deny the pupil's participation.

3. On the day of the field trip, the teacher will:

a. If the weather is inclement and the trip is to take place out of doors or involves transportation that might be made hazardous by the weather.

(1) Check with the School Principal who may determine to cancel or postpone the trip.

(2) If the trip is canceled or postponed, promptly inform chaperones.

b. Take attendance and deliver to the School Principal a roster of the pupils who are actually leaving on the field trip.

c. Ascertain that the full complement of assigned chaperones is present and prepared.

d. Ascertain that all pupils participating in the field trip have left the school by the arranged method of transportation. Only in exceptional circumstances, approved in advance by the School Principal, may pupils be delivered directly to the destination by means other than those arranged by the teacher.

e. Take all reasonable steps to assure that pupils profit educationally from the trip.

f. Make no change or substitutions in the trip itinerary unless an emergency has occurred (see paragraph E following).

g. Ascertain that all pupils participating in the field trip have left the destination by the arranged method of transportation. Only in exceptional circumstances, approved in advance by the School Principal, or in an emergency may pupils be taken from the destination by means other than those arranged by the teacher.

h. If the trip will bring pupils back to school after the end of the school day, ascertain that the Principal will remain on the premises until the pupils'' return or has appointed an emergency coordinator to remain on school premises. Plan to stay at the school or assign a chaperone to stay at the

school until the last pupil has been picked up or has departed for home by his/her regular transportation.

i. Implement school policies regarding student use of mobile devices such as telephones, tablets/iPads, Kindles, iPods, or other. Policies regarding supervision and use will mirror school policy, as students will only be allowed to use the electronic devices named above in certain limited circumstances. Permission may be granted by staff to use devices. Should students use devices during times where permission has not been granted, the devices shall be confiscated by the staff and returned to parents at the conclusion of the trip. Disciplinary action on the part of the staff and administration may follow.

D. Chaperones

1. The teacher in charge of the trip is responsible for appointing and training chaperones. Chaperones should be persons known to the teacher to be responsible, dependable, and comfortable with children of the pupil's age and maturity.

2. The Board will pay the expenses of chaperones to the extent that the expenses of pupils and teachers are paid.

3. Chaperones will be assigned a specific group of pupils and are accountable for the welfare of those pupils. Pupils must not be left unattended; if the chaperone must briefly leave his/her assigned pupils, the chaperone should ask the teacher or another chaperone to take his/her place for the absence.

4. Smoking and the use of alcohol or drugs or the possession of weapons is prohibited for both pupils and chaperones.

5. Prior to their arrival at the destination, chaperones should inform the pupils in their charge of:

a. The conduct expected of them,

b. The time and place of departure, and

c. Any other information necessary to the conduct of the trip, such as meal arrangements and the location of restrooms.

6. Chaperones should attempt to regulate pupil conduct. Any significant or persistent disciplinary problem should be reported to the teacher for appropriate action.

Notes for chaperones:

a. The students in your assigned group are your responsibility. Know exactly how many students are in your group and learn their names and faces. Be sure that all are present before moving from one place to another.

b. Always be safety conscious. You are responsible for the continuous monitoring of your group's activities.

c. No other children will accompany the chaperone during the field trip. Siblings and other children must be left at home.

d. Chaperones should familiarize yourself with the general instructions given to the students prior to the field trip and enforce these instructions throughout the trip.

e. Teachers reserve the right to assign and/or reassign students to groups.

f. Be on time for designated meeting places and departure.

g. School district policies apply to district sponsored, off-site activities.

h. Keep your assigned group of students with you throughout the field trip, including time on the bus. Never allow individuals to leave the group.

i. You have the authority to enforce the rules and appropriate behavior. The responsibilities for assigning consequences or using physical restraint rest with the school staff. Report any major and/or continued infractions to the teacher as soon as possible.

j. For the protection of both students and chaperones, do not place yourself in situations in which you are alone with a student.

k. Please do not purchase items or provide opportunities that are not offered to all students in the class or preapproved by the teacher.

l. Sensitive information you may learn about a student's abilities, relationships, or background must be kept confidential.

m. To ensure that you are able to devote your full attention to the important responsibilities of chaperoning, restrict cell phone use to emergencies only.

n. Please be aware that some students have photo restrictions; this means their parents have formally re- quested they not be photographed at school or school activities. The use of social media during a field trip is strictly forbidden.

o. At no time may chaperones administer medications to students.

7. Failure to address/comply with guidelines for chaperons may disqualify the parent/guardian from further activity

E. Emergencies

The following guidelines will be followed in the event of an emergency during a field trip.

1. An emergency on a school bus will be governed by the procedures set forth in Regulation No. 8630.

2. In the event a pupil is lost or missing, and all reasonable efforts to find him/her have failed, the teacher shall, no later than 5 minutes after the pupil is first found missing, call the Principal. If the Principal is not immediately available, the teacher shall call the Superintendent at 973-219-4045 (telephone number) for further instructions.

3. In the event of a medical emergency, the teacher shall summon first aid and/or ambulance services. Any medical emergency shall be immediately reported to the Principal. Within twenty-four hours of the trip, the teacher shall file with the Principal a full written report of the emergency and the steps taken to protect the victim's health and safety.

4. In the event of a delay that will bring pupils back to school later than anticipated and after the end of the school day, the teacher will, as soon as he/she can estimate the actual time of arrival, call the Principal or a person designated by the Principal to remain at the school as emergency coordinator. The Principal or emergency coordinator will:

   a. Inform parent(s) or legal guardian(s) of the delay by telephone;

   b. Make the school facilities available to waiting parents or legal guardians;

   c. Remain at the telephone to answer incoming calls; and

   d. Confer with the teacher to be certain all pupils have been safely dispatched.

F. Overnight Trips

1. A field trip that will remove pupils from the district overnight must be specifically approved by the Board. The request and approval procedures outlined in paragraph B6 above must be followed.

2. All of the provisions of this regulation are applicable to overnight field trips.

3. Pupils and their parent(s) or legal guardian(s) may be required, as a condition of their participation in the trip, to attend a meeting at which they will be informed of the:

   a. Purpose of the trip;

   b. The particulars of the trip such as itinerary, departure and return times, duration, overnight accommodations, and points of interest;

   c. Rules of conduct and behavior expectations, both on the trip and at the destination;

   d. Need, if any, for special clothing, supplies, apparatus, or equipment; and

   e. Costs, if any, of the trip.

G. Follow-up and Evaluation

1. The teacher in charge of the field trip should express his/her appreciation to:

   a. The chaperones, both lay and professional;

   b. The officials and guides at the destination; and

   c. Any other persons or representatives who assisted in the conduct of the trip.

2. The teacher in charge should incorporate the field trip experience into pupil's learning by:

   a. Conducting a discussion and a critical evaluation of the experience;

   b. Encouraging creative projects on themes experienced on the field trip;

   c. Testing pupils on information gained and attitudes formed; and/or

   d. Assigning pupils written reports or presentations on the experience.

3. The teacher will assist the Principal in a critical evaluation of the trip by filing a written report of the trip that includes its benefits and drawbacks. The report should address these questions, as appropriate to the trip:

   a. Was the destination the best choice for the teaching purpose served?

   b. Were there sufficient materials available to pupils as background for the trip?

   c. Did the trip experiences encourage new understandings, impart new knowledge, or stimulate pupils to new activity?

   d. Did the trip experience relate to other school learning experiences?

   e. Did the trip impart accurate information and a truthful picture?

   f. Were the pupils exposed to any hazard to their physical or emotional well-being?

g. Was the trip worth the time and expense?

h. Were there any serious problems with pupil conduct and management?

i. To what extent, if any, did the trip generate cooperation and a positive relationship between the school and the community?

Issued: 17 December 2013
Revised: 22 August 2018

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, 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 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.

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 IT Consultant.

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 IT Consultant.

Site Licenses

In the case where more than one copy of a software program is required, the IT Consultant 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 IT Consultant, 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 IT Consultant. The IT Consultant 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 IT Consultant 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.

Technology Coordination

The Board shall appoint a IT Consultant to assure the technology needs of the district are met in the most efficient manner possible at the lowest costs available to meet specified needs.

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 IT Consultant 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 IT Consultant 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.

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

Adopted: 17 December 2013

2361 ACCEPTABLE USE OF COMPUTER NETWORKS/COMPUTERS AND RESOURCES (M)

M

The Board shall develop a technology plan that effectively uses electronic communication to advance and promote learning and teaching. This system of technology shall be used to provide local, Statewide, national and global communications opportunities for staff and pupils. Educational technology shall be infused into the district curriculum to maximize pupil achievement of the Core Curriculum Content Standards/Common Core State Standards.

Purpose

To support its commitment to providing avenues of access to the universe of information available, the district's system of electronic communication shall include access to the Internet for pupils and staff.

Limitation of Liability

The Internet constitutes an unregulated collection of resources that change constantly, so it is not possible to totally predict or control the resources that users may locate. The Board cannot guarantee the accuracy of the information or the appropriateness of materials that a user may encounter. Furthermore, the Board shall not be responsible for any damage users may suffer, including but not limited to, loss of data or interruptions of service. Nor shall the Board be responsible for financial obligations arising through the unauthorized use of the system.

District Rights and Responsibilities

The computer system is the property of the district, and all computer software and hardware belong to it. Therefore, the district retains the right to monitor all access to and use of the Internet.

The Board designates the Superintendent as the coordinator of the district system. He/she shall recommend to the Board of Education qualified staff persons to ensure provision of individual and class accounts necessary for access to the Internet, designation of quotas for disk usage on the system, establishment of a document retention schedule,

establishment of a virus protection process and coordination of other activities as required to maintain the system.

Each Principal shall coordinate the district system in his/her building by approving all activities for that building; ensuring that teachers receive proper training in the use of the system; ensuring that pupils are adequately supervised when using the system; maintaining executed user agreements; and interpreting this acceptable use policy at the building level.

Access to the System

This acceptable use policy shall govern all use of the system. Sanctions for pupil misuse of the system shall be included in the disciplinary code for pupils, as set out in Board Policy. Employee misuse may result in appropriate discipline in accord with the collective bargaining agreement and applicable laws and regulations.

The Board shall ensure the acquisition and installation of blocking/filtering software to deny access to certain areas of the Internet.

Internet Safety Protection

As a condition for receipt of certain Federal funding, the school district shall be in compliance with the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and has installed technology protection measures for all computers in the school district, including computers in media centers/libraries. The technology protection must block and/or filter material and visual depictions that are obscene as defined in Section 1460 of Title 18, United States Code; child pornography, as defined in Section 2256 of Title 18, United States Code; are harmful to minors including any pictures, images, graphic image file or other material or visual depiction that taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or depicts,

describes, or represents in a patently offensive way, with respect to what is suitable for minors, sexual acts or conduct; or taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

This Policy also establishes Internet safety policy and procedures in the district as required in the Neighborhood Children's Internet Protection Act. Policy 2361 addresses access by minors to inappropriate matter on the Internet and World Wide Web; the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; unauthorized access, including "hacking" and other unlawful

activities by minors online; unauthorized disclosures, use, and dissemination of personal identification information regarding minors; and measures designed to restrict minors' access to materials harmful to minors.

Notwithstanding blocking and/or filtering the material and visual depictions prohibited in the Children's Internet Protection Act and the Neighborhood Children's Internet Protection Act, the Board shall determine other Internet material that is inappropriate for minors.

In accordance with the provisions of the Children's Internet Protection Act, the Superintendent of Schools or designee will develop and ensure education is provided to every pupil regarding appropriate online behavior, including pupils interacting with other individuals on social networking sites and/or chat rooms, and cyberbullying awareness and response.

The Board will provide reasonable public notice and will hold one annual public hearing during a regular monthly Board meeting or during a designated special Board meeting to address and receive public community input on the Internet safety policy - Policy and Regulation 2361. Any changes in Policy and Regulation 2361 since the previous year's annual public hearing will also be discussed at a meeting following the annual public hearing.

The school district will certify on an annual basis, that the schools, including media centers/libraries in the district, are in compliance with the Children's Internet Protection Act and the Neighborhood Children's Internet Protection Act and the school district enforces the requirements of these Acts and this Policy.

World Wide Web

All pupils and employees of the Board shall have access to the Web through the district's networked or stand alone computers. An agreement shall be required. To deny a child access, parent(s) or legal guardian(s) must notify the Building Principal in writing.

Individual E-mail Accounts for District Employees

District employees shall be provided with an individual account e-mail account for professionally related communications.

System Limits

Users shall access the system only for educational, professional or career development activities. This applies to discussion group mail lists, instant message services and participation in Internet "chat room" conversations.

Users shall check e-mail frequently and delete messages promptly.

Supervision of Pupils

Pupil use of the Internet shall be supervised by qualified staff.

District Website

The Board authorizes the Superintendent to establish and maintain a district website. The purpose of the website will be to inform the district educational community of district programs, policies and practices.

Individual schools and classes may also establish websites that include information on the activities of that school or class. The Building Principal shall oversee these websites.

The Superintendent shall publish and disseminate guidelines on acceptable material for these websites. The Superintendent shall also ensure that district and school websites do not disclose personally identifiable information about pupils without prior written consent from parent(s) or legal guardian(s). Consent shall be obtained on the form developed by the State Department of

Education. “Personally identifiable information” refers to pupil names, photos, addresses, e-mail addresses, phone numbers and locations and times of class trips.

Parental Notification and Responsibility

The Superintendent shall ensure that parent(s) or legal guardian(s) are notified about the district network and the rules governing its use. Parent(s) or legal guardian(s) shall sign an agreement to allow their child(ren) to have an individual account. Parent(s) or legal guardian(s) who do not wish their child(ren) to have access to the Internet must notify the Principal in writing.

Pupil Safety Practices

Pupils shall not post personal contact information about themselves or others. Pupils should not engage in any kind of unauthorized personal contact from individuals they meet online. Attempts at contact from such individuals shall be reported immediately to

the staff person monitoring that child's access to the Internet. Personal contact information includes but is not limited to names, home/school/work addresses, telephone numbers, or personal photographs.

Prohibited Activities

Users shall not attempt to gain unauthorized access to the district system or to any other computer system through the district system, nor shall they go beyond their authorized access. This includes attempting to log in through another individual's account or accessing another's files.

Users shall not deliberately attempt to disrupt the district's computer system performance or destroy data by spreading computer viruses, worms, "Trojan Horses," trap door program codes or any similar product that can damage computer systems, firewalls, servers or network systems.

Users shall not use the district system to engage in illegal activities.

Users shall not access material that is profane or obscene, that advocates illegal acts, or that advocates violence or hate. Inadvertent access to such material should be reported immediately to the supervising staff person.

Users shall not plagiarize material that is available on the Internet. Plagiarism is presenting another's ideas/words as one's own. Users shall not infringe on copyrighted material and shall follow all dictates of copyright law and the applicable policies of this district.

Prohibited Language

Prohibited language applies to public messages, private messages, and material posted on web pages.

Users shall not send or receive messages that contain obscene, profane, lewd, vulgar, rude, inflammatory, or threatening language.

Users shall not use the system to spread messages that can reasonably be interpreted as harassing, discriminatory or defamatory.

System Security

Users are responsible for their accounts and should take all reasonable precautions to prevent unauthorized access to them. In no case should a user provide his/her password to another individual.

Users shall immediately notify the supervising staff person or data processing department if they detect a possible security problem. Users shall not access the system solely for the purpose of searching for security problems.

Users shall not install or download software or other applications without permission of the supervising staff person.

Users shall follow all district virus protection procedures when installing or downloading approved software.

Privacy Rights

Users shall respect the privacy of messages that they receive and refrain from reposting messages without the approval of the sender.

Users shall not publish private information about another individual.

Implementation

The Superintendent shall prepare regulations to implement this policy.

The Superintendent shall ensure that curriculum in the arts, including both visual and performing, are developed appropriately for each grade level.

Adopted: 17 December 2013

R 2361 ACCEPTABLE USE OF COMPUTER NETWORKS/ COMPUTERS AND RESOURCES

The school district provides computer equipment, computer services, and Internet access to its pupils and staff for educational purposes only. The purpose of providing technology resources is to improve learning and teaching through research, teacher training, collaboration, dissemination and the use of global communication resources.

For the purpose of this Policy and Regulation, "computer networks/computers" includes, but is not limited to, the school district's computer networks, computer servers, computers, other computer hardware and software, Internet equipment and access, and any other computer related equipment.

For the purpose of this Policy and Regulation, "school district personnel" shall be the person(s) designated by the Superintendent of Schools to oversee and coordinate the school district's computer networks/computer systems. School district personnel will monitor networks and online activity, in any form necessary, to maintain the integrity of the networks, ensure proper use, and to be in compliance with Federal and State laws that regulate Internet safety.

Due to the complex association between government agencies and computer networks/computers and the requirements of Federal and State laws, the end user of the school district's computer networks/computers must adhere to strict regulations. Regulations are provided to assure staff, community, pupils, and parent(s) or legal guardian(s) of pupils are aware of their responsibilities. The school district may modify these regulations at any time. The signatures of the pupil and his/her parent(s) or legal guardian(s) on a district-approved Consent and Waiver Agreement are legally binding and indicate the parties have read the terms and conditions carefully, understand their significance, and agree to abide by the rules and regulations established under Policy and Regulation 2361.

Pupils are responsible for acceptable and appropriate behavior and conduct on school district computer networks/computers. Communications on the computer networks/computers are often public in nature and policies and regulations governing appropriate behavior and communications apply. The school district's networks, Internet access, and computers are provided for pupils to conduct research, complete school assignments, and communicate with others. Access to

computer networks/computers is given to pupils who agree to act in a considerate, appropriate, and responsible manner. Parent(s) or legal guardian(s) permission is required for a pupil to access the school district's computer networks/computers. Access entails responsibility and individual users of the district computer networks/computers are responsible for their behavior and communications over the computer networks/computers. It is presumed users will comply with district standards and will honor the agreements they have signed and the permission they have been granted. Beyond the clarification of such standards, the district is not responsible for the actions of individuals utilizing the computer networks/computers who violate the policies and regulations of the Board.

Computer networks/computer storage areas shall be treated in the same manner as other school storage facilities. School district personnel may review files and communications to maintain system integrity, confirm users are using the system responsibly, and ensure compliance with Federal and State laws that regulate Internet safety. Therefore, no person should expect files stored on district servers will be private or confidential.

The following prohibited behavior and/or conduct using the school district's networks/computers, includes but is not limited to, the following:

1. Sending or displaying offensive messages or pictures;

2. Using obscene language and/or accessing material or visual depictions that are obscene as defined in section 1460 of Title 18, United States Code;

3. Using or accessing material or visual depictions that are child pornography, as defined in section 2256 of Title 18, United States Code;

4. Using or accessing material or visual depictions that are harmful to minors including any pictures, images, graphic image files or other material or visual depictions that taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;

5. Depicting, describing, or representing in a patently offensive way, with respect to what is suitable for minors, sexual acts or conduct; or taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors;

6. Cyberbullying;

7. Inappropriate online behavior, including inappropriate interaction with other individuals on social networking sites and in chat rooms;

8. Harassing, insulting, or attacking others;

9. Damaging computers, computer systems, or computer networks/computers;

10. Violating copyright laws;

11. Using another's password;

12. Trespassing in another's folders, work or files;

13. Intentionally wasting limited resources;

14. Employing the computer networks/computers for commercial purposes; and/or

15. Engaging in other activities that do not advance the educational purposes for which computer networks/computers are provided.

INTERNET SAFETY

Compliance with Children's Internet Protection Act

As a condition for receipt of certain Federal funding, the school district has technology protection measures for all computers in the school district, including computers in media centers/libraries, that block and/or filter material or visual depictions that are obscene, child pornography and harmful to minors as defined in 2, 3, 4, 5, 6, and 7 above and in the Children's Internet Protection Act. The

school district will certify the schools in the district, including media centers/libraries are in compliance with the Children's Internet Protection Act and the district complies with and enforces Policy and Regulation 2361.

Compliance with Neighborhood Children's Internet Protection Act

Policy 2361 and this Regulation establish an Internet safety protection policy and procedures to address:

1. Access by minors to inappropriate matter on the Internet and World Wide Web;

2. The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;

3. Unauthorized access, including "hacking" and other unlawful activities by minors online;

4. Cyberbullying;

5. Inappropriate online behavior, including inappropriate interaction with other individuals on social networking sites and in chat rooms;

6. Unauthorized disclosures, use, and dissemination of personal identification information regarding minors; and

7. Measures designed to restrict minors' access to materials harmful to minors.

Notwithstanding the material or visual depictions defined in the Children's Internet Protection Act and the Neighborhood Children's Internet Protection Act, the Board shall determine Internet material that is inappropriate for minors.

The Board will provide reasonable public notice and will hold one annual public hearing during a regular monthly Board meeting or during a designated special Board meeting to address and receive public community input on the Internet safety protection policy - Policy and Regulation 2361. Any changes in Policy and

Regulation 2361 since the previous year's annual public hearing will also be discussed at a meeting following the annual public hearing.

Information Content and Uses of the System

Pupils may not publish on or over the system any information which violates or infringes upon the rights of any other person or any information which would be abusive, profane, or sexually offensive to a reasonable person, or which, without the approval of the Superintendent of Schools or designated school district personnel, contains any advertising or any solicitation to use goods or services. A pupil cannot use the facilities and capabilities of the system to conduct any business or solicit the performance of any activity which is prohibited by law.

Because the school district provides, through connection to the Internet, access to other computer systems around the world, pupils and their parent(s) or legal guardian(s) should be advised the Board and school district personnel have no control over content. While most of the content available on the Internet is not offensive and much of it is a valuable educational resource, some objectionable material exists. Even though the Board provides pupils access to Internet resources through the district's computer networks/computers with installed appropriate technology protection measures, parents and pupils must be advised potential dangers remain and offensive material may be accessed notwithstanding the technology protection measures taken by the school district.

Pupils and their parent(s) or legal guardian(s) are advised some systems and Internet sites may contain defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal or offensive material. The Board and school district personnel do not condone the use of such materials and do not permit usage of such materials in the school environment. Parent(s) or legal guardian(s) having Internet access available to their children at home should be aware of the existence of such materials and monitor their child's access to the school district system at home. Pupils knowingly bringing materials prohibited by Policy and Regulation 2361 into the school environment will be disciplined in accordance with Board policies and regulations and such activities may result in termination of such pupils' accounts or access on the school district's computer networks and their independent use of computers.

On-line Conduct

Any action by a pupil or other user of the school district's computer networks/computers that is determined by school district personnel to constitute an inappropriate use of the district's computer networks/computers or to improperly restrict or inhibit other persons from using and enjoying those resources is strictly prohibited and may result in limitation on or termination of an offending person's access and other consequences in compliance with Board policy and regulation. The user specifically agrees not to submit, publish, or display any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal or offensive material; nor shall a user encourage the use, sale, or distribution of controlled substances. Transmission of material, information or software in violation of any local, State or Federal law is also prohibited and is a breach of the Consent and Waiver Agreement.

Pupils and their parent(s)or legalguardian(s) specifically agree to indemnify the school district and school district personnel for any losses, costs, or damages, including reasonable attorneys' fees incurred by the Board relating to, or arising out of any breach of this section by the pupil.

Computer networks/computer resources are to be used by the pupil for his/her educational use only; commercial uses are strictly prohibited.

Software Libraries on the Network

Software libraries on or through the school district's networks are provided to pupils as an educational resource. No pupil may install, upload, or download software without the expressed consent of appropriate school district personnel. Any software having the purpose of damaging another person's accounts or information on the school district computer networks/computers (e.g., computer viruses) is specifically prohibited. School district personnel reserve the right to refuse posting of files and to remove files. School district personnel further reserve the right to immediately limit usage or terminate the pupil's access or take other action consistent with the Board's policies and regulations of a pupil who misuses the software libraries.

Copyrighted Material

Copyrighted material must not be placed on any system connected to the computer networks/computers without authorization. Pupils may download copyrighted material for their own use in accordance with Policy and Regulation 2531 - Use of Copyrighted Materials. A pupil may only redistribute a copyrighted program with the expressed written permission of the owner or authorized person. Permission must be specified in the document, on the system, or must be obtained directly from the author or authorized source.

Public Posting Areas (Message Boards, Blogs, Etc.)

Messages are posted from systems connected to the Internet around the world and school district personnel have no control of the content of messages posted from these other systems. To best utilize system resources, school district personnel will determine message boards, blogs, etc. that are most applicable to the educational needs of the school district and will permit access to these sites through the school district computer networks. School district personnel may remove messages that are deemed to be unacceptable or in violation of Board policies and regulations. School district personnel further reserve the right to immediately terminate the access of a pupil who misuses these public posting areas.

Real-time, Interactive, Communication Areas

School district personnel reserve the right to monitor and immediately limit the use of the computer networks/computers or terminate the access of a pupil who misuses real-time conference features (talk/chat/Internet relay chat).

Electronic Mail

Electronic mail ("email") is an electronic message sent by or to a person in correspondence with another person having Internet mail access. The school district may or may not establish pupil email accounts. In the event the district provides email accounts, all messages sent and received on the school district computer networks/computers must have an educational purpose and are subject to review. Messages received by a district-provided email account are retained on the system until deleted by the pupil or for a period of time determined by the district. A canceled account will not retain its emails. Pupils

are expected to remove old messages within fifteen days or school district personnel may remove such messages. School district personnel may inspect the contents of emails sent by a pupil to an addressee, or disclose such contents to other than the sender or a recipient when required to do so by the policy, regulation, or other laws and regulations of the State and Federal governments. The Board reserves the right to cooperate fully with local, State, or Federal officials in any investigation concerning or relating to any email transmitted or any other information on the school district computer networks/computers.

Disk Usage

The district reserves the right to establish maximum storage space a pupil receives on the school district's system. A pupil who exceeds his/her quota of storage space will be advised to delete files to return to compliance with the predetermined amount of storage space. A pupil who remains in noncompliance of the storage space allotment after seven school days of notification may have their files removed from the school district's system.

Security

Security on any computer system is a high priority, especially when the system involves many users. If a pupil identifies a security problem on the computer networks/computers, the pupil must notify the appropriate school district staff member. The pupil should not inform other individuals of a security problem. Passwords provided to pupils by the district for access to the district's computer networks/computers or developed by the pupil for access to an Internet site should not be easily guessable by others or shared with other pupils. Attempts to log in to the system using either another pupil's or person's account may result in termination of the account or access. A pupil should immediately notify the Principal or designee if a password is lost or stolen, or if they have reason to believe that someone has obtained unauthorized access to their account. Any pupil identified as a security risk will have limitations placed on usage of the computer networks/computers or may be terminated as a user and be subject to other disciplinary action.

Vandalism

Vandalism to any school district owned computer networks/computers may result in cancellation of system privileges and other disciplinary measures in compliance with the district's discipline code. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the system, or any of the agencies or other computer networks/computers that are connected to the Internet backbone or of doing intentional damage to hardware or software on the system. This includes, but is not limited to, the uploading or creation of computer viruses.

Printing

The printing facilities of the computer networks/computers should be used judiciously. Unauthorized printing for other than educational purposes is prohibited.

Internet Sites and the World Wide Web

Designated school district personnel may establish an Internet site(s) on the World Wide Web or other Internet locations. Such sites shall be administered and supervised by designated school district personnel who shall ensure the content of the site complies with Federal, State, and local laws and regulations as well as Board policies and regulations.

Violations

Violations of the Acceptable Use of Computer Networks/Computers and Resources Policy and Regulation may result in a loss of access as well as other disciplinary or legal action. Disciplinary action shall be taken as indicated in Policy and/or Regulation, 2361 - Acceptable Use of Computer Networks/Computers and Resources, 5600 - Pupil Discipline/Code of Conduct, 5610 - Suspension and 5620 - Expulsion as well as possible legal action and reports to the legal authorities and entities.

Determination of Consequences for Violations

The particular consequences for violations of this Policy shall be determined by the Principal or designee. The Superintendent or designee and the Board shall

determine when school expulsion and/or legal action or actions by the authorities is the appropriate course of action.

Individuals violating this Policy shall be subject to the consequences as indicated in Board Policy and Regulation 2361 and other appropriate discipline, which includes but is not limited to:

1. Use of computer networks/computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension from school;
7. Expulsion from school; and/or
8. Legal action and prosecution by the authorities.

Issued: 17 December 2013

2411 GUIDANCE COUNSELING (M)

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 students 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 students in this school district and shall include the services of teaching staff members certified as guidance personnel and other designated teaching staff members.

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 student;

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 parents and shares parents' concern for the development of their children;

6. Provides for the means of sharing information among appropriate staff members in the student's interest;

7. Is available equitably to all students and prohibits biased counseling and the use of materials that discriminate among students on the basis of their race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability; and

8. Establishes a referral system that utilizes all the aid the schools and community offer, guards the privacy of the student, and monitors the efficacy of such referrals.

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: 17 December 2013
Revised: 20 December 2016

R 2411 GUIDANCE AND COUNSELING (M)

M

A. Counseling Services

1. The purpose of guidance and counseling services is to assist students in self-examination, self-evaluation, and analysis of alternatives so that each student 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 students 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, gender, gender identity or expression, socioeconomic 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 students which shall be designed to:

1. Assist students in making informed educational and occupational choices;

2. Encourage students to maintain portfolios consisting of accomplishments related to the Cross Content Workplace Readiness Standards;

3. Develop student competency in self management, educational and occupational exploration and career planning;

4. Make students aware of the relationship among personal qualities, education, training and the world of work; and

5. Acquaint students 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 students.

2. Consulting services will include:

   a. Identification of the needs of students,

   b. Identification, evaluation, and program implementation of students with special needs,

   c. Development and implementation of preventive and supportive programs to address such problems as student 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 parents in resolving individual student problems and addressing student 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. Cooperation with business and industry to facilitate student job placement and vocational training, and

h. 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. Annual record of graduate placements in post-secondary situations;

2. Assessments of past graduates as to the effectiveness of guidance services received in the high school;

3. Results of surveys of parents and staff evaluations of guidance services;

4. Analysis of the efficacy of outside referrals;

5. Assessments by persons not employed in the school district and expert in the field of guidance and counseling; and

6. The personal evaluations of the guidance and counseling staff members to identify weaknesses in the administration of the program.

Issued: 17 December 2013

REGULATION

Revised: 20 December 2016

2412 HOME INSTRUCTION DUE TO HEALTH CONDITION (M)

M

The Board of Education shall provide instructional services to an enrolled student, whether a general education student in Kindergarten through grade twelve or special education student age three to twenty-one, when the student is confined to the home or another out-of-school setting due to a temporary or chronic health condition or a need for treatment that precludes participation in their usual education setting, whether general or special education.

A parent's request for home instruction shall include a written determination from the student's physician documenting the projected need for confinement at the student's residence or other treatment setting for more than ten consecutive school days or twenty cumulative school days during the school year. The written determination from the student's physician shall be forwarded to the school physician, who shall either verify the need for home instruction or provide reasons for denial. The parent shall be notified concerning the school physician's verification or reasons for denial within five school days after receipt of the written determination by the student's physician.

The school district shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly, or through online services, including any needed equipment, or through contract with another district Board of Education, Educational Services Commission, Jointure Commission, or approved clinic or agency. 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 student's confinement, during the first week of the student'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 shall establish a written plan for delivery of instruction and maintain a record of delivery of instructional services and student progress. The teacher providing instruction shall be a certified teacher. The teacher shall provide instruction for the number of days

and length of time sufficient to continue the student's academic progress and dependent upon the student's ability to participate.

For a student with disabilities, the home instruction shall be consistent with the student's Individualized Education Plan (IEP) to the extent appropriate, and shall meet the Core Curriculum Content Standards. When the provision for home instruction for a student 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 student's IEP.

For a student without disability, the home instruction shall meet the Core Curriculum Content Standards, and the requirements of the Board for promotion to the next grade level. When the provision for home instruction for a student without disability will exceed sixty calendar days, the school physician shall refer the student to the Child Study Team for evaluation, pursuant to N.J.A.C. 6A:14.

The Board reserves the right to withhold home instruction when the reason for the student's confinement is such as to expose a teacher to a health hazard or dangerous home situation; when a parent or other adult twenty-one years of age or older, who has been designated by the parent, is not present during the hours of instruction; or when the condition of the student is such as to preclude benefit from such instruction.

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

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

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

Adopted: 21 October 2014

Revised: 17 December 2014

R 2412 HOME INSTRUCTION DUE TO HEALTH CONDITION

The Board of Education shall provide instructional services to an enrolled student whether a general education student in Kindergarten through grade twelve or special education student age three to twenty-one, when the student is confined to the home or another out-of-school setting due to a temporary or chronic health condition or a need for treatment that 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 shall submit a request to the Director of Special Services that includes a written determination from the student's physician documenting the projected need for confinement at the student's residence or other treatment setting for more than ten consecutive school days or twenty cumulative school days during the school year.

2. The Director of Special Servicesshall forward the written determination to the school physician, who shall verify the need for home instruction. The school physician may contact the student's physician to secure additional information concerning the student's diagnosis or need for treatment, and shall either verify the need for home instruction or shall provide reasons for denial to Director of Special Services.

3. The Director of Special Servicesshall notify the parent concerning the school physician's verification or reasons for denial within five school days after receipt of the written determination by the student'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 student's confinement, during the first week of the student'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, through online services, including any needed equipment, or through contract with another district Board of Education, Educational Services Commission, Jointure Commission, or approved clinic or agency for the following categories of students:

   a. A student who resides within the area served by this Board of Education and is enrolled in a public school program; or

   b. A student 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. Minimum Standards For Home or Out-of-School Instruction

1. The district shall establish a written plan for the delivery of instruction to continue the student's academic progress and to maintain a record of delivery of instructional services and student progress.

2. The teacher providing instruction shall be a certified teacher.

3. The teacher shall provide instruction for the number of days and length of time sufficient to continue the student's academic progress and dependent upon the student's ability to participate.

4. For a student with disabilities, the home instruction shall be consistent with the student's Individualized Education Plan (IEP) to

the extent appropriate, and shall meet the Core Curriculum Content Standards. 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 student's IEP.

5. For a student without a disability, the home instruction shall meet the Core Curriculum Content Standards and the requirements of the Board of Education for promotion to the next grade level. When the provision of home instruction will exceed sixty calendar days, the school physician shall refer the student to the Child Study Team for evaluation pursuant to N.J.A.C. 6A:14.

Issued: 17 December 2013
Revised: 21 October 2014

R 2414 Programs and Services for Students in High Poverty and in High Need School Districts

High poverty school districts are required to provide programs and services that address class size and Kindergarten programs. High need school districts are required to provide programs and services that focus on improving instruction in literacy and mathematics.

A high poverty school district for the purposes of this policy means a school district in which forty percent or more of the students are “at risk” as defined in N.J.S.A. 18A:7F-45. Class size in high poverty school districts shall not exceed twenty-one students in grades Kindergarten through three, twenty-three students in grades four and five, and twenty-four students in grades six through twelve. However, if the district chooses to maintain lower class sizes in grades Kindergarten through three, class sizes in grades four and five may be equal but not exceed twenty-five students. Exceptions to these class size requirements are permitted for some physical education and performing arts classes, where appropriate. High poverty school districts shall maintain all existing full-day Kindergarten programs with a teacher's aide for each classroom. Class size for these Kindergarten classrooms shall not exceed twenty-one students.

High need school districts for the purpose of this policy are high poverty school districts that are below proficiency levels on State assessments as outlined in N.J.A.C. 6A:13-3.3(a). The New Jersey Department of Education shall identify the list of high need school districts based on State assessment results and shall promptly notify the districts that are classified as high need. In the first school year immediately following such identification as a high need school district, the district shall begin planning for implementation of, and shall implement where possible, the designated program(s). In the subsequent year following identification as a high need school district, the district shall fully implement the designated program(s). High need school districts, once identified, shall remain in that status and shall continue to implement the designated program(s) for a minimum of three years.

High need school districts where less than eighty-five percent of total students have achieved proficiency in language arts literacy on the New Jersey

Assessment of Skills and Knowledge (NJ ASK) 3 shall provide an intensive early literacy program for preschool to grade three to ensure that all students achieve proficiency on State standards in accordance with the requirements of N.J.A.C. 6A:13-3.4(a).

High need school districts where less than eighty percent of total students have achieved proficiency in language arts literacy on the NJ ASK 8 shall implement an intensive literacy program for grades four through eight in accordance with the requirements of N.J.A.C. 6A:13-3.4(b).

High need school districts where less than eighty percent of total students have achieved proficiency in language arts literacy on the high school State assessment shall implement a language arts literacy program aligned with college preparatory English I, II, III, and IV for grades nine through twelve that incorporates the elements in N.J.A.C. 6A:13-3.4(b) with the exception of providing a double period of language arts literacy.

High need school districts in which less than eighty-five percent of total students have achieved proficiency in mathematics on the NJ ASK 4 shall implement a comprehensive program for mathematics education that prepares students in grades three through four for success in higher order mathematics including the components as outlined in N.J.A.C. 6A:13-3.5(b).

High need school districts where less than eighty percent of total students have not achieved proficiency in mathematics on the NJ ASK 8 shall implement a comprehensive program for mathematics education that prepares all students in grades five through eight for success in Algebra at the high school level and that incorporates the elements in N.J.A.C. 6A:13-3.5(b).

High need school districts where eighty percent or more of total students have not achieved proficiency in mathematics on the high school State assessment shall implement a comprehensive program for mathematics education for grades nine through twelve which incorporates the elements in N.J.A.C. 6A:13-3.5(b) and that is aligned to course expectations as required to meet graduation requirements.

REGULATION

N.J.A.C. 6A:13-3.1; 6A:13-3.2; 6A:13-3.3; 6A:13-3.4; 6A:13-3.5

Issued: 20 December 2016

2415 NO CHILD LEFT BEHIND PROGRAMS (M)

Staff

The district will comply with the requirements as outlined in 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 Policy 2415.04 – 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 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 in accordance with the Victims of Violent Criminal Offenses as outlined in NCLB, the district will comply with the requirements of 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; and assure lease purchase agreements are consistent with applicable statute and administrative code.

Post-Award Requirements

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

Supplement, Not Supplant

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

State Waiver from Certain Provisions of No Child Left Behind (NCLB)

The State of New Jersey may receive a waiver(s) from certain provisions of NCLB from the United States Department of Education. A waiver(s) may affect the applicability of the school district's NCLB policies and/or regulations. In the event a waiver(s) affects the applicability of Board of Education NCLB policies and/or regulations, the waiver provisions shall supersede current Board policies and/or regulations and the school district shall comply with the requirements as outlined by the New Jersey Department of Education in accordance with the waiver(s) application and approval(s) from the United States Department of Education.

Evaluation

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

No Child Left Behind Act of 2001

Adopted: 17 December 2013

R 2415 TITLE I SERVICES (M)

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 State and Federal guidelines.

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

Issued: 17 December 2013

2415.01 ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, AND ACCOUNTABILITY (M)

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 intradistrict 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 intradistrict 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 intradistrict 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.

No Child Left Behind Act of 2001, §1111

Adopted: 17 December 2013

2415.02 TITLE I – FISCAL RESPONSIBILITIES (M)

M

The Mendham Township 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 Mendham 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 Mendham 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 Mendham 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.

No Child Left Behind Act of 2001, §1120A

Adopted: 17 December 2013

2415.03 HIGHLY QUALIFIED TEACHERS (M)

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.

No Child Left Behind Act of 2001, §1119
The New Jersey Model for Identifying Highly Qualified Teachers,
Department of Education, August 2003

Adopted: 17 December 2013

2415.04 TITLE I – DISTRICT-WIDE PARENTAL INVOLVEMENT (M)

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 student 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.

DESCRIPTION OF HOW THE SCHOOL DISTRICT WILL IMPLEMENT REQUIRED DISTRICT-WIDE PARENTAL INVOLVEMENT POLICY COMPONENTS

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. _Parent Advisory Committee_____

   b. _Communication with Parents_____

   c. __Encourage Parents to Comment___

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. __Parent Advisory Committee_____

   b. __Parent Meeting_____

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 student academic achievement and school performance:

   a. __Parent Advisory Committee_____

   b. __Parent Meeting_____

   c. __Communication with Parents___

4. 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.

(List actions, such as describing how the evaluation will be conducted, identifying who will be responsible for conducting it, and explaining what role parents will play):

a. _Parent Survey_____

b. _Parent Advisory Committee_____

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 student 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:

   a. New Jersey's academic content standards;

   b. New Jersey's student academic achievement standards;

   c. The New Jersey and local academic assessments including alternate assessments;

d. The requirements of Part A;

e. How to monitor their child's progress; and

f. How to work with educators: Activities, such as workshops, conferences, classes, both in-State and out-of-State, including any equipment or other materials that may be necessary to ensure success.

g. Parent Workshops

h. Staff Development for Teachers in Communicating with Parents

i. District Website

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. Technology Training

b. Family Reading Nights

c. District Website

3. The school district will, with the assistance of its schools and parents, educate its teachers, student services personnel, 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. Staff Development

4. 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. __Newsletters_____

   b. __District Website_____

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:

___ In order to maximize parental involvement and participation in their children's education, arranging school meetings at a variety of times, or conducting in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend those conferences at school;

___ Adopting and implementing model approaches to improving parental involvement;

___ Establishing a district-wide parent advisory council to provide advice on all matters related to parental involvement in Title I, Part A programs;

___ Developing appropriate roles for community-based organizations and businesses, including faith-based organizations, in parental involvement activities; and

___ Providing other reasonable support for parental involvement activities under Section 1118 as parents may request.

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.

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

Adopted:

Adopted: 17 December 2013

2415.05 PUPIL SURVEYS, ANALYSIS AND/OR EVALUATIONS (M)

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.

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: 17 December 2013

2415.06 UNSAFE SCHOOL CHOICE OPTION (M)

M

The New Jersey Department of Education (NJDOE) is required to establish an Unsafe School Choice Option (USCO) Policy per the Elementary and Secondary Act (ESEA) of 1965, as reauthorized under the Federal Every Student Succeeds Act of 2015 (ESSA). The USCO Policy requires that students who attend a persistently dangerous public elementary or secondary school as determined by the NJDOE, or become victims of a violent criminal offense while in or on school grounds of a public school that they attend, be allowed to attend a safe public school within the district. The USCO provision under the ESSA contains two provisions that apply to school districts that receive funds under ESSA: Provision I - Persistently Dangerous Schools and Provision II - Victims of Violent Criminal Offenses.

Effective the beginning of each school year, school districts receiving ESSA funds must be prepared to complete the transfer of students who choose to exercise Provision I and Provision II of this USCO Policy. Compliance with the Policy is a condition of receiving funds under any and all titles under ESSA. The Superintendent is required to certify compliance with this USCO Policy to the NJDOE in the application for ESSA funds.

USCO Policy Provision I - Persistently Dangerous Schools (PDS)

1. Criteria for Determining PDS.

   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 NJDOE for three consecutive years and is part of a school district that receives funds under ESSA. The NJDOE will use the most current available data from the Student Safety Data System (SSDS) to identify PDS on or before July 31 of each year.

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

A school district will be notified by the NJDOE on or before July 31 of each year if a school(s) in the school district has been identified as a PDS. Once the district receives notification a school is identified as persistently dangerous, the district must inform all parents of enrolled students in the school of the designation within fifteen calendar days of the date 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.

Students 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 students should be made simultaneously. Parents of enrolled students must be notified of the persistently dangerous designation whether or not there is another school within the district for the transferring students.

To the extent possible, the district will allow transferring students to transfer to schools that have not been identified as low performing, under the State's ESSA accountability system. When a transfer school is not available within the school district, the district may seek arrangements for students to transfer to the nearest charter school or neighboring district; however, this is not required. The district may take into account the needs and preferences of the affected students and parents.

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

If a school in the district is identified by the NJDOE as persistently dangerous, the district will submit to the NJDOE documentation of compliance with the parent notification requirement and actions taken to complete the transfer arrangements for all students exercising the option by the first day of the school year. Additionally, the district is required to 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 SSDS. The NJDOE will provide the school with guidance for its corrective action plan, as well as monitor the school district's timely completion of the approved plan.

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 its corrective action plan and compare the current year's incidents of violence, as reported on the SSDS, to the criteria for determining 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 September 30 of that year, which will apply to the respective school year. The school district must inform all parents of enrolled students in the school of the designation within fifteen calendar days of the date of notice and offer them the option for their children to transfer to a safe public school by the beginning of the respective school year in accordance with 2. above.

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 evidence of the school's progress toward successfully completing the approved corrective action plan, and evidence of incidents that no longer meet the criteria for determining PDS, described above, for one school year, the year in which the corrective action plan was in effect.

4. Procedures and Guidelines for Early Warning of Schools.

When a school meets the criteria set forth in this Policy for one year, the district will be informed of the types of offenses reported that have led to an early notification. This notification, on or before August 15 of each year, will be informational only. A school that no longer meets the criteria for PDS for one year will no longer be

considered in early notification status. A school that meets the criteria for two consecutive years will move into early warning status outlined below.

If a school meets the criteria set forth in this Policy for two consecutive years, the district will be notified of the pattern of offenses on or before August 15 of each year. If notified, the district will develop and submit for approval a school safety plan to the NJDOE on or before September 30 of the same year, which will apply to the respective school year. The school safety 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 SSDS. The NJDOE will provide an early warning school with guidance for its school safety plan, as well as monitor the school's timely completion of the approved plan. A school receiving an "early warning" notice is not required to provide the transfer option to students.

In the spring of each following year, the NJDOE will reevaluate the school's progress towards completing its school safety plan and compare the current year's incidents of violence, as reported on the SSDS, to the criteria for determining PDS. The school will be notified of its status on or before July 31 of the respective year.

A school that no longer meets the criteria for PDS for one school year, the year in which the school safety plan was in effect, will no longer be required to submit a school safety plan.

A school that meets the criteria for PDS for a third consecutive year will be designated persistently dangerous and will be required to submit for approval a corrective action plan on or before September 30 of that year, which will apply to the respective school year and provide the transfer option to students in the school designated as persistently dangerous.

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

School buildings and districts that do receive Federal funds under ESSA, but meet any one of the criteria for PDS will be contacted by the NJDOE and be required to develop and submit for approval a school safety plan on or before September 30 of the respective year. The school safety 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 SSDS. The NJDOE will provide the school with guidance for its school safety plan, as well as monitor the school's timely completion of the approved plan.

USCO Policy Provision II – Victims of Violent Criminal Offenses

The Unsafe School Choice Option provision under the ESSA requires a student 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 student attends, be allowed to attend a safe public elementary or secondary school within the district, including a public charter school.

The individual victim provision of this Policy attempts to fulfill the requirement for the school district to provide relief to students who have been victimized, while providing a school with a practical means for making determinations on incidents of victimization that are within the purview of the school district. The individual victim section of this Policy has been crafted to enable school staff to make reasonable determinations and actions regarding this Policy. 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)13*, 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 student has become a victim of a violent criminal offense while in

or on the grounds of a public elementary or secondary school that the student attends. These criteria only apply to a student who has become a victim of one or more of the violent criminal offenses enumerated below:

A student 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

b. One or more of the following applies:

(1) Law enforcement officials have filed formal charges against the offender(s) for commission of the violent crime; or

(2) The offender(s) has received sanctions in accordance with the Board of Education's Code of Student Conduct; or

(3) The offender(s) either has not been identified or is not an enrolled student(s), but it is clear that the student (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 offender(s).

2. Procedures and Guidelines

Effective the first day of each school year, the district must be prepared to begin the transfer of any student who chooses to exercise the individual choice option provision. The district must offer, within fourteen calendar days of the incident, an opportunity to transfer to a safe public school within the district to any student

who has become a victim of a violent criminal offense while in or on the grounds of a public school that the student attends. While the student must be offered the opportunity to transfer, the student may elect to remain at the school.

To the extent possible, the district will allow any transferring student to transfer to a school that has not been identified as low performing, under the State's ESSA accountability system. In addition, when a transfer school is not available within the district, the district may seek arrangements for a student to transfer to the nearest charter school or neighboring district; however, this is not required. The district may take into account the needs and preferences of the affected student and his or her parent(s). Transfers must occur within thirty days of the determination that the student 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 of this Policy are identified and explained below. The offenses apply to completed offenses, as well as attempts to commit the offenses. The offenses and attempts to commit the offenses apply only when they occur in or on the school grounds, as defined in N.J.A.C. 6A:16-1.3, of the school that the student attends. The offenses apply whether they occur wholly or in part in or on the grounds of the school that the student 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.

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 Policy.

a. Homicide [N.J.S.A. 2C:11-2] - A student 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 student's parent, sibling, or relative in or on school grounds.

b. Assault [N.J.S.A. 2C:12-1(A)(1-3) and 2C:12-1(B)(1-4)] - A person is a victim of an assault when the actor: purposely, knowingly, or recklessly causes bodily injury to the victim; negligently, recklessly, knowingly, or purposely causes bodily injury to the victim with a deadly weapon; attempts by physical menace to put the victim in fear of imminent serious bodily injury; or knowingly points a firearm at or in the direction of the victim, whether or not the actor believes it to be loaded.

c. Sexual Assault [N.J.S.A. 2C:14-2] - A student is a victim of a sexual assault when the student is a victim of an act of sexual contact when the victim is less than thirteen years old and the actor is at least four years older than the victim, or the student is a victim of an act of sexual penetration under any of the following circumstances:

(1) The victim is less than thirteen years old.

(2) The victim is at least thirteen, but less than sixteen years old; and the actor is at least four years older than the victim.

(3) The victim is at least sixteen years old, but less than eighteen years old; and the actor has supervisory or disciplinary power over the victim.

(4) The actor uses physical force or coercion.

(5) The victim is one whom the actor knew or should have known was physically helpless, mentally defective, or mentally incapacitated.

d. 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:

(1) 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

(2) 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

(3) 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:

(a) 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

(b) 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.

e. 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 this Policy against the victim with the purpose to put the student in imminent fear of one of the violent crimes enumerated in this Policy 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).

f. 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; threatens the victim with or purposely puts the victim in fear of immediate bodily injury.

g. 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 student for a substantial period of time with any of the following purposes: to facilitate commission of a crime or flight thereafter, or to inflict bodily injury on or terrorize the victim.

h. Arson [N.J.S.A. 2C:17-1] - A person is a victim of arson when the actor purposely or knowingly starts a fire or causes an explosion in or on the grounds of a school whereby 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 – PDS

   The transfer will be temporary and will be in effect as long as the student's original school is identified as persistently dangerous.

   The transfer may be in effect longer and the district will consider the educational needs of the student, as well as other factors affecting the student's ability to succeed if returned to the transferring school. (i.e. The school district may allow a student to complete his or her education through the highest grade level at the receiving school if the student would otherwise be required to return to their original school.)

2. Charter School Transfer Option

   While ESSA permits affected students 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 local education agencies (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, students 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 students on a space available basis and may not discriminate in its admission policies or practices (although it may establish reasonable criteria to evaluate prospective students), 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 students to attend using a random selection process for enrollment.

3. Funding Sources for USCO

The USCO statute does not authorize resources specifically to help cover USCO costs associated with transferring a student from a PDS. However, under certain circumstances Federal funds may be used. For example, ESEA Title IV, Part A [Section 4115(b)(2)(E)(v)] may be used to establish safe zones of passage to and from school to ensure that students travel safely on their way to school and on their way home. In addition, ESEA Title IV, Part A [Sections 5121(8) and 5131(12) and (25)] funds may be used to help cover costs such as tuition or transportation related to the USCO or expansion of public school choice.

4. Special Education Students

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

5. Transfer Schools

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

6. The district will offer students the transfer option if they do not meet the criteria for determining victims of violent criminal offenses under the USCO Policy Provision II as one response for providing relief to students whose victimization has affected their safety and ability to learn.

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 students. The district will promote the importance of school safety and respond to the needs of students and staff. Pursuant to the law, the district will provide an opportunity for students, 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 students in need of help. The district will organize activities to prevent school violence, including, but not limited to, age-appropriate opportunities for student discussion on conflict resolution, issues of student 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.

In accordance with the provisions of N.J.S.A. 18A:17-46, two times each school year, between September 1 and January 1 and between January 1 and June 30, at a public hearing, the Superintendent shall report to the Board of Education all acts of violence; vandalism; and harassment, intimidation, and bullying which occurred during the previous reporting period.

Title VIII, Part F, Subpart 2, SEC. 8532

Every Student Succeeds Act (ESSA) of 2015

Adopted: 17 December 2013
Revised: 25 April 2017
Revised: 19 March 2019

2415.20 NO CHILD LEFT BEHIND COMPLAINTS (M)

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).

Policy and Regulation 2415.20 set 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 School Business Administrator/Board Secretary. The School Business Administrator/Board Secretary shall be responsible to coordinate the investigation of the Complaint. The School Business Administrator/Board Secretary 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 CountySuperintendent. The CountySuperintendent will coordinate the

investigation of a Complaint. When the investigation is complete, the CountySuperintendent 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.

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.

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

Adopted: 17 December 2013

R 2415.20 NO CHILD LEFT BEHIND COMPLAINTS (M)

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 School Business Administrator/Board Secretary. The Complaint shall be in writing and shall be mailed, hand-delivered, or electronically submitted to the School Business Administrator/Board Secretary.

5. The School Business Administrator/Board Secretary shall be responsible to coordinate the investigation of the allegations in the Complaint.

   a. The School Business Administrator/Board Secretary shall acknowledge receipt of the Complaint to the complainant within ten business days of receipt of the Complaint.

   b. The School Business Administrator/Board Secretary 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 School Business Administrator/Board Secretary may request additional information from the complainant regarding the Complaint.

   d. The School Business Administrator/Board Secretary 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 School Business Administrator/Board Secretary 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 CountyOffices of Education and Executive 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 CountyOffice.

      (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 Executive 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 Jersey08625-0500
(609) 292-4442

U.S. Department of Education
Office of Hearings & Appeals
400 Maryland Avenue, SW
Washington, DC20202-4611
(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.

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

Issued: 17 December 2013

2415.30 Title 1 - EDUCATIONAL STABILITY FOR CHILDREN IN FOSTER CARE

M

The Federal Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act (ESEA), initiated protections for children in foster care that further enhanced the requirements of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act). These provisions require school districts to work with child welfare agencies to ensure the educational stability of children in foster care. New Jersey statutes support and implement Federal legislation and require New Jersey's child welfare agencies and school districts to collaborate and to keep children placed in foster care in the same school when their living placements change if remaining in that school is in the child's best interest. The educational stability of children in foster care is the joint responsibility of both the educational and child welfare systems.

The Superintendent shall be designated as the Board of Education's point of contact person for all matters related to the educational stability for children in foster care. The point of contact person for the school district shall not be the same person designated as the school district liaison for the education of homeless children.

For the purpose of this Policy, "child welfare agency" shall be the New Jersey Department of Children and Families.

For the purpose of this Policy, "foster care" means twenty-four hour substitute care for children placed away from their parents and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.

For the purpose of this Policy, "school of origin" is the school district in which the child is enrolled at the time of placement in foster care or the school district of residence as per N.J.S.A. 30:4C-26 and N.J.S.A. 18A:7B-12.

A child in foster care shall remain in his/her school of origin if it is determined to be in the best interest of the child for the duration of time in foster care.

If a student attending the school district in accordance with the provisions of N.J.S.A. 18A:38-1 et seq. is placed in foster care, the school district contact person will collaborate with child welfare agencies to determine whether it is in the child's best interest to remain in the school district taking into consideration all factors relating to the child's best interest. These factors shall include the appropriateness of the current educational setting and proximity of placement (ESEA Section 1111(g)(1)(E)(i)). These factors may include, but are not limited to:

1. Preferences of the child;

2. Preferences of the child's parent(s) or educational decision maker(s);

3. The child's attachment to the school, including meaningful relationships with staff and peers;

4. The proximity of the resource family home to the child's present school;

5. The age and grade level of the child as it relates to the other best-interest factors;

6. The needs of the child, including social adjustment and well-being;

7. The child's performance, continuity of education, and engagement in the school the child presently attends;

8. The child's special education programming if the child is classified;

9. The point of time in the school year;

10. The child's permanency goal and likelihood of reunification;

11. The anticipated duration of the placement;

12. Placement of the child's sibling(s);

13. Influence of the school climate on the child, including safety;

14. The availability and quality of the services in the school to meet the child's educational and socioemotional needs;

15. History of school transfers and how they have impacted the child;

16. How the length of the commute would impact the child, based on the child's developmental stage;

17. Whether the child is a student with a disability under the Individuals with Disabilities Act (IDEA) who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and

18. Whether the child is an English language learner (ELL) and is receiving language services, and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and the Equal Educational Opportunities Act of 1974 (EEOA).

The school district's point of contact person will discuss these factors and will make every effort to gather meaningful input and participation from the relevant parties, including appropriate school personnel, in the best-interest determination.

Eligible students with disabilities retain their right to receive a free appropriate public education in the least restrictive environment. When making a best-interest determination regarding the educational placement of a student with a disability under IDEA and Section 504, the Board must ensure that all required special education and related services are provided in the least restrictive placement where the child's unique needs, as described in the student's Individualized Education Program (IEP) or Section 504 Plan, can be met. The school district will identify and assess all potential ELL students and provide all ELL students, including ELL students in foster care, with a language assistance program that is educationally sound and proven successful. When a best-

interest determination is made for an ELL student in foster care, the Board of Education will comply with its obligations under Title VI and the EEOA.

To the extent feasible, a child shall remain in his/her school of origin until a final best-interest determination is made. The child welfare agency will notify the school district of origin of the child's school placement after collaboration with the Board of Education's point of contact person and after the child's best-interest determination has been made. If a change of school is recommended by the child welfare agency, the new school shall immediately contact the school of origin to obtain relevant academic and other records of the foster care child. The financial responsibility for the payment of tuition for a foster care child placed outside the school district of origin and attending school outside the school district of origin shall be determined by the Commissioner of Education in accordance with N.J.S.A. 18A:7B-12 – Determination of District of Residence.

A foster care child who has been placed in this district and exits foster care during the school year will be permitted to continue in this school district for the remainder of the school year.

In the event there is a disagreement regarding school placement for a child in foster care, the school district will comply with the legal requirements for resolving the dispute. A parent can appeal a best-interest determination whenever the child changes schools.

Children placed in foster care outside the school district of origin, attending a school in that district, will be provided transportation to and from school in accordance with N.J.A.C. 6A:27-6.1 et seq. and the Transportation Policy of that district. The district of origin is financially responsible for transportation costs to and from school.

Children placed in foster care outside the school district of origin, but remaining in a school within the school district of origin, shall receive transportation to and from school on a "cost-efficient" manner and in accordance with Section 475(4)(A) of the Social Security Act for the duration of the time the child is in foster care. The district of origin is financially responsible for transportation costs to and from school.

The cost of transportation shall not be considered when determining the best interest of the child.

Section 475(4)(A) of the Social Security Act provides guidance on "cost-effective" transportation as it relates to the cost of reasonable travel for foster care children placed outside the school district of origin to their school of origin indicating: the child may be dropped off at a bus stop just within the school district of origin to be transported to a school in the district of origin; the school district may offer a public transportation option; the foster care parents or other families may be willing to drive the child to school in the school district of origin; the school district may utilize pre-existing bus routes or stops close to the out-of-district foster care placement that cross school district boundaries; or the foster care child may be eligible for transportation under other Federal or State requirements.

In the event there is a disagreement regarding transportation for a child in foster care, the school district will comply with the New Jersey Department of Education requirements for resolving the dispute. The Board of Education shall provide or arrange for adequate and appropriate transportation for foster care children while any disputes are being resolved.

In all cases regarding student data and records, the Board of Education will comply with all statutory requirements to protect student privacy, including Family Education Rights and Privacy Act (FERPA), and all other privacy requirements under Federal laws, State statutes, and administrative codes.

N.J.S.A. 18A:7B-12

N.J.S.A. 30:4C-26

New Jersey Department of Education Memorandum dated October 4, 2016 –

Ensuring Educational Stability for Children in Foster Care United States Departments of Education and Health and Human Services – Non- Regulatory Guidance - Ensuring Educational Stability for Children in Foster Care – June 23, 2016

Adopted: 16 March 2017

2416 PROGRAMS FOR PREGNANT PUPILS (M)

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 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.

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

Adopted: 17 December 2013

R 2417 PUPIL INTERVENTION AND REFERRAL SERVICES

A. Establishment of Intervention and Referral Services

1. The Superintendent of Schools will establish and implement in each school building in which general education students are served, a coordinated system for planning and delivering intervention and referral services designed to assist students who are experiencing learning, behavior, or health difficulties, and to assist staff who have difficulties in addressing students' learning, behavior, or health needs in accordance with the requirements of N.J.A.C. 6A:16-8.1 and 6A:16-8.2.

B. Functions of Intervention and Referral Services

1. The Principal in each school building in which general education students are served will establish an Intervention and Referral Services (I&RS) Team. The I&RS Team will be comprised of the following:

   a. The Principal or a member of the teaching staff other than a special education teaching staff member, who is appointed by the Principal to act on his/her behalf and with his/her authority, shall act as chairperson;

   b. A member of the Child Study Team (CST) or an educational services staff member;

   c. The staff member who referred the student in need of assistance or identified a school issue for discussion; and

d. Such other school staff members as may effectively aid in the development and implementation of the assistance plan for a particular student.

2. The district will provide support, guidance, and professional development to school staff members who participate in each school's system for planning and providing intervention and referral services.

C. Student Referral

1. A student not known to have a disability who is experiencing learning, behavior, or health difficulties shall be referred to the I&RS Team. This referral may be made by any school staff member or by the student's parent. The student's parent shall be informed of any such referral.

a. The district will provide support, guidance, and professional development to school staff members on identifying student learning, behavior, and health difficulties.

2. When it appears that a referred student may have a disability, the I&RS Team shall refer the student to the CST for evaluation pursuant to Policy 2460 for a determination of the student's eligibility for special education and/or related services.

3. The I&RS Team shall consult with the student's teacher(s), parent, and any school staff member as appropriate to identify and collect information on the learning, behavior, and health difficulties of the student.

4. The school nurse may be requested to review the student's health records and inform the Principal of any health condition relevant to the student's difficulties. Any information regarding any infection

with HIV virus or AIDS may be released only with the written permission of the adult student or the student's parent.

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

6. The I&RS Team shall determine if the student's learning, behavior, and/or health difficulties may be helped with a written action plan.

D. Intervention and Referral Services Action Plans

1. The I&RS Team shall develop and implement a written action plan for referred students that provide for appropriate school or community interventions or referrals to school and community resources, based on collected data and desired outcomes for the identified learning, behavior, or health difficulties.

2. The intervention and referral services action plan shall:

a. Detail any modifications in the student's educational program which will include, but not be limited to, support and guidance to the student's teacher(s);

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 student'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. Involve the student's parent in the development and implementation of any intervention and referral services action plan by being offered an opportunity to provide input in the development and implementation of the action plan;

f. Identify the I&RS Team member(s) who will coordinate the access to and delivery of school resources and services for achieving outcomes identified in the intervention and referral services action plan; and

g. Identify the I&RS Team member(s) who will coordinate the services of community-based social and health provider agencies and other community resources for achieving outcomes identified in the intervention and referral services action plan.

3. The implementation and effectiveness of each intervention and referral services action plan shall be reviewed by the I&RS Team within eight calendar weeks from the beginning of its implementation. The I&RS Team shall consult the referring school staff member and any other school staff members to assess the effectiveness of the plan.

   a. If the action plan is not achieving the identified outcomes, the plan shall be modified to achieve the outcomes, as appropriate. If the review indicates the student may have a disability, the student shall be referred to the CST.

4. The I&RS Team may review any intervention and referral services action plan throughout the school year. However, at a minimum, the I&RS Team shall annually review all intervention and referral services action plans and the actions taken as a result of the school

building's system of intervention and referral services, and make recommendations to the Principal for improving school programs and services, as appropriate.

E. Annual Report

1. At the end of the school year, the Principal shall, in consultation with the I&RS Team, develop a report on the concerns and issues identified by the I&RS Team and the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral services action plans. The report shall also include:

   a. A description of the needs and issues identified through referrals to the I&RS Team;

   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. Any other information the Principal or the I&RS Team determine would be beneficial to improving the school's system for planning and delivering intervention and referral services designed to assist students.

2. The Principal's report shall be provided to the Superintendent of Schools.

Issued: 17 December 2013

Revised: 21 October 2014

2417 STUDENT INTERVENTION AND REFERRAL SERVICES (M)

M

The Board of Education directs the establishment and implementation in each school building in which general education students are served, a coordinated system for planning and delivering intervention and referral services designed to assist students who are experiencing learning, behavior, or health difficulties, and to assist staff who have difficulties in addressing students' learning, behavior, or health needs in accordance with the requirements of N.J.A.C. 6A:16-8.1 and 6A:16-8.2. The Board adopts this appropriate multidisciplinary team approach for planning and delivering the services required under N.J.A.C. 6A:16-8.

Students who are experiencing learning, behavior, or health difficulties shall be referred to the school's Intervention and Referral Services (I&RS) Team. The intervention and referral services shall be provided to aid students in the general education program and may be provided for students who have been determined to need special education programs and services pursuant to N.J.A.C. 6A:16-8.1(a). The intervention and referral services provided for students who have been determined to need special education programs and services shall be coordinated with the student's Individualized Education Program Team, as appropriate.

The functions of the system of intervention and referral services in each school building which general education students are served shall be pursuant to N.J.A.C. 6A:16-8.2(a) and as outlined in Regulation 2417.

Records of all requests for assistance, all intervention and referral services action plans, and all related student information shall be maintained in accordance with Federal and State laws and regulations and New Jersey administrative code pursuant to N.J.A.C. 6A:16-8.2(a)9.

The I&RS Team shall 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.

At a minimum, the I&RS Team shall 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 Principal for improving school programs and services, as appropriate.

At the end of the school year, the Principal shall, in consultation with the I&RS Team, develop a report on the concerns and issues identified by the I&RS Team and the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral services action plans. This report shall be provided to the Superintendent of Schools.

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

Adopted: 13 December 2013
Revised:21 October 2014

R 2418 SECTION 504 of the REHABILITATION ACT OF 1973 - STUDENTS

M

It is the policy of the Board of Education that no qualified student with a disability will, solely on the basis of disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by this Board. The Board will also comply with the Individuals with Disabilities Education Act through the implementation of Policy 2460 and Regulations 2460 through 2460.16.

A. Definitions

1. "Accommodation" means a change in the educational setting, instructional strategies, materials, and/or supplementary/related aids and services that does not significantly alter the content of the curriculum or level of expectation for a student's performance, but which allows the student to access the regular general education curriculum.

2. "Act" means the Rehabilitation Act of 1973.

3. "Aids and Services" means aids and services designed to meet the individual student's educational needs to the same extent as the needs of students without disabilities are met. 34 CFR §104.33

4. "Board" means the Board of Education of this school district.

5. "Complainant" means a parent of a student with a disability who files a grievance in accordance with the grievance procedure.

6. "Day" means either calendar or working day, as specified in the Act.

7. "Disability" means, with respect to an individual, that the individual meets one or more of the following three prongs:

   a. A physical or mental impairment that substantially limits one or more of the major life activities of such individual;

b. A record of such an impairment; or

c. Being regarded as having such an impairment.

8. "District" means this school district.

9. "District 504 Coordinator" means the district official responsible for the coordination of activities relating to compliance with the Act.

10. "FAPE" means free appropriate public education. FAPE consists of the provision of regular or special education and related aids and services designed to meet the educational needs of a student with a disability to the same extent as the needs of non-disabled students are met.

11. "Grievance" means an unresolved problem concerning the interpretation or application of law and regulations regarding discrimination by reason of a disability by an officer or employee of this district.

12. "Individuals with Disabilities in Education Act" (IDEA) identifies eligible children and young adults who have specific types of disabilities and, thus, require special education and related services. If they qualify, students receiving services through IDEA may also be eligible for services under Section 504 and ADA.

13. "Major life activities" means those of central importance to daily life and include, but are not limited to, functions such as: caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sitting, writing, standing, reaching, lifting, sleeping, bending, speaking, breathing, reading, concentrating, thinking, communicating, interacting with others, learning, and working. "Major life activities" also include physical or mental impairments that substantially limit the operation of a major bodily function, including, but not limited to: functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory,

circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, reproductive systems, and the operation of an individual organ within a body system. 28 CFR §35.108; 28 CFR §36.105

14. "Mitigating measures" means steps taken to eliminate or reduce the symptoms or impact of an impairment. "Mitigating measures" include, but are not limited to: medication; medical equipment/appliances; mobility devices; low vision devices (not including ordinary eyeglasses or contact lenses); prosthetics (including limbs and devices); hearing aids, cochlear implants, or other implantable hearing devices; oxygen therapy equipment and supplies; the use of assistive technology; reasonable modifications or auxiliary aids or services; learned behavioral or adaptive neurological modifications; and psychotherapy, behavioral, or physical therapies. 42 U.S.C. 126 §12102

    a. Mitigating measures, must not be used when determining whether an impairment is a disability except for the use of corrective eyeglasses or contact lenses. Mitigating measures may be considered in assessing whether someone is entitled to reasonable accommodation or poses a direct threat.

15. "Physical or mental impairment" means any physiological disorder or condition such as, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic and lymphatic, skin, and endocrine; or any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities. 28 CFR §35.108(b)(2) and 28 CFR§36.105(b)4

    a. Physical or mental impairments may include, but are not limited to: contagious and noncontagious diseases and conditions; orthopedic, visual, speech, and hearing impairments; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; cancer; heart disease; diabetes;

intellectual disability; emotional illness; dyslexia and other specific learning disabilities; Attention Deficit Hyperactivity Disorder (ADHD); Human Immunodeficiency Virus (HIV) (whether symptomatic or asymptomatic); tuberculosis; drug addiction; and alcoholism.

b. Physical or mental impairments do not include: transvestism; transsexualism; homosexuality or bisexuality; gender identity disorders; sexual behavior disorders; pedophilia; exhibitionism; environmental, cultural, and economic disadvantages; pregnancy; physical characteristics; personality traits or behaviors; normal deviations in height, weight, or strength; compulsive gambling; kleptomania; pyromania; and psychoactive substance use disorders resulting from current illegal use of drugs.

c. An impairment that is episodic or in remission may be considered a "disability" if it would substantially limit a major life activity when active.

d. Not all impairments are disabilities.

16. "Qualified student with a disability" means a student with a disability at the preschool, elementary, or secondary level, who is: (1) of an age at which students without disabilities are provided educational services; (2) of an age at which it is mandatory under State law to provide educational services to students with disabilities; or (3) a student to whom a State is required to provide a free appropriate public education under the Individuals with Disabilities Education Act (IDEA).

17. "Record of such an impairment" means has a history of, or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities.

18. "Regarded as having an impairment" means the individual establishes that he or she has been subjected to a prohibited action

because of an actual or perceived physical or mental impairment, whether or not that impairment substantially limits or is perceived to substantially limit a major life activity.

a. For this prong only, the public entity must demonstrate the impairment is or would be both transitory (lasting or expected to last six months or less) and minor to show an individual is not regarded as having such an impairment. 42 U.S.C. 126 §12102(3)(B)

b. A public entity is not required to provide a reasonable modification to an individual meeting the definition of "disability" solely under the "regarded as" prong.

19. "Section 504" means Section 504 of the Act.

20. "Student" means an individual enrolled in any formal educational program provided by the school district.

21. "Substantially limits" means the extent to which the impairment limits a student's ability to perform a major life activity as compared to most people in the general population, whether or not an individual chooses to forgo mitigating measures. 42 U.S.C. 126 §12102 (4); 28 CFR §35.108(d); 28 CFR §35.105(d) The rules of construction when determining whether an impairment substantially limits a student in a major life activity include:

a. That it is broadly construed in favor of expansive coverage, to the maximum extent permitted under the Act.

b. That it does not demand extensive analysis.

c. That it substantially limits one major life activity, but not necessarily other major life activities.

d. That it may be episodic or in remission, as long as the disability would substantially limit a major life activity when active.

e. That it need not prevent, or significantly or severely restrict, an individual from performing a major life activity.

f. That it requires an individualized assessment which does not create an "inappropriately high level of limitation" and is based upon the conditions, manner, or duration under which the individual can perform the major life activity 42 U.S.C. 12102(4)(B).

g. That it generally will not require scientific, medical, or statistical evidence (although such evidence can be required where appropriate - evidence that can be considered may include statements or affidavits of affected individuals and school records).

h. That the determination is made without regard to ameliorative effects of mitigating measures, except for the use of ordinary eyeglasses or contact lenses intended to fully correct visual acuity or eliminate refractive error. Non-ameliorative effects, such as the negative side effects of medication or a medical procedure, may also be considered.

i. That the effects of an impairment lasting or expected to last less than six months can be substantially limiting for establishing a disability under the first two prongs: "actual disability" or "record of".

B. District 504 Coordinator - 34 C.F.R. §104.7(a)

1. The District 504 Coordinator will be responsible for the initial evaluation of all allegations, reasonable accommodations (if required), and re-evaluations.

2. The District 504 Coordinator will comply with the mediation and due process requirements pursuant to N.J.A.C. 6A:14-2.6 and 6A:14-2.7 where applicable in cases arising from Section 504.

C. Educational Program

1. General:

a. The Board will not, on the basis of a disability, exclude a student with a disability from a program or activity and will take into account the needs of such student in determining the aid, benefits, or services to be provided under a program or activity.

b. Identification for special education services under IDEA and accommodations under Section 504 are not mutually exclusive.

c. Students not otherwise eligible for special education programs and/or related services pursuant to N.J.A.C. 6A:14-1 et seq. may be referred to the District 504 Coordinator by the parent or staff member.

d. The Board will provide reasonable accommodation(s) to students with disabilities notwithstanding any program and/or related services required pursuant to N.J.A.C. 6A:14-1 et seq.

D. Free Appropriate Public Education (FAPE) - 34 CFR §104.33

1. FAPE must be provided without cost to the student's parent, except for those fees imposed on a parent of a non-disabled student.

2. The district may place a student with a disability in or refer such student to a program other than one it operates as its means of carrying out the provisions of this Regulation.

a. The district will continue to maintain responsibility for ensuring the requirements of the Act are met in respect to any student with a disability so placed or referred.

b. The district will ensure adequate transportation to and from the program, provided at no greater cost than would be incurred by the parent if the student were placed in a program operated by the district.

(1) The administration will consider the proximity of any alternative setting to the student's home.

(2) If a public or private residential placement is necessary to provide FAPE to a student with a disability, the placement, including non-medical care, room, and board, shall be provided at no cost to his/her parent.

E. Evaluation and Placement - 34 CFR §104.35

1. The Board will establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need special education and/or related services on the basis of disability.

a. Section 504 evaluations may encompass record and work sample review; direct observation in the natural setting; interviews with the student, parent, and school personnel; and/or administration of assessment measures. They do not include independent evaluations.

b. It may be determined that additional data is required, including the administration of formal standardized instruments and data on conditions in remission or episodic in nature. Tests and other evaluation materials must meet the following criteria:

(1) Validated for the specific purpose for which they are used and administered by trained personnel;

(2) Tailored to assess specific areas of educational need and not merely those designed to provide a single intelligence quotient; and

(3) Accurately reflect aptitude or achievement or whatever else the tests purport to measure, rather than the student's impaired sensory, manual, or speaking skills (unless the test is designed to measure these particular factors).

2. In interpreting evaluation data and in making placement decisions, the district will:

a. Draw information from a variety of sources, including, but not limited to: aptitude and achievement tests, medical evaluations, teacher recommendations, physical condition, social and cultural background, and adaptive behavior;

b. Establish procedures to ensure that information obtained from all such sources is documented and carefully considered;

c. Ensure that placement decisions are made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and placement options; and

d. Ensure that placement decisions are made in conformity with this Regulation and 34 CFR §104.34.

3. The District 504 Coordinator will establish timelines for re-evaluations of students receiving reasonable accommodation(s). A parent may request a re-evaluation at any time upon written request to the District 504 Coordinator.

4. Copies of requests for evaluation and related documents will be maintained in a designated Section 504 file folder placed in the student's cumulative record.

F. Section 504 and Special Education

1. A student who qualifies for Section 504 services may not qualify for special education under IDEA; likewise, a student who qualifies under IDEA may not qualify under Section 504.

2. A referral for a Section 504 evaluation may be made concurrently with a pending special education evaluation. In such instances, the Section 504 evaluation should be conducted during the same timeline utilized for the special education assessment. Generally, the Section 504 evaluation should be conducted in less than sixty days.

3. If a student is found eligible under Section 504 prior to the special education team's findings, a Section 504 Accommodation Plan will be developed pending the special education team's findings. If the student is then found eligible for special education, an Individualized Education Program (IEP) will be developed and the IEP team can incorporate into the IEP any accommodations/services provided in the Section 504 Accommodation Plan.

4. A separate Section 504 team meeting will be convened when a student is identified as eligible for special education and no longer requires accommodations/services under Section 504.

5. When an IEP team determines a student is not eligible or no longer eligible for special education, there may be circumstances when a Section 504 referral for evaluation may be appropriate and should be considered. The IEP team may document the student is being referred for a Section 504 evaluation, and the eligibility evaluation shall be addressed in a separate Section 504 team meeting.

G. Section 504 Accommodation Plan

1. The District 504 Coordinator will assist in organizing a team of individuals responsible for receiving referral documents; securing

evaluation information; and determining eligibility and appropriate accommodations, related aids or services for eligible students with disabilities. The team must be comprised of people who:

a. Are knowledgeable about the student;

b. Understand the meaning of evaluation data; and

c. Are familiar with placement options.

2. The District 504 Coordinator, based on the evaluation of the student eligible for services under Section 504, will prepare a Section 504 Accommodation Plan which may include as relates to the student:

a. Name;

b. Date of birth;

c. Current educational placement;

d. Name of the District 504 Coordinator preparing the Section 504 Accommodation Plan;

e. Disabling condition:

(1) Major life activity impaired;

(2) Educational impact; and

(3) Impact on related educational progress.

f. Accommodation (as appropriate):

(1) Physical and learning environment;

(2) Instructional;

(3) Behavioral;

(4) Evaluation;

(5) Medical; and/or

(6) Transportation.

g. Other:

(1) List of individuals participating in the development of the plan, along with their titles and the date(s) of their participation.

(2) Certification by the student's parent that he or she has participated in the development of the plan and provided consent to its implementation.

(3) A waiver of the fifteen days' notice prior to the implementation of the plan by the parent if the plan is to be implemented sooner than the fifteen days.

3. A Section 504 Accommodation Plan should not:

a. Modify the curriculum;

b. Exempt a student from a course or subject required for graduation;

c. Alter the level of expectation for a student's performance;

d. Provide an extended time accommodation only for standardized testing when it is not required as part of the regular program of evaluation;

e. Include any testing accommodations unless authorized by the testing agency; and

f. Assign responsibility for implementing Section 504 accommodations to another student.

4. A Section 504 Accommodation Plan should:

a. Directly relate to a student's identified needs;

b. Be specific, measurable, and tailored to meet students' identified needs to allow for consistent implementation;

c. Be written to incorporate specific symptoms, behavior, or triggers that elicit implementation of the accommodation or service if required only occasionally; and

d. Clearly state how much extended time is required based upon a student's identified needs, if the Section 504 team determines such an accommodation is appropriate.

5. Students needing medication:

a. Not all students needing medication administered by school staff will require a Section 504 Accommodation Plan. It is not necessary to qualify a student as having a disability that substantially limits a major life activity under Section 504 in order to provide a service that schools perform for all general education students.

b. A Section 504 referral with the potential for a subsequent Section 504 Accommodation Plan is appropriate when a student is found to have a disability that substantially limits a major life activity and needs medication administered on a systematic basis to receive equal access to the educational program.

H. Nonacademic/Extracurricular Services - 34 CFR §104.37

1. Nonacademic and Extracurricular Services may include counseling, physical recreational athletics, transportation, health services,

recreational activities, special interest groups or school clubs, and/or referrals to agencies which provide assistance to students with disabilities and student employment.

2. The Board and administration will ensure that students with disabilities are not counseled toward more restrictive career objectives than are nondisabled students with similar interests and abilities.

3. The Board will provide to students with disabilities equal opportunity as afforded nondisabled students for participation in physical education courses, athletics, and similar programs and activities.

   a. The district may offer students with disabilities physical education and athletic activities that are separate or different from those offered to nondisabled students only if the separation or differentiation is consistent with the requirements of 34 CFR §104.34 and only if no student with a disability is denied the opportunity to compete or to participate.

I. Grievance Procedure - 34 CFR §104.7(b)

1. This grievance procedure shall apply to a student with a disability alleging discrimination under the provisions of Section 504 of the Rehabilitation Act of 1973.

2. The parent who believes his or her child has a valid basis for a grievance under Section 504 shall file an informal complaint in writing with the District 504 Coordinator stating the specific facts of the grievance and the alleged discriminatory act.

3. The District 504 Coordinator will make reasonable efforts to resolve the matter informally by reviewing the grievance with appropriate staff including, but not limited to: the Principal, Child Study Team staff, and/or classroom teacher(s).

4. The District 504 Coordinator will investigate and document the complaint including dates of meetings, dispositions, and date(s) of dispositions. The District 504 Coordinator will provide a written decision to the complainant within seven working days of the written complaint.

5. If the complainant is not satisfied with the District 504 Coordinator's written decision, the complainant may appeal the decision in writing, setting out the circumstances that give rise to the alleged grievance. This written appeal must be filed with the District 504 Coordinator within three working days of the complainant's receipt of the written decision. The written appeal must state the basis for the appeal and the remedy sought by the complainant.

6. The District 504 Coordinator will appoint a qualified hearing officer within seven working days of the receipt of the written appeal. The hearing officer will conduct a hearing within seven working days of receipt of the written appeal. The hearing officer will give the parent a full and fair opportunity to present evidence relevant to the issues raised under the initial grievance. The parent may, at his or her own expense, be assisted or represented by individuals of their choice, including legal counsel. The hearing officer will present a written decision to the District 504 Coordinator and aggrieved individual within seven working days of the hearing.

7. The complainant may file a written appeal to the Board if not satisfied with the hearing officer's decision provided the written appeal is submitted to the Superintendent within three working days of the complainant's receipt of the hearing officer's written decision. The Board may, but is not required to, conduct a Board hearing on the appeal.

8. The complainant may request mediation and due process in accordance with N.J.A.C. 6A:14-2.6 and 2.7 if unsatisfied with the written decision of the Board. If specifically requested by the parent, the aforementioned N.J.A.C. 6A:14-2.6 and 2.7 grievance procedures must be followed.

REGULATION

Adopted: 16 March 2017

2418 SECTION 504 OF THE REHABILITATION ACT OF 1973 - STUDENTS

M

The Board will comply with Section 504 of the Rehabilitation Act of 1973, the purpose of which is to eliminate discrimination on the basis of disability in any program or activity receiving Federal financial assistance.

Guarantee of Rights

The Board will provide a free appropriate public education to each student with a disability regardless of the nature or severity of the disability.

The Board will make reasonable accommodations to ensure that no student with a disability, solely on the basis of the disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by this Board, including participation in non-academic and extracurricular services and activities.

The administration will undertake to identify and locate all students with disabilities between the ages of three and twenty-two, who are residing within the district, but not receiving a public school education. The administration will take steps to notify such students and their parents of the district's duty to provide accommodations for students with disabilities as well as procedures to determine eligibility for such accommodations.

Educational Setting

The Board will ensure that a student with a disability participates with nondisabled students in activities and services to the maximum extent appropriate to the needs of the student with a disability.

The school administration will place a student with a disability in the regular educational environment within the district unless the district demonstrates that

the education of the student with a disability in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily.

Evaluation and Placement

The Board will establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need accommodations, special education, and/or related services because of a disability. Evaluations may include, but are not limited to, a review of work samples, direct observation, interviews, and/or administration of assessment measures.

Enforcement

The Director of Special Services is designated by the Board as the District 504 Coordinator for matters dealing with Section 504 of the Rehabilitation Act of 1973 and can be contacted at the following address or telephone number:

Office Address: 18 West Main Street

P.O. Box 510

Brookside, NJ 07926

Telephone Number: 973-543-7107 Ext. 223

Procedural Safeguards

The district will establish and implement a system of procedural safeguards with respect to the identification, evaluation, or provision of services under Section 504. This system includes notice, an opportunity for the parent to examine relevant records, an impartial hearing with the opportunity for participation by the parent and representation by counsel, and a review procedure. These procedural safeguards shall be in accordance with N.J.A.C. 6A:14 et seq., Policy 2460, Regulation 2460.8, and/or the grievance procedures outlined in Regulation 2418.

Notice

The Board will notify members of the community that the Board does not discriminate on the basis of a disability in violation of Section 504 of the Rehabilitation Act of 1973. Policy and Regulation 2418 may be reprinted in part or in full and distributed to serve as adequate notice.

State or Local Law

The obligation to comply with the Rehabilitation Act of 1973 is not obviated or alleviated by the existence of any State or local law or other requirement that, on the basis of disability, imposes prohibitions or limits upon the eligibility of a student with a disability to receive services.

29 U.S.C. 794 (Section 504 Rehabilitation Act of 1973)

20 U.S.C. 1401 et seq. (Individuals with Disabilities Education Act)

42 U.S.C. 12101 (Americans with Disabilities Act of 1990, as amended)

Adopted: 16 March 2017

2422 HEALTH and PHYSICAL EDUCATION (M)

M

The Board of Education requires all students to participate in a comprehensive, sequential, health and physical education program aligned with the New Jersey Student Learning Standards (NJSLS) that emphasizes the natural interdisciplinary connection between wellness and health and physical education. The primary focus of the NJSLS is the development of knowledge and skills that influence healthy behaviors within the context of self, family, school, and the local and global community.

The NJSLS incorporate New Jersey statutes related to health and well-being of students in New Jersey schools. The following statutes incorporated into the NJSLS include, but are not limited to, the following requirements:

1. Accident and Fire Prevention (N.J.S.A. 18A:6-2) requires regular courses of instruction in accident and fire prevention.

2. Breast Self-Examination (N.J.S.A. 18A:35-5.4) requires offering instruction on breast self-examination for students in grades seven through twelve.

3. Bullying Prevention Programs (N.J.S.A. 18A:37-17) requires the establishment of bullying prevention programs.

4. Cancer Awareness (N.J.S.A. 18A:40-33) requires the development of a school program on cancer awareness by the Commissioner of Education.

5. Dating Violence Education (N.J.S.A. 18A:35-4.23a) requires instruction regarding dating violence in grades seven through twelve.

6. Domestic Violence Education (N.J.S.A. 18A:35-4.23) allows instruction on problems related to domestic violence and child abuse.

7. Gang Violence Prevention (N.J.S.A. 18A:35-4.26) requires instruction in gang violence prevention for elementary school students.

8. Health, Safety, and Physical Education (N.J.S.A. 18A:35) requires that all students in grades one through twelve participate in at least two and one-half hours of health, safety, and physical education each school week.

9. Drugs, Alcohol, Tobacco, Controlled Dangerous Substances, and Anabolic Steroids (N.J.S.A. 18A:40A-1) requires instructional programs on drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances and the development of curriculum guidelines for each grade Kindergarten through twelve.

10. Lyme Disease Prevention (N.J.S.A. 18A:35-5.1 through 5.3) requires the development of Lyme Disease curriculum guidelines and training to all teaching staff members who instruct students with Lyme Disease.

11. Organ Donation (N.J.S.A. 18A:7F-4.3) requires information relative to organ donation to be given to students in grades nine through twelve.

12. Sexual Assault Prevention (N.J.S.A. 18A:35-4.3) requires the development of a sexual assault prevention education program by the Commissioner of Education for utilization by school districts.

13. Stress Abstinence (N.J.S.A. 18A:35-4.19 through N.J.S.A. 18A:35-4.22), also known as the "AIDS Prevention Act of 1999," requires sex education programs to stress abstinence.

14. Suicide Prevention (N.J.S.A. 18A:6-111 through 113) requires instruction in suicide prevention in public schools.

15. Cardiopulmonary Resuscitation (CPR)/Automated External Defibrillator (AED) (N.J.S.A. 18A:35-4.28 and 18A:35-4.29) requires public high schools and charter schools to provide

instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator to each student prior to graduation.

16. Sexually Explicit Images through Electronic Means (N.J.S.A. 18A:35-4.32 and 4.33) requires instruction, once during middle school, on the social, emotional, and legal consequences of distributing and soliciting sexually explicit images through electronic means.

17. Other Statutory or Administrative Codes. The Board will incorporate into its health and physical education curriculum any other requirements of the NJSLS in Comprehensive Health and Physical Education.

In accordance with the provisions of N.J.S.A. 18A:35-4.7, any student whose parent presents to the Principal a signed statement that any part of the instruction in health, family life education, or sex education is in conflict with his/her conscience or sincerely held moral or religious beliefs shall be excused from that portion of the course where such instruction is being given and no penalties as to credit or graduation shall result.

The Board of Education must provide two and one-half hours of health, safety, and physical education courses in each school week, or proportionately less when holidays fall within the week. Recess period(s) shall not be used to meet the requirements of N.J.S.A. 18A:35-5, 7, and 8.

In accordance with N.J.S.A. 18A:35-4.31, the Board of Education shall provide a daily recess period of at least twenty minutes for students in grades Kindergarten through five. A recess period is not required on a school day in which the day is substantially shortened due to a delayed opening or early dismissal. The recess period shall be outdoors, if feasible. A student shall not be denied recess for any reason, except as a consequence of a violation of the school district's Code of Student Conduct, including a harassment, intimidation, or bullying (HIB) investigation pursuant to N.J.S.A. 18A:37-13 et seq. Students may not be denied recess more than twice per week for a violation of the Code of Student Conduct or HIB investigation and these students shall be provided restorative justice activities during the recess period. Restorative justice activities mean activities designed to improve the socioemotional and behavioral responses of

students through the use of more appropriate and less punitive interventions thereby establishing a more supportive and inclusive school culture. The student's recess period should be scheduled in a manner that does not interfere with the implementation of a student's Individualized Education Program (IEP). School staff may deny recess for a student on the advice of a medical professional, school nurse, or the provisions of a student's IEP and/or 504 Plan.

A copy of the NJSLS for Comprehensive Health and Physical Education and all related curriculum/course guides and instructional material shall be available for public inspection in each school.

N.J.S.A. 18A:35-4.31; 18A:35-5; 18A:35-7; 18A:35-8

Adopted: 17 December 2013
Revised: 23 May 2016
Revised: 19 March 2019

2423 BILINGUAL AND ESL EDUCATION (M)

M

The Board of Education will provide programs of bilingual education, English as a second language (ESL), and English language services for English language learners (ELLs) as required by law and rules of the State Board of Education. ELLs are those students whose native language is other than English and who have varying degrees of English language proficiency in any one of the domains of speaking, reading, writing, or listening and is synonymous with limited English speaking ability pursuant to N.J.S.A. 18:35-15 to 26.

Identification of ELLs

The Board will conduct a screening process to determine the native language of each ELL at the time of enrollment in the school district. A census shall be maintained of all identified students whose native language is other than English. The English language proficiency of each student 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 student's level of reading in English, a review of the student's previous academic performance including their performance on standardized tests in English, and a review of the input of teaching staff members responsible for the educational program for ELLs.

Program Implementation

The district shall provide the following programs:

1. An English language services program to improve the English language proficiency of ELLs whenever there are at least one, but fewer than ten ELLs enrolled in the school district. English language services shall be provided in addition to the regular school program;

2. An ESL program that provides at least one period of ESL instruction based on student language proficiency whenever there are ten or more ELLs enrolled in the school district; and

3. A bilingual education program whenever there are twenty or more ELLs in any one-language classification enrolled in the school district pursuant to N.J.S.A. 18A:35-18. Where the age range, grade span, and/or geographical location of eligible students makes a full-time bilingual program impractical, the Board may annually offer an instructional program alternative, provided 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 students.

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 student participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years pursuant to N.J.S.A. 18A:35-19.

Bilingual, English as a Second Language, and English Language Services Program Enrollment, Assessment, Exit, and Re-entry

Students enrolled in a bilingual, ESL, or English language services program shall be assessed annually using 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. ELLs 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. The process to determine the readiness or inability of the individual student to function successfully in the English-only program shall be initiated by the student's level of English proficiency as measured by a New Jersey Department of Education-established standard on an English language proficiency test. The readiness of the student shall be further assessed on the basis of multiple indicators that shall include, at a minimum: classroom performance; the student's reading level in English; the judgment of the teaching staff member or members responsible for the

educational program of the student; and performance on achievement tests in English.

In accordance with provisions of N.J.S.A. 18A:35-22.1, a parent may remove a student who is enrolled in a bilingual education program at any time; except that during the first three years of a student's participation in a bilingual education program, the parent may only remove the student at the end of each school year. If during the first three years of a student's participation in a bilingual education program, a parent wishes to remove the student prior to the end of each school year, the removal must be approved by the Executive County Superintendent of Schools. The parent may appeal the Executive County Superintendent's decision to the Commissioner of Education.

Newly exited students 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 review process for exiting a student from a bilingual, ESL, or English language services program has been completed, the student's parent shall be informed by mail of the placement determination. A parent or teaching staff member who disagrees with the proposed placement may appeal the decision in writing to the Superintendent of Schools or designee, who will provide a written explanation for the decision within seven working days. The complainant may appeal this decision in writing to the Board within seven calendar days of receiving the Superintendent's or designee's written explanation of the decision. The Board will review the appeal and respond in writing to the parent within forty-five calendar days of the Board's receipt of the parent's written appeal to the Board. A complainant not satisfied with the Board's determination of the appeal may appeal to the Commissioner of Education.

Parental Involvement

The parents of ELLs 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 and in the language in which the parent(s) possesses a primary speaking ability, and in English. The notice must also include a statement that the parents have the option of declining their child's enrollment in a bilingual program, and shall be given an opportunity to do so if they choose.

The district will notify the parents of ELLs by mail within thirty days of the child's identification.

Parents shall receive progress reports of students enrolled in bilingual, ESL, or English language services programs in the same manner and frequency as progress reports are sent to parents of other students enrolled in the district.

The Superintendent or designee will provide for the maximum practical involvement of parent(s) of ELLs in the development and review of program objectives and dissemination of information to and from the district Boards of Education and communities served by the bilingual, ESL, or English language services education programs. A school district that implements a bilingual education program shall establish a parent advisory committee on bilingual education of which the majority membership will be parents of ELLs.

Graduation

ELLs will qualify for graduation from high school in accordance with N.J.A.C. 6A:8-5.1(a) and Policy 5460.

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.

N.J.S.A. 18A:35-15 through 18A:35-25
N.J.A.C. 6A:15-1.1 et seq.

Adopted: 17 December 2013
Revised; 20 December 2016

R 2423 BILINGUAL AND ESL EDUCATION (M)

M

A. Definitions

1. "Bilingual education program" means a full-time program of instruction in all courses or subjects that a child is required by law or rule to receive, given in the native language of English language learners (ELLs) enrolled in the program and also in English; in the aural comprehension, speaking, reading, and writing of the native language of ELLs enrolled in the programs, and in the aural comprehension, speaking, reading, and writing of English; and in the history and culture of the country, territory, or geographic area that is the native land of the parents of ELLs enrolled in the program, and in the history and culture of the United States.

2. "Bilingual part-time component" means a program alternative in which students 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 students receive daily instruction from a certified bilingual teacher in identified subjects and with specific assignments on an individual student basis.

4. "Bilingual tutorial program" means a program alternative in which students 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 that provides structured English language instruction and instruction in a second language in all content areas for ELL students and for native English speaking students enrolled in the program.

6. "Educational needs" means the particular educational requirements of ELLs; 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 at least one period of instruction based on student language proficiency which teaches aural comprehension, speaking, reading, and writing in English using second language teaching techniques, and incorporates the cultural aspects of the student's experiences in their ESL instruction. A period is the time allocated in the school schedule for instruction in core subjects.

8. "English language development standards" means the 2012 Amplification of the English Language Development Standards, Kindergarten - Grade 12, incorporated herein by reference, as amended and supplemented, developed by the World-Class Instructional Design and Assessment (WIDA) Consortium. They are the standards and language competencies ELLs in preschool 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. The standards are published by the Board of Regents of the University of Wisconsin System, on behalf of the WIDA Consortium (www.wida.us) and are available for review at http://www.wida.us/standards/eld.aspx.

9. "English language learner" or "ELL" means a student whose native language is other than English. The term refers to students with varying degrees of English language proficiency in any one of the domains of speaking, reading, writing, or listening and is synonymous with limited English speaking ability as used in N.J.S.A. 18A:35-15 to 26.

10. "English language proficiency test" means a test that measures English language skills in the areas of aural comprehension, speaking, reading, and writing.

11. "English language services" means services designed to improve the English language skills of ELLs. The services, provided in school districts with less than ten ELLs, are in addition to the regular school program and are designed to develop aural comprehension, speaking, reading, and writing skills in English.

12. "Exit criteria" means the criteria that must be applied before a student may be exited from a bilingual, ESL, or English language services education program.

13. "High-intensity ESL program" means a program alternative in which students 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 students in an instructional program alternative receive English as a second language.

15. "Native language" means the language first acquired by the student, the language most often spoken by the student, or the language most often spoken in the student's home regardless of the language spoken by the student.

16. "Parent(s)" for the purposes of Policy and Regulation 2423 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 student legally resides. When parents are separated or divorced, parent means the person(s) who has legal custody of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

17. "Review process" means the process established by the Board of Education to assess ELLs for exit from bilingual, ESL, or English language services programs.

18. "Sheltered English instruction" means an instructional approach used to make academic instruction in English understandable to ELLs. Sheltered English classes are taught by regular classroom teachers who have received training on strategies to make subject-area content comprehensible for ELLs.

B. Identification of Eligible English Language Learners (ELLs)

1. The Superintendent of Schools will designate a teaching staff member(s) who will determine the native language of each ELL at the time of enrollment of the student in the school district. The district will:

   a. Maintain a census indicating all students identified whose native language is other than English; and

   b. Develop a screening process, initiated by a home-language survey, to determine which students in Kindergarten to grade twelve, of those whose native language is other than English, must be tested to determine English language proficiency. The screening shall be conducted by a bilingual/ESL or other certified teacher, and shall be designed to distinguish students who are proficient English speakers and need no further testing.

2. The district shall determine the English language proficiency of all Kindergarten to grade twelve students who are not screened out and whose native language is other than English, by administering a Department of Education-approved English language proficiency test, assessing the level of reading in English, reviewing the previous academic performance of students, including their performance on standardized tests in English, and reviewing the input of teaching staff members responsible for the educational program for ELLs. Students 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 shall be considered ELLs. The district shall also use age-

appropriate methodologies to identify preschool ELLs to determine their individual language development needs.

C. Bilingual Programs for English Language Learners (ELLs)

1. All Kindergarten through grade twelve ELLs enrolled in the district pursuant to N.J.S.A. 18A:7F-46 will be provided with all required courses and support services outlined in a. through g. below to prepare ELLs to meet the Core Curriculum Content Standards for high school graduation. This may include tutoring, after-school programs, summer programs, and remedial services as needed by ELLs. The district shall also provide appropriate instructional programs to eligible pre-school ELLs based on need according to the New Jersey Preschool Program Implementation Guidelines, 2015. The guidelines provide developmentally appropriate recommendations for good practice and are intended for school districts that provide preschool programs.

   a. The Board of Education shall establish English language services designed to improve the English language proficiency of ELLs whenever there are at least one, but fewer than ten ELLs enrolled in the school district. English language services shall be provided in addition to the regular school program.

   b. The Board of Education shall establish an ESL program that provides at least one period of ESL instruction based on student language proficiency whenever there are ten or more ELLs enrolled in the school district.

      (1) An ESL curriculum that addresses the WIDA English language development standards shall be developed and adopted by the Board to address the instructional needs of ELLs.

      (2) The ESL curriculum will be cross-referenced to the district's bilingual education and content area

curricula to ensure that ESL instruction is correlated to all the content areas taught.

c. The Board of Education shall establish bilingual education programs whenever there are twenty or more ELLs in any one-language classification enrolled in the school district pursuant to N.J.S.A. 18A:35-18. The bilingual education programs shall:

(1) Be designed to prepare ELLs to acquire sufficient English skills and content knowledge to meet the Core Curriculum Content Standards. All ELLs participating in the bilingual programs shall also receive ESL instruction;

(2) Include a curriculum that addresses the Core Curriculum Content Standards, the WIDA English language development 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 students within the school district.

d. ELLs shall be provided with 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. The instructional opportunities shall be designed to assist ELLs to fully comprehend all subject matter and demonstrate their mastery of the content matter.

e. The Board of Education shall offer sufficient courses and other relevant supplemental instructional opportunities in grades nine through twelve to enable ELLs to meet the Core Curriculum Content Standards for graduation. When

sufficient numbers of students are not available to form a bilingual class in a subject area, the Board shall develop plans in consultation with and approved by the New Jersey Department of Education to meet the needs of the students.

f. The Board of Education shall design additional programs and services to meet the special needs of eligible ELLs and 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 of Education may establish dual-language bilingual education programs in its schools and may make provisions for the coordination of instruction and services with the school district's world languages program. Dual-language bilingual education programs shall also enroll students whose primary language is English, and shall be designed to help students achieve proficiency in English and in a second language while mastering subject-matter skills. To the extent necessary, instruction shall be in all courses or subjects of study that allow students to meet all grade promotion and graduation standards. Where possible, classes in dual-language bilingual programs shall be comprised of approximately equal numbers of ELLs and of students whose native language is English.

2. The Board of Education may establish a program in bilingual education for any language classification with fewer than twenty students.

D. Waiver Process Provided by Statute

The school district may request a waiver from N.J.A.C. 6A:15-1.4(d) to establish annually an instructional program alternative with the approval of the Department of Education when there are twenty or more students eligible for the bilingual education program in Kindergarten through grade twelve, and the school district is able to demonstrate that it would be

impractical to provide a full-time bilingual program due to age range, grade span, and/or geographic location of eligible students.

1. Instructional program alternatives shall be developed in consultation with and approved annually by the Department of Education after review of student enrollment and achievement data. All bilingual instructional program alternatives shall be designed to assist ELLs to develop sufficient English skills and subject-matter skills to meet the Core Curriculum Content Standards.

2. The instructional program alternatives that shall be established include, but are not limited to: the bilingual part-time component; the bilingual resource program; the bilingual tutorial program; the sheltered English instruction program; and the high-intensity ESL program.

3. In the event the district implements program alternatives, the district shall annually submit student enrollment and achievement data that demonstrate the continued need for these programs.

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

1. Each school district providing a bilingual program, ESL program, or English language services shall submit a plan every three years to the New Jersey Department of Education for approval. At its discretion, the Department of Education may request modifications, as appropriate. Plans submitted by the school district for approval shall include information on the following:

   a. Identification of students;

   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 or English language services.

2. The Department of Education will establish procedures for monitoring and evaluation of school district bilingual/ESL programs by means of its district and school accountability process.

F. Supportive Services

1. Students enrolled in bilingual, ESL, or English language services programs shall have full access to educational services available to other students in the school district.

2. To the extent that it is administratively feasible, supportive services to ELLs, 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 the ELLs and their parents.

G. In-service Training

1. A plan shall be developed for in-service training for bilingual, ESL, and mainstream teachers; administrators who supervise bilingual/ESL programs; and administrators and any personnel who observe and evaluate teachers of ELLs. The plan shall include instructional strategies and appropriate assessments to help ELLs meet the Core Curriculum Content Standards and the WIDA English language development standards. All ESL and bilingual teachers shall receive training in the use of the ESL curriculum.

2. The Professional Development Plan of the school district shall include the needs of bilingual and ESL teachers, which shall 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 pursuant to N.J.S.A. 18A:6-38 et seq. and 18A:35-15 to 26.

2. ESL Classes - a valid New Jersey instructional certificate in ESL pursuant to N.J.S.A. 18A:6-38 et seq. and N.J.A.C. 6A:9B-10.5.

3. English Language Services - a valid New Jersey instructional certificate.

I. Bilingual, English as a Second Language, and English Language Services Program Enrollment, Assessment, Exit, and Re-entry

1. All ELLs from Kindergarten through grade twelve shall be enrolled in the bilingual, ESL, or English language services program established by the Board of Education as prescribed in N.J.A.C. 6A:15-1.4(b) through (e) and 1.5(a), and P.L. 1995, c. 59 and c. 327.

2. Students enrolled in the bilingual, ESL, or English language services program shall be assessed annually using 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. ELLs enrolled in the bilingual, ESL, or English language services program shall be placed in a monolingual English program when they have demonstrated readiness to function successfully in an English-only program. The process to determine the readiness or inability of the individual student to function successfully in the English-only program shall be initiated by the student's level of English proficiency as measured by a Department of Education-established standard on an English language proficiency test. The

readiness of the student shall be further assessed on the basis of multiple indicators that shall include, at a minimum: classroom performance; the student's reading level in English; the judgment of the teaching staff member or members responsible for the educational program of the student; and performance on achievement tests in English.

4. A parent may remove a student who is enrolled in a bilingual education program pursuant to provisions in N.J.S.A. 18A:35-22.1.

5. Newly exited students 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 may recommend retesting with the approval of the Principal.

   b. A waiver of the minimum time limitation may be approved by the Executive County Superintendent upon request of the Superintendent if the student is experiencing extreme difficulty in adjusting to the mainstream program.

   c. The recommendation for retesting shall be based on the teacher's judgment that the student is experiencing difficulties due to problems in using English as evidenced by the student'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 student shall be tested using a different form of the test or a different language proficiency test than the one used to exit the student.

e. If the student scores below the State-established standard on the language proficiency test, the student shall be re-enrolled into the bilingual or ESL program.

6. When the review process for exiting a student from a bilingual, ESL, or English language services program has been completed, the district shall notify by mail the student's parent of the placement determination. If the parent or teaching staff member disagrees with the placement, he/she may appeal the placement decision in writing to the Superintendent or designee, who will provide a written explanation for the decision within seven working days of receiving the written appeal. The complainant may appeal this decision in writing to the Board of Education within seven calendar days of receiving the Superintendent's or designee's written explanation of the decision. The Board will review the appeal and respond in writing to the parent within forty-five calendar days of the Board's receipt of the parent's written appeal to the Board. 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. Graduation Requirements for English Language Learners

All ELLs must satisfy requirements for high school graduation according to N.J.A.C. 6A:8-5.1(a).

K. Location of Programs

All bilingual, ESL, and English language services programs shall be conducted within classrooms within the regular school buildings of the school district pursuant to N.J.S.A. 18A:35-20.

L. Notification

1. The school district will notify by mail the parents of ELLs of the fact that their child has been identified as eligible for enrollment in a bilingual, ESL, or English language services program. The district shall issue the notification within thirty days of the child's

identification. Notice shall include a statement that the parents may decline their child's enrollment in a bilingual program, and they shall be given an opportunity to do so if they choose. The notice shall be in writing and in the language in which the parent(s) possesses a primary speaking ability, and in English, and shall include the following information:

a. Why the student was identified as an ELL;

b. Why the student needs to be placed in a language instructional educational program that will help him or her develop and attain English proficiency and meet State academic standards;

c. The student's level of English proficiency, how the level of English proficiency was assessed, and the student's academic level;

d. The method of instruction the school district will use to serve the student, including a description of other instruction methods available and how those methods differ in content, instructional goals, and the use of English and a native language, if applicable;

e. How the program will meet the student's specific needs in attaining English and meeting State standards;

f. The program's exit requirements, the expected rate of transition into a classroom not tailored for ELLs and, in the case of high school students, the expected rate of graduation; and

g. How the instructional program will meet the objectives of the individualized education program of a student with a disability.

2. The school district shall send progress reports to parent(s) of students enrolled in a bilingual, ESL, or English language services

programs in the same manner and frequency as progress reports are sent to parents of other students enrolled in the school district.

3. Progress reports shall be written in English and in the native language of the parent of students enrolled in the bilingual and ESL program unless the school district can demonstrate and document in the three-year plan required in N.J.A.C. 6A:15-1.6(a) that the requirement would place an unreasonable burden on the district.

4. The school district shall notify the parent when a student meets the exit criteria and is placed in a monolingual English program. The notice shall be in English and in the language in which the parent possesses a primary speaking ability.

M. Joint Programs

With the approval of the Executive County Superintendent of Schools on a case-by-case basis, a school district may join with another Board of Education to provide bilingual, ESL, or English language services programs.

N. Parental Involvement

1. The Superintendent or designee will provide for the maximum practicable involvement of parents of ELLs in the development and review of program objectives and dissemination of information to and from the district Boards of Education and communities served by the bilingual, ESL, or English language services education programs.

2. A school district that implements a bilingual education program shall establish a parent advisory committee on bilingual education of which the majority will be parents of ELLs.

Issued: 17 December 2013
Revised: 20 December 2016

2425.01 HIV EDUCATION

The Board of Education believes HIV education should be integrated into the health and family life curriculum, but may also be applied to other curriculum areas.

The district HIV education program must address, at a minimum, the nature, transmission, prevention, and effects of the disease. The program shall be provided in a sequential manner in all grades, taking into consideration the age and maturity of the pupils and the subject matter of the course. Development of the program should take into account the instructional needs of all pupils in the district.

The Superintendent shall ensure that the information presented as a part of the HIV program is articulated in such a way the transition from grade to grade in the elementary schools and from elementary to secondary approaches to the material will be appropriate for all pupils.

The Superintendent shall be responsible for the preparation and development of an HIV education program, with active consultation and participation of an advisory committee consisting of teachers, administrators, parents/guardians, pupils (as appropriate), members of the medical and health services profession, members of social and health service agencies, members of the clergy and representative members of the community. The Board shall appoint the members of the committee upon the recommendation of the Superintendent. The advisory committee shall be responsible for reviewing the instructional program and all materials to be used and, through the Superintendent, of recommending same for Board adoption.

The Superintendent shall ensure that all staff involved in teaching the HIV education program are properly certified and adequately prepared to teach the material. As necessary, appropriate staff training shall be provided.

Parents/guardians of pupils enrolled in the district shall receive annually an outline of the curriculum, a list of the instructional materials for the grade of their

child, and notification of the availability of the curriculum and materials for review prior to use in the classroom.

The Superintendent shall establish procedures whereby pupils whose parent or legal guardian presents to the school Principal a signed statement that a designated part of the instruction is in conflict with his/her conscience, or moral or religious belief, shall be excused from that part of the curriculum. Independent study shall be directed during the time a pupil is excused from part of the program. The independent study shall include alternative topics that do not conflict with parent/guardian's beliefs but fall within the same subject area (i.e. health and family life) as the program from which the pupil is excused. No penalties as to credit or graduation shall result form such an exemption.

The Superintendent shall establish a process for evaluating and updating the HIV education program to incorporate new information. Any such revisions shall be implemented after consultation with and review by an advisory committee as described above.

The Board of Education alone, upon the recommendation of the Superintendent, shall determine the content, sequence, and materials of the HIV education program.

Adopted: 17 December 2013

R 2425.01 HIV PREVENTION/EDUCATION

The Mendham Township Board of Education shall provide a fully articulated program of HIV education. The content of the curriculum shall include but not be limited to:

1. The nature of the disease;

2. Transmission of the disease;

3. Prevention of the disease; and

4. The effects of the disease.

Parents, health professionals and clergy may be consulted prior to any revision of the curriculum. The staff assigned to review and develop the health curriculum shall consider the community input during the curriculum process.

The Superintendent shall:

1. Ensure that all staff involved in teaching the HIV curriculum have the appropriate certification and training to enable them to teach the subject effectively;

2. Provide additional training when appropriate;

3. Ensure that the HIV curriculum is evaluated and updated to incorporate new information; and

4. Ensure that all updates involve appropriate consultation and review.

The HIV portion of the health curriculum shall be available for review by parents/guardians. Any parent/guardian who does not wish his/her child(ren) to participate in this portion of the curriculum because it conflicts with his/her conscience, moral or religious beliefs shall present the Principal with a signed statement to that effect. The student(s) shall be excused from that portion of

the course where the instruction is given and given alternative work. There shall not be penalties as to credit or graduation.

The Board of Education, upon the recommendation of the Superintendent shall:

1. Determine the content, sequence and materials of the program; and

2. Ensure compliance with all requirements concerning content and distribution.

Issued: 17 December 2013

2428.1 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 21st 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 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.

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

Adopted: 17 December 2013

2430 CO-CURRICULAR ACTIVITIES (M)

M

The Board believes that the educational goals and objectives of the district are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular classroom program.

Extracurricular Activities help pupils to:

A. Develop useful new capabilities in pupils that can lead to extension of career opportunities;

B. Develop initiative and provide for the exercise of responsibility;

C. Develop leadership capabilities and good organizational skills;

D. Develop social skills;

E. Explore a wider range of individual interests than might be available in the regular program.

For purposes of this policy, "Extracurricular Activities" shall be those activities which are sponsored or approved by the Board but are not part of the required academic program. Such activities shall generally be conducted outside the regular school day, available to pupils who voluntarily elect to participate, marked by pupil participation in the processes of initiation, planning, organizing and execution and shall ordinarily include band, clubs, dramatic or musical presentations, and intramural and interscholastic sports.

Equal access to school facilities shall be granted to all activities that meet this definition.

The Superintendent shall prepare procedures to implement an extracurricular program which shall:

A. Assess the needs and interests of the pupils of this district;

B. Ensure the provision of competent guidance and supervision by staff;

C. Guard against the exploitation of pupils;

D. Provide for a variety of experiences and a diversity of organizational models;

E. Provide for the continuing evaluation of the extracurricular program and staff;

F. Ensure that all extracurricular activities are open to all eligible pupils and that all pupils are fully informed of the opportunities open to them.

The guidance goal for each pupil shall be a balanced program of appropriate academic studies and activities to be determined by the school, the parents/guardians and the pupil. Guidance is necessary to encourage non-participants, and to prevent the over-enthusiastic from emphasizing activities at the cost of their academic performance.

Only persons in the employ of the Board of Education shall be permitted to organize district pupils during school time; during any recess in the school day or before or after school for purposes of instruction or coaching or for conducting games, events, or contests in physical education or athletics.

No 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. Fund-raising activities of extracurricular groups must be approved by the Board.

All pupils in good disciplinary and academic standing shall have equal access to all extracurricular activities regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.

Good Disciplinary Standing

Good disciplinary standing shall mean that a pupil is not eligible to participate while serving a detention or suspension.

When a pupil already participating in an extracurricular activity is reported for an infraction of the rules for pupil conduct, the Principal shall appoint a staff committee to consider whether the pupil shall be removed from any or all extracurricular activities.

If a pupil was in bad disciplinary standing the previous term, the Principal shall refer the matter to a staff committee to determine whether the pupil shall be permitted to participate during the current term.

Good Academic Standing

Continuing good academic standing requires an overall average of C with no grade lower than C- in each academic subject for participation in extracurricular activities. Eligibility shall be determined at the conclusion of marking period 1, 2 and 3 for each succeeding marking period. All pupils will be eligible for activities which begin during the first marking period, but they are subject to review at the mid-point of that marking period.

Attendance

The district's attendance policy shall also apply.

Implementation

The Superintendent shall direct development of detailed regulations to ensure equitable implementation of this policy. Particular care shall be taken to ensure that all extracurricular programs and their operation comply with district affirmative action requirements. Participation in academically related coaching or tutoring groups takes precedent over scheduled extracurricular activities. Child Study Team pupils may be exempt from eligibility requirements if participation in extracurricular activities is part of their Individual Educational Profile.

The Board will permit students who reside in this district and who are not enrolled in the public school to participate in co-curricular activities on a space-available basis. Participants will be permitted only on written application and the applicant's assurances that the student agrees to be bound by the policies, rules, and regulations of the district.

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.

Academic Standards

Pupils will maintain a C- (70) average in all curricular areas with no grade below a C- in each major academic area.

Any pupil with a grade or grade below C- (70) must develop an improvement plan in consultation with her/his advisor or other appropriate faculty member and parents. The improvement plan must include the following:

1. Exclusion from extracurricular activities which regularly meet after school for pupils who earn one grade of F+ or lower or two grades of D+ or lower in major academic areas. A major academic area is one which meets at least three times a week;

2. Academic monitoring for the following marking period in each curricular area where the standard of C- (70) was not met;

3. Provision for a performance review in all curricular areas at the mid-point of the marking period. Pupils not maintaining a C- in all major academic areas will be excluded from extracurricular activities for the remainder of the marking period.

Eligibility for Participation

All pupils who meet the academic standards of the Mendham Township School District shall have equal access to all extracurricular activates regardless of race, color, creed, religion, sex, national origin, ancestry, social or economic status, or non-applicable handicap.

All pupils will be eligible for activities which begin during the first marking period, but are subject to review at the mid-point of that marking period. Eligibility shall be determined at the conclusion of marking periods 1, 2, and 3 for each succeeding marking period.

A pupil will not be allowed to participate in an extracurricular activity if he/she did not attend school on that day. An exception to this rule may be made by the Principal in unusual circumstances.

Participation in academically related coaching or tutoring takes precedent over scheduled extracurricular activities.

Scheduled detentions for disciplinary purposes take precedent over meetings of extracurricular activities.

Special Education

Child Study Team pupils may be exempt from eligibility requirements if participation in specific extracurricular activities is part of their Individual Educational Plan.

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

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

Adopted: 17 December 2013

Revised: 25 November 2014

R 2430 EXTRA-CURRICULAR ACTIVITIES

Students must be in both good academic and disciplinary standing in order to be eligible to participate in extra-curricular activities. The Extra-Curricular Activities Policy is available in its entirety on our webpage.

Good Academic Standing: All students will be eligible for activities which begin during the first marking period, but are subject to review at the mid-point of that marking period. Eligibility shall be determined at the conclusion of marking periods 1, 2, and 3 for each succeeding marking period. As delineated in Mendham Township Board Policy, any student who earns two grades below 69.5% (D+) or one F on the first marking period report card (or any marking period thereafter) is ineligible to participate in (or tryout for) extra-curricular activities such as interscholastic sports teams and the school play. A student's eligibility status will be reinstated if a review of the mid-term progress report or end of marking period report card (whichever comes first) reveals that he/she has met academic standards. Participation in academically related coaching or tutoring takes precedent over scheduled extra-curricular activities.

Good Disciplinary Standing: Good disciplinary standing shall mean that a pupil is adhering to and respectful of all school rules, classroom procedures, and teachers' behavioral expectations.

1. When a pupil already participating in an extra-curricular activity is reported for an infraction of the rules for pupil conduct, the Principal shall appoint a staff committee to consider whether the pupil shall be removed from any or all extra-curricular activities.

2. If a pupil was in bad disciplinary standing the previous term, the Principal shall refer the matter to a staff committee to determine whether the pupil shall be permitted to participate during the current term. A pupil will not be allowed to participate in an extra-curricular activity if he/she did not attend school on that day. An exception to this rule may be made by the Principal in unusual circumstances.

3. A pupil will not be allowed to participate in an extra-curricular activity if he/she did not attend school on that day for at least four

hours. This includes individual events such as Student/Faculty Basketball Game etc. An exception to this rule may be made by the Principal in unusual circumstances. Please contact the Principal to discuss circumstances which may be "unusual."

4. Scheduled detentions for disciplinary purposes take precedent over meetings of extra-curricular activities.

5. Students who are habitually late to school will forfeit eligibility to participate in extra-curricular activities on the days they are late. If this situation occurs, parents will be notified in advance of a student's ineligibility.

Interscholastic Sports

Sixth, seventh, and eighth grade students who are in Good Standing as defined above and by Board Policy are encouraged to try out for interscholastic athletic teams.

The Middle School offers students the opportunity to participate in the following:

Fall Sports: Girls' Field Hockey, Boys' Soccer, Girls' Soccer, Boys' and Girls' Cross Country

Winter Sports: Boys' Basketball, Girls' Basketball, Boys' and Girls' Volleyball, Cheerleading

Spring Sports: Softball, Baseball, Girls' Lacrosse, Boys' Lacrosse

Team Selection Guidelines

Team members will be selected on the basis of ability with the following exceptions:

1. A sixth grade student will not be selected over a seventh or eighth grade student unless in the athletic department staffs professional

judgment, that sixth grade student will receive a significant (50% or more) amount of playing time.

2. Whereas a seventh or eighth grade student is comparable in ability to a sixth grade student, the seventh or eighth grade student will have priority in selection over the sixth grade student.

Before giving permission for their child to participate in interscholastic sports, parents must realize that all sports carry the potential for injury. Therefore, students must have (and submit to the school nurse) a physical exam form by their own personal physician before they will be allowed to try out, attend practice sessions, or play in any games. To ensure the safety of our students, if you have any questions about your child's eligibility, please contact the Health Office.

Each team member must make the MendhamTownshipMiddle School team his/her first priority. Participation on an outside team is permissible; however, in fairness to the other students, MendhamTownshipMiddle School teams must be the first priority in the event of conflicts. Students must attend all games and practice sessions. In the event of illness or a family emergency, a written excuse from the parent is required.

Students may be dismissed from a team for the following reasons:

1. Two or more unexcused absences from games or practices.

2. Failure to obey the school rules and procedures at home games and when visiting other schools. Fighting, obscene gestures, profanity, or rudeness to coaches or officials will result in immediate suspension from the team.

Students must arrange for transportation home following practice sessions and games. Parents will be provided with a schedule of practice session times and anticipated times for the end of games. Parents must realize that coaches are required to stay until their last player has been picked up. Please be as prompt as possible. Failure to pick up a child in a timely manner could preclude him/her from participating in after school activities.

School Production

Auditions for the school production are open to all Middle School students. Students may also work on scenery and stage crew. Some enrichment period time may be allotted for this activity, but it requires an afterschool time commitment of between two and four afternoons each week for approximately ten weeks. Eligibility to participate in extra-curricular activities requires a student to be in good academic standing as defined by Board Policy.

Band, Orchestra, and Chorus

Students have the opportunity of joining the Middle School band, orchestra and or chorus. Students interested in participating in the school band/orchestra are scheduled for individual and/or small group lessons on a rotating basis during the school day. Fifth and sixth graders must report to their regularly scheduled classroom first before going to a lesson. Seventh and eighth graders will report directly to lessons. At all grade levels, students attending lessons are responsible for making up all missed work without exception. Students must never be penalized for missing class to attend a scheduled music lesson. Sixth, seventh, and eighth grade students participating in the band, orchestra and or chorus are scheduled for practice during a "performing arts" period prior to homeroom at 7:22 a.m. The district is providing busing for this activity. Fifth graders participating in the band, orchestra and or chorus are scheduled for practice during period six enrichment. Students participating in the band and/or chorus have the opportunity to perform at the holiday concert, competitions, the spring concert, and graduation.

Issued: 30 January 2014

2431 ATHLETIC COMPETITION

M

The Board of Education recognizes the value of athletic competition as an integral part of the total school experience. Game activities and practice sessions provide opportunities to learn the values of competition and good sportsmanship.

For the purpose of this Policy, programs of athletic competition include all activities relating to competitive sports contests, games, events, or sports exhibitions involving individual students or teams of students when such events occur within or between schools within this district or with any schools outside this district. The programs of athletic competition shall include, but are not limited to, high school interscholastic athletic programs, middle school interscholastic athletic programs where school teams or squads play teams or squads from other school districts, intramural athletic programs within a school or among schools in the district, and any cheerleading program or activity in the school district.

Eligibility Standards

A student who wishes to participate in a program of athletic competition must submit, on a form provided by the district, the signed consent of his/her parent. The consent of the parent of a student who wishes to participate in a program of athletic competition will include an acknowledgment of the physical hazards that may be encountered in the activity.

Student participation in a program of athletic competition shall be governed by the following eligibility standards:

1. A student in grades 6 through 8 is eligible for participation in school district sponsored programs of athletic competition if he/she passed all courses required for promotion or graduation in the preceding marking period.

Home schooled children in grades 6 through 8 are eligible to participate in school district sponsored programs of athletic competition of this district.

2. A student in any grade must maintain a satisfactory record of attendance to be eligible for participation in school district sponsored programs of athletic competition. An attendance record is unsatisfactory if the number of unexcused absences exceed 15 school days in the school year prior to the student commencing participation in school district sponsored programs of athletic competition.

   A student who is absent for a school day may not participate in school district sponsored programs of athletic competition the afternoon or evening of that school day.

   A student who is serving an in-school, out-of-school, in-school or out-of-school suspension may not participate in school district sponsored programs of athletic competition while serving the suspension.

3. A student in any grade who fails to observe school rules for student conduct may forfeit his/her eligibility for participation in school district sponsored programs of athletic competition.

Notice of the school district's eligibility requirements shall be available to students.

Required Examinations – Interscholastic or Intramural Team or Squad

Students enrolled in grades six to twelve must receive a medical examination, in accordance with the provisions of N.J.S.A. 18A:40-41.7, prior to participation on a school-sponsored interscholastic or intramural team or squad and any cheerleading program or activity.

The examination shall be conducted within 365 days prior to the first day of official practice in an athletic season with examinations being conducted at the medical home of the student. The "medical home" is defined as a health care

provider and that provider's practice site chosen by the student's parent for the provision of health care pursuant to N.J.A.C. 6A:16-1.3. If a student does not have a medical home, the school district shall provide the examination at the school physician's office or other comparably equipped facility. The parent may choose either the school physician or their own private physician to provide this medical examination. The medical examination required prior to participation shall be in accordance with the requirements as outlined in N.J.A.C. 6A:16-2.2(h)1 and Regulation 2431.2 and shall be documented using the Preparticipation Physical Evaluation form required by the Department of Education.

The school district shall distribute the Commissioner of Education developed sudden cardiac arrest pamphlet to a student participating in or desiring to participate in an athletic activity, as defined in N.J.S.A. 18A:40-41.e., and the student's parent(s) shall each year and prior to participation by the student in an athletic activity comply with the requirements of N.J.S.A. 18A:40-41.d.

The school district shall annually distribute the Commissioner of Education developed educational fact sheet relative to use and misuse of opioid drugs for sports related injuries to parents of students who participate in athletic activities and comply with the requirements of N.J.S.A. 18A:40-41.10.

Information concerning a student's HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq. The health findings of this medical examination shall be maintained as part of the student's health record.

Emergency Procedures

Athletic coaches shall be trained in first aid to include sports-related concussion and head injuries, the use of a defibrillator, the identification of student-athletes who are injured or disabled in the course of any athletic program or activity, and any other first aid procedures or other health related trainings required by law or the Superintendent.

The Superintendent shall prepare and present to the Board for its approval procedures for the emergency treatment of injuries and disabilities that occur in the course of any athletic program or activity. Emergency procedures shall be

reviewed not less than once in each school year and shall be disseminated to appropriate staff members.

Interscholastic Standards

The Board shall approve annually a program of interscholastic athletics and shall require that all facilities utilized in that program, whether or not the property of this Board, properly safeguard both players and spectators and are kept free from hazardous conditions.

The Board adopts the Constitution, Bylaws, Rules, and Regulations of the New Jersey State Interscholastic Athletic Association as Board policy and shall review such rules on a regular basis to ascertain they continue to be in conformity with the objectives of this Board.

N.J.S.A. 2C:21-11

N.J.S.A. 18A:11-3 et seq.; 18A:40-41; 18A:40-41.10

N.J.A.C. 6A:7-1.7(d); 6A:16-1.3; 6A:16-2.1 et seq.

Adopted: 17 December 2013

Revised: 23 May 2016

Revised: 16 March 2017

Revised: 22 August 2018

R 2431.1 EMERGENCY PROCEDURES FOR ATHLETIC PRACTICES AND COMPETITIONS (M)

M

A. Definitions

1. "Programs of athletic competition" means all activities relating to competitive sports contests, games, events, or sports exhibitions involving individual pupils or teams of pupils when such events occur within or between schools within this district or with any schools outside this district. The programs of athletic competition shall include, but are not limited to, high school interscholastic athletic programs, middle school interscholastic athletic programs where school teams or squads play teams or squads from other school districts, intramural athletic programs within a school or among schools in the district, and any cheerleading program or activity in the school district.

2. "Health personnel" means the school nurse, the school medical inspector, the designated team doctor, a licensed physician, and members of the first aid squad or ambulance team.

3. "Parent" means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s) or parent surrogate(s) of a pupil. Where parents are separated or divorced, "parent" means the person or agency who has legal custody of the pupil, as well as the natural or adoptive parent(s) of the pupil, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

4. "Pupil" means a pupil enrolled in this district and a pupil enrolled in any district who is present in this district for the purpose of participating in a program of athletic competition sponsored by the Board of Education.

B. Precautions

1. All coaches, including assistant coaches, will be trained in first aid to include sports-related concussions and head injuries, the identification of injured and disabled pupil athletes, and any other first aid procedures required by statute, administrative code, or by the Superintendent.

2. Athletic coaches are responsible at all times for the supervision of pupils to whom they have been assigned. Pupils shall not be left unattended at any time.

3. Pupils who participate in athletic competition shall be trained in proper athletic procedures, in the proper use of athletic equipment, and in the proper use of protective equipment and clothing.

4. Pupil athletes shall be required to report promptly to the athletic coach any injury or disability occurring to the pupil himself/herself or to another pupil.

5. First aid supplies and equipment shall be readily available at all athletic activities and shall be maintained in proper condition.

6. First aid and emergency medical procedures will utilize universal precautions in handling blood and body fluids as indicated in Policy and Regulation No. 7420 and Regulation No. 7420.1.

7. Health personnel, including but not limited to, the athletic trainer, school/team physician, and ambulance/first aid squad may be present at athletic activities and events as determined by the Superintendent.

C. Emergency Procedures

The following procedures shall be implemented whenever a pupil athlete is injured or disabled in the course of an athletic practice or competition sponsored by this district.

1. The athletic coach shall immediately notify the health personnel present at the activity and the health personnel shall assume responsibility for the emergency treatment of the pupil.

2. If no health personnel are present, or if none can be immediately summoned to the pupil's aid, the athletic coach shall administer such first aid as may be necessary.

3. If the pupil's injury or disability requires more than routine first aid, the athletic coach shall:

   a. Summon emergency personnel by calling 911; or

   b. Arrange for the pupil's transportation to the nearest hospital or the office of the school medical inspector.

4. The athletic coach or his/her designee shall promptly notify the Building Principal, the Superintendent, and the pupil's parent(s) or legal guardian(s) of the pupil's injury or disability and the condition and location of the pupil.

5. An injured or disabled pupil who has been transported away from school premises must be accompanied by the athletic coach, a member of the athletic department, a health professional, or other responsible adult known to the athletic coach.

6. These emergency procedures shall be followed when the injured or disabled pupil is a member of a visiting team or district. In the event the visiting team has health personnel or staff members present, every effort shall be made to cooperate with the health personnel and/or staff of the district in which the pupil is enrolled.

D. Reports

1. The athletic coach shall complete and file a report of every injury or disability that occurs to a pupil in the course of his/her participation in the athletic program of this district, regardless of the severity of the injury or disability. The report shall include:

a. The date of the incident;

b. The name, age, grade level, and gender of each injured or disabled pupil;

c. The district in which the pupil is enrolled;

d. The name and district of each pupil involved in the incident;

e. A narrative account of the incident;

f. A detailed description of the injury or disability;

g. The treatment given on school premises and the names of the health personnel, if any, who treated the pupil;

h. The place, if any, to which the pupil was taken and the persons who accompanied the pupil; and

i. A memorandum of the notice given to the pupil's parent(s) or legal guardian(s).

2. Copies of the report shall be filed with the school nurse and the Building Principal within twenty-four hours or by the end of the next school day after the incident.

3. The Building Principal shall report the incident to the Superintendent, who may report the incident to the Board.

4. A copy of each report of an incident of pupil injury or disability that occurs in the course of athletic activities shall be maintained by the athletic director, who shall analyze reports for patterns that indicate a need for revision of the district's safety and/or athletics program. The athletic director shall report the findings of his/her analysis to the Superintendent at the close of each sport season.

5. The parent(s) or legal guardian(s) of each injured or disabled pupil will be given assistance in the completion and filing of insurance claim forms.

E. Readmission to Athletic Activities

A pupil injured or disabled in the course of an athletic activity will be permitted to participate in athletic competition only on the written permission of the school medical inspector or designated team doctor, who must first examine the pupil to determine his/her fitness to participate in athletics. Written notice of that determination, signed by the school medical inspector or designated team doctor as appropriate, shall be given to the pupil's parent(s) or legal guardian(s). The prevention and treatment of suspected sports-related concussions and head injuries shall be in accordance with the provisions of N.J.S.A. 18A:40-41.1 et seq. and Policy and Regulation 2431.4.

Adopted: 17 December 2014

R 2431.2 MEDICAL EXAMINATION PRIOR TO PARTICIPATION ON A SCHOOL-SPONSORED INTERSCHOLASTIC OR INTRAMURAL TEAM OR SQUAD (M)

M

Students are required to receive medical examinations in accordance with the provisions of N.J.S.A. 18A:40-41.7 and N.J.A.C. 6A:16-2.2(f) and (h). Each student medical examination shall be conducted at the medical home of the student. If a student does not have a medical home, the school district shall provide the examination at the school physician's office or other comparably equipped facility.

The school district shall ensure students receive medical examinations in accordance with N.J.A.C. 6A:16-2.2(h) and prior to participation on a school-sponsored interscholastic or intramural team or squad for students in grades six through twelve.

A. Required Medical Examination

1. The examination shall be conducted within 365 days prior to the first day of official practice in an athletic season and shall be conducted by a licensed physician, advanced practice nurse (APN), or physician assistant (PA).

2. The physical examination shall be documented using the Preparticipation Physical Evaluation (PPE) form developed jointly by the American Academy of Family Physicians, American Academy of Pediatrics, American College of Sports Medicine, American Medical Society for Sports Medicine, American Orthopaedic Society for Sports Medicine, and American Osteopathic Academy of Sports Medicine and is available online at, http://www.state.nj.us/education/students/safety/health/records/athleticphysicalsform.pdf, in accordance with N.J.S.A. 18A:40-41.7.

   a. Prior to performing a preparticipation physical examination, the licensed physician, APN, or PA who performs the student-athlete's physical examination shall complete the Student-Athlete Cardiac Screening professional development

module and shall sign the certification statement on the PPE form attesting to the completion, pursuant to N.J.S.A. 18A:40-41.d.

(1) If the PPE form is submitted without the signed certification statement and the school district has confirmed that the licensed physician, APN, or PA from the medical home did not complete the module, the student-athlete's parent may obtain a physical examination from a physician who can certify completion of the module or request that the school physician provides the examination.

b. The medical report shall indicate if a student is allowed or not allowed to participate in the required sports categories and shall be completed and signed by the original examining physician, APN, or PA.

c. An incomplete form shall be returned to the student's medical home for completion unless the school nurse can provide documentation to the school physician that the missing information is available from screenings completed by the school nurse or physician within the prior 365 days.

3. Each student whose medical examination was completed more than ninety days prior to the first day of official practice in an athletic season shall provide a health history update questionnaire completed and signed by the student's parent. The completed health history update questionnaire shall include information listed below as required by N.J.S.A. 18A:40-41.7.b. The completed health history update questionnaire shall be reviewed by the school nurse and, if applicable, the school athletic trainer and shall include information as to whether, in the time period since the date of the student's last preparticipation physical examination, the student has:

a. Been advised by a licensed physician, APN, or PA not to participate in a sport;

b. Sustained a concussion, been unconscious, or lost memory from a blow to the head;

c. Broken a bone or sprained, strained, or dislocated any muscles or joints;

d. Fainted or blacked out;

e. Experienced chest pains, shortness of breath, or heart racing;

f. Had a recent history of fatigue and unusual tiredness;

g. Been hospitalized, visited an emergency room, or had a significant medical illness;

h. Started or stopped taking any over the counter or prescribed medications; or

i. Had a sudden death in the family, or whether any member of the student's family under the age of fifty has had a heart attack or heart trouble.

4. The school district shall provide to the parent written notification signed by the school physician stating approval of the student's participation in athletics based upon the medical report or the reasons for the school physician's disapproval of the student's participation.

5. The Board of Education will not permit a student enrolled in grades six to twelve to participate on a school-sponsored interscholastic or intramural team or squad unless the student submits a PPE form signed by the licensed physician, APN, or PA who performed the physical examination and, if applicable, a completed health history update questionnaire, pursuant to N.J.S.A. 18A:40-41.7.c.

B. Sudden Cardiac Arrest Pamphlet

The school district shall distribute to a student participating in or desiring to participate in an athletic activity and the student's parent, each year and prior to participation by the student in an athletic activity, the sudden cardiac arrest pamphlet developed by the Commissioner of Education in accordance with the provisions of N.J.S.A. 18A:40-41.

1. A student and his or her parent shall, each year and prior to the participation of the student in an athletic activity, sign and return to the student's school the form developed by the Commissioner acknowledging the receipt and review of the information pamphlet, pursuant to N.J.S.A. 18A:40-41.d.

2. The Commissioner shall distribute the pamphlet, at no charge, to all school districts and nonpublic schools, pursuant to N.J.S.A. 18A:40-41.b.

3. "Athletic activity" for the purposes of N.J.S.A. 18A:40-41 means: interscholastic athletics; an athletic contest or competition, other than interscholastic athletics, that is sponsored by or associated with a school district or nonpublic school, including cheerleading and club-sponsored sports activities; and any practice or interschool practice or scrimmage for those activities.

C. Use and Misuse of Opioid Fact Sheet

The school district shall annually distribute to the parents of student-athletes participating in an interscholastic sports program or cheerleading program the educational fact sheet developed by the Commissioner of Education concerning the use and misuse of opioid drugs in the event that a student-athlete or cheerleader is prescribed an opioid for a sports-related injury in accordance with the provisions of N.J.S.A. 18A:40-41.10.

1. The district shall distribute the educational fact sheet annually to the parents of student-athletes and cheerleaders and shall obtain a signed acknowledgment of the receipt of the fact sheet by the

student-athlete or cheerleader and his or her parent pursuant to N.J.S.A. 18A:40-41.10(b).

2. The fact sheet and sign-off sheet shall be distributed and the sign-off sheet shall be completed and returned to the school annually prior to the student-athlete's or cheerleader's first official practice of the school year.

Adopted: 17 December 2013
Revised: 23 May 2016
Revised: 22 August 2018

2431.3 PRACTICE AND PRE-SEASON HEAT-ACCLIMATION FOR INTERSCHOLASTIC ATHLETICS

The Board of Education adopts this Policy as a measure to protect the safety, health, and welfare of students participating in school-sponsored athletic programs and extra-curricular activities. The Board believes practice and pre-season heat-acclimation guidelines for students will minimize injury and enhance a student's health, performance, and well-being. Therefore, the Board of Education requires the implementation of the practice and pre-season heat-acclimation procedures as recommended by the New Jersey State Interscholastic Athletic Association (NJSIAA) for students participating in all school-sponsored athletic programs and extra-curricular activities during warm weather months. The Superintendent of Schools or designee shall ensure the implementation of the Practice and Pre-Season Heat-Acclimation Procedures.**]**

The Superintendent of Schools or designee may reduce practice times or adjust other provisions that would reduce a student's exertion if weather and/or temperature warrant such action.

This Policy and the school district's practice and pre-season heat-acclimation procedure shall be approved by the school district's physician prior to implementation.

Adopted: 17 December 2013
Revised: 19 March 2019

2431.4 PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES (M)

M

A concussion is a traumatic brain injury caused by a direct or indirect blow to the head or body. In order to ensure the safety of pupils that participate in interscholastic athletics and cheerleading programs, it is imperative that student-athletes, cheerleaders, coaches, and parents are educated about the nature and treatment of sports-related concussions and other head injuries. Allowing a student-athlete or cheerleader to return to play before recovering from a concussion increases the chance of a more serious brain injury.

Every school district that participates in interscholastic athletics or cheerleading programs is required to adopt a policy concerning the prevention and treatment of sports-related concussions and other head injuries among student-athletes and cheerleaders in accordance with the provisions of N.J.S.A. 18A:40-41.1 et seq. For the purpose of this Policy, "interscholastic athletics" shall be Kindergarten through eighth grade school-sponsored athletic programs where teams or individuals compete against teams or individuals from other schools or school districts. For the purpose of this Policy, "cheerleading program" shall be Kindergarten through eighth grade school-sponsored cheerleading programs.

The school district will adopt an Interscholastic Athletic and Cheerleading Head Injury Training Program to be completed by the team or school physician, licensed athletic trainer(s) involved in the interscholastic athletic program, all staff members that coach an interscholastic sport or cheerleading program, designated school nurses, and other appropriate school district personnel as designated by the Superintendent. This Training Program shall be in accordance with guidance provided by the New Jersey Department of Education and the requirements of N.J.S.A. 18A:40-41.2.

The Principal or designee shall distribute the New Jersey Department of Education Concussion and Head Injury Fact Sheet and Parent/Guardian Acknowledgement Form to every student-athlete who participates in

interscholastic sports and every cheerleader who participates in a cheerleading program. The Principal or designee shall obtain a signed acknowledgement of the receipt of the Fact Sheet by the student-athlete or cheerleader's parent and keep on file for future reference.

Prevention of a sports-related concussion and head injuries is an important component of the school district's program. The school district may require pre-season baseline testing of all student-athletes and cheerleaders before the pupil begins participation in an interscholastic athletic or cheerleading program.

Any student-athlete or cheerleader who exhibits the signs or symptoms of a sports-related concussion or other head injury during practice or competition shall be immediately removed from play and may not return to play that day. Emergency medical assistance shall be contacted when symptoms get worse, loss of consciousness, direct neck pain associated with the injury, or any other sign the supervising school staff member determines emergency medical attention is needed. If available when the student-athlete or cheerleader is exhibiting signs or symptoms, the pupil will be evaluated by the school or team physician. The Principal or designee shall contact the pupil's parent and inform the parent of the suspected sports-related concussion or other head injury.

Possible signs of a concussion can be observed by any school staff member or the school or team physician. Any possible symptoms of a concussion can be reported by the student-athlete or cheerleader to: coaches; licensed athletic trainer; school or team physician; school nurse; and/or parent. The Principal or designee shall provide the student-athlete or cheerleader with Board of Education approved suggestions for management/medical checklist to provide to their parent and physician or other licensed healthcare professional trained in the evaluation and management of sports-related concussions and other head injuries.

A student-athlete or cheerleader who participates in interscholastic athletics or a cheerleading program and who sustains or is suspected of sustaining a concussion or other head injury shall be required to have a medical examination conducted by their physician or licensed health care provider. The pupil's physician or licensed health care provider shall be trained in the evaluation and

management of concussion to determine the presence or absence of a sports-related concussion or head injury.

The pupil's physician or licensed health care provider must provide to the school district a written medical release/clearance for the pupil indicating when the pupil is able to return to the activity. The medical release/clearance must indicate the student-athlete or cheerleader is asymptomatic at rest and either may return to the interscholastic athletic activity or cheerleading program because the injury was not a concussion or other head injury or may begin the district's graduated return to competition and practice protocol outlined in Regulation 2431.4. A medical release/clearance not in compliance with this

Policy will not be accepted. The medical release/clearance must be reviewed and approved by the school or team physician.

The school district shall provide a copy of this Policy and Regulation 2431.4 to all youth sports team organizations that operate on school grounds. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the school district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that operates on school grounds, if the youth sports team organization provides the school district proof of an insurance policy in the amount of not less than $50,000 per person, per occurrence insuring the youth sports team organization against liability for any bodily injury suffered by a person and a statement of compliance with the school district's Policy and Regulation 2431.4 - Prevention and Treatment of Sports-Related Concussions and Head Injuries.

For the purposes of this Policy a "youth sports team organization" means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.

This Policy and Regulation shall be reviewed and approved by the school physician and shall be reviewed annually, and updated as necessary, to ensure it reflects the most current information available on the prevention, risk, and treatment of sports-related concussion and other head injuries.

N.J.S.A. 18A:40-41.1; 18A:40-41.2; 18A:40-41.3; 18A:40-41.4; 18A:40-41.5

Adopted: 17 December 2013

R 2431.4 PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES (M)

M

A concussion is a traumatic brain injury caused by a direct or indirect blow to the head or body. Allowing a student-athlete or cheerleader to return to play before recovering from a concussion increases the chance of a more serious brain injury that can result in severe disability and/or death. The following procedures shall be followed to implement N.J.S.A. 18A:40-41.1 et seq. and Policy 2431.4.

A. Interscholastic Athletic/Cheerleading Program Head Injury Training Program

1. The school district will adopt an Interscholastic Athletic/Cheerleading Program Head Injury Training Program to be completed by the school or team physician, licensed athletic trainer(s) involved in the interscholastic athletic program, all staff members that coach an interscholastic sport or cheerleading program, designated school nurses, and other appropriate school district personnel as designated by the Superintendent.

2. This Training Program shall be in accordance with the guidance provided by the New Jersey Department of Education and the requirements of N.J.S.A. 18A:40-41.1 et seq.

B. Prevention

1. The school district may require pre-season baseline testing of all student-athletes and cheerleaders before the pupil begins participation in an interscholastic athletic program or activity or cheerleading program. The baseline testing program shall be reviewed and approved by the school or team physician trained in the evaluation and management of sports-related concussions and other head injuries.

2. The Principal or designee will review educational information for student-athletes and cheerleaders on prevention of concussions.

3. All school staff members, student-athletes, cheerleaders, and parents of student-athletes and cheerleaders shall be informed through the distribution of the New Jersey Department of Education Concussion and Head Injury Fact Sheet and Parent/Guardian Acknowledgement Form and other communications from the Principal and coaches on the importance of early identification and treatment of concussions to improve recovery.

C. Signs or Symptoms of Concussion or Other Head Injury

1. Possible signs of concussions can be observed by coaches, licensed athletic trainer, school or team physician, school nurse, or other school staff members. Possible signs of a concussion may be, but are not limited to, the student-athlete or cheerleader:

   a. Appears dazed, stunned, or disoriented;

   b. Forgets plays, or demonstrates short-term memory difficulty;

   c. Exhibits difficulties with balance or coordination;

   d. Answers questions slowly or inaccurately; and/or

   e. Loses consciousness.

2. Possible symptoms of concussion shall be reported by the student-athlete or cheerleader to coaches, licensed athletic trainer, school or team physician, school nurse, and/or parent. Possible symptoms of a concussion are, but not limited to:

   a. Headache;

   b. Nausea/vomiting;

   c. Balance problems or dizziness;

d. Double vision or changes in vision;

e. Sensitivity to light or sound/noise;

f. Feeling sluggish or foggy;

g. Difficulty with concentration and short-term memory;

h. Sleep disturbance; or

i. Irritability.

D. Emergency Medical Attention for Concussion or Other Head Injury

1. Any student-athlete or cheerleader who is exhibiting the signs or symptoms of a sports-related concussion or other head injury during practice or competition shall immediately be removed from play and activities and may not return to the practice or competition that day.

2. The school staff member supervising the student-athlete or cheerleader when the pupil is exhibiting signs or symptoms of a sports-related concussion or other head injury shall immediately contact emergency medical assistance when symptoms get worse, loss of consciousness, direct neck pain associated with the injury, or any other sign the supervising school staff member determines emergency medical attention is needed.

   a. In the event the school or team physician is available when the student-athlete or cheerleader is exhibiting signs or symptoms of a sports-related concussion or other head injury, the physician may make the determination to call emergency medical assistance.

3. The school staff member supervising the student-athlete or cheerleader when the pupil is exhibiting signs or symptoms of a sports-related concussion or other head injury during practice or

competition shall report the occurrence to the Principal or designee. The Principal or designee shall contact the pupil's parent and inform the parent of the suspected sports-related concussion or other head injury.

E. Sustained Concussion or Other Head Injury

1. A student-athlete or cheerleader who participates in interscholastic athletics or cheerleading program and who sustains or is suspected of sustaining a concussion or other head injury shall immediately be removed from practice or competition and shall be required to have a medical examination conducted by their physician or licensed health care provider. The pupil's physician or licensed health care provider shall be trained in the evaluation and management of concussion to determine the presence or absence of a sports-related concussion or head injury.

2. The student-athlete or cheerleader suspected of sustaining a concussion or other head injury shall be provided a copy of Board of Education Policy and Regulation 2431.4 and a copy of Board of Education approved suggestions for management/medical checklist to provide to their parent and their physician or licensed health care professional.

3. The student-athlete or cheerleader's physician must provide to the school district, upon the completion of a medical examination, a written medical release/clearance when the pupil is able to return to the activity. The release/clearance must indicate:

   a. The medical examination determined the injury was not a concussion or other head injury, the pupil is asymptomatic at rest, and the pupil may return to the interscholastic athletic or cheerleading activity; or

   b. The medical examination determined the injury was a concussion or other head injury, the pupil is asymptomatic at rest, and can begin the graduated return to competition and practice protocol outlined in F. below.

A medical release/clearance not in compliance with this requirement will not be accepted. The student-athlete or cheerleader may not return to the activity or begin the graduated return to competition and practice protocol until he/she receives a medical evaluation and provides a medical clearance/release that has been reviewed and approved by the school or team physician.

4. Complete physical, cognitive, emotional, and social rest is advised while the pupil is experiencing symptoms and signs of a sports-related concussion or other head injury. (Minimize mental exertion, limit over-stimulation and multi-tasking, etc.)

F. Graduated Return to Competition and Practice Protocol

1. Upon the school physician's acceptance of the written medical release/clearance, the student-athlete or cheerleader may begin a graduated return to competition and practice protocol supervised by a licensed athletic trainer, school or team physician, or designated school nurse trained in the evaluation and management of concussions and other head injuries. The following steps shall be followed:

Step 1 - Completion of a full day of normal cognitive activities (attendance at school, studying for tests, watching practice, interacting with peers, etc.) without re-emergence of any signs or symptoms. If there is no return of signs or symptoms of a concussion, the student-athlete or cheerleader may advance to Step 2 below on the next day. If a re-emergence of any signs or symptoms of a concussion occur, the pupil shall be required to have a re-evaluation by their physician or licensed healthcare provider. The pupil shall not be permitted to begin the graduated return to competition and practice protocol until a medical clearance, as required in E.3. above, is provided and approved by the school or team physician.

Step 2 - Light aerobic exercise, which includes walking, swimming, or stationary cycling, keeping the intensity less than 70% maximum

percentage heart rate. There shall be no resistance training. The objective of this Step is increased heart rate. If there is no return of any signs or symptoms of a concussion, the student-athlete or cheerleader may advance to Step 3 below on the next day. If a re-emergence of any signs or symptoms of a concussion occur, the pupil shall return to Step 1.

Step 3 - Sport-specific exercise including skating and/or running. There shall be no head impact activities. The objective of this Step is to add movement and continue to increase the student-athlete or cheerleader's heart rate. If there is no return of any signs or symptoms of a concussion, the pupil may advance to Step 4 below on the next day. If a re-emergence of any signs or symptoms of a concussion occur, the pupil shall return to Step 2.

Step 4 - Non-contact training drills such as passing drills, agility drills, throwing, catching, etc. The student-athlete or cheerleader may initiate progressive resistance training. If there is no return of any signs or symptoms of a concussion, the pupil may advance to Step 5 below on the next day. If a re-emergence of any signs or symptoms of a concussion occur, the pupil shall return to Step 3.

Step 5 - The pupil's medical condition, upon completing Step 4 with no return of any signs or symptoms of a concussion, shall be evaluated for medical clearance based upon consultation between the school district's licensed athletic trainer, school or team physician, designated school nurse, and the pupil's physician. After this consultation and upon obtaining written medical release/clearance approved by the school or team physician, the pupil may participate in normal training activities. The objective of this Step is to restore the pupil's confidence and for the coaching staff to assess the pupil's functional skills. If there is no return of any signs or symptoms of a concussion, the pupil may advance to Step 6 below on the next day. If a re-emergence of any signs or symptoms of a concussion occur or if the pupil does not obtain medical release/clearance to proceed to Step 6, the school or team physician, in consultation with the pupil's physician, shall determine the pupil's return to competition and practice protocol.

Step 6 - Return to play involving normal exertion or game activity. If the pupil exhibits a re-emergence of any concussion signs or symptoms once he/she returns to physical activity, he/she will be removed from further activities and returned to Step 5.

G. Temporary Accommodations for Student-Athletes and Cheerleaders with Sports-Related Head Injuries

1. Rest is the best "medicine" for healing concussions or other head injuries. The concussed brain is affected in many functional aspects as a result of the injury. Memory, attention span, concentration, and speed of processing significantly impact learning. Further, exposing the concussed pupil to the stimulating school environment may delay the resolution of symptoms needed for recovery. Accordingly, consideration of the cognitive effects in returning to the classroom is also an important part of the treatment of sports-related concussions and head injuries.

2. Mental exertion increases the symptoms from concussions and affects recovery. To recover, cognitive rest is just as important as physical rest. Reading, studying, computer usage, testing, texting, and watching movies if a pupil is sensitive to light/sound, can slow a pupil's recovery. In accordance with the Centers for Disease Control's toolkit on managing concussions, the Board of Education may look to address the pupil's cognitive needs in the following ways. Pupils who return to school after a concussion may need to:

a. Take rest breaks as needed;

b. Spend fewer hours at school;

c. Be given more time to take tests or complete assignments (all courses should be considered);

d. Receive help with schoolwork;

e. Reduce time spent on the computer, reading, and writing; and/or

f. Be granted early dismissal from class to avoid crowded hallways.

Adopted: 17 December 2013

R 2440 SUMMER SESSION

A. Definitions

1. "Summer session" means the instructional program operated by this school district during the summer months.

2. "Remedial course" means any course or subject that is a review of a course or subject the pupil has previously taken and for which credits or placement may be awarded upon successful completion of the course.

3. "Advancement course" means any course or subject the pupil has not previously taken in an approved school district program and for which additional credits or advanced placement may be awarded upon successful completion of the course.

4. "Enrichment course" means any course or subject of a vocational nature for which no credits are to be awarded.

B. Instructional Program

1. Summer session will be staffed in accordance with the provisions of N.J.A.C. 6A:32-10.4.

2. Remedial, advancement, and enrichment courses may be offered by the school district during the summer session to meet pupil needs.

3. Summer session classes will meet the following standards:

   a. To receive advanced credit for a subject not previously taken, the pupil shall receive class instruction in the summer session under standards equal to those during the regular term:

      (1) 3600 minutes for two and one-half high school credits, or

(2) 7200 minutes for five high school credits.

b. Full-year subjects which are given for review, remediation, or for other purposes not including advanced credit shall be conducted for sixty hours of instruction under standards equal to those during the regular term or through an established number of curricular activities as determined by the Board of Education and approved by the Executive County Superintendent.

4. Time spent on homework and in a study hall shall not be included in the minimum class times set forth in paragraph B.3.a. and b.

C. Staffing

1. Summer session positions will be filled in accordance with district practice and/or the negotiated contract.

2. In each school, a member of the administrative, supervisory, or teaching staff who is certified as an administrator shall be assigned the responsibilities of administration and supervision of the summer session.

3. All summer session teaching staff members shall possess valid certificates for subjects taught.

4. Curriculum enrichment may involve resource persons serving for specific periods of time under the supervision of a certified administrator, supervisor, or teacher.

D. Operations

1. The staff member responsible for the administration and supervision of the summer session shall submit a calendar of the summer session instruction to the Superintendent for approval.

2. The calendar will include the daily hours of the summer session.

3. The Board of Education shall approve the district's summer session. Upon Board approval, the Superintendent of Schools shall obtain approval for the summer session from the Executive County Superintendent of Schools.

4. Summer session teachers will be bound by all Board policies applicable to instruction and teacher responsibility.

E. Eligibility of Pupils

1. Teaching staff members in the regular school program will be alert to those pupils who would benefit from attendance at remedial or advancement courses in the summer session and will report such pupils to the Principal who will recommend summer session enrollment to the pupil.

2. Pupils may be enrolled in a remedial course only with the recommendation of the Principal of the school in which the pupil regularly attends.

3. The Principal's recommendation shall state in writing the name of the subject(s) which the pupil may take and the purpose for which the subject is taken.

4. Pupils may be enrolled in advancement courses only on the recommendation of a teacher and with the recommendation of the Principal of the school in which the pupil regularly attends. A pupil may be enrolled in no more than the equivalent of one year's work in a subject in an advancement course.

5. Enrichment courses in the summer session are open to all resident pupils and may be open, upon Board approval, to nonresident pupils as space permits. A pupil may be enrolled in no more than the equivalent of one year's work in a subject in an enrichment course.

6. No pupil will be required to attend the summer session as a condition of promotion or for any other reason.

F. Pupil Conduct

1. Summer session pupils will be governed by the rules of conduct established for pupils in the regularschoolsession. Rules regarding substanceabuse, smoking, andaggressive, assaultive, insulting, andinsubordinate 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 session. A pupil recommended for expulsion from the summer session will be given an administrative hearing in which the pupil will be given an opportunity to explain his/her conduct. Summer session is not a part of the thorough and efficient system of free education to which the pupil is entitled by law, and expulsion from the summer session does not involve the deprivation of a right.

3. The school dress code policy will be applicable for the summer session; however, the Superintendent of Schools may adjust the dress code policy to take into account warmer temperatures.

G. Attendance

1. Although the compulsory attendance statutes do not apply to summer session, summer session pupils are expected to attend regularly and promptly.

H. Grading and Credit

1. Work in remedial and advancement courses will be evaluated and graded, in accordance with Policy No. 2624 for grading in the regular program.

2. A narrative report of each pupil's attitude, strengths, and weaknesses will be given to the pupil's parent(s) or legal guardian(s) at the end of the summer session.

3. Credit will be given for successful completion of approved remedial and advancement courses that have met the standards of instruction set forth in rules of the State Board of Education and at paragraph B.3. of this regulation.

4. Credit for work taken in an approved elementary or secondary school summer session will be transferable in the same manner as work taken in any approved elementary or secondary school in accordance with Board of Education policy.

5. The Principal of the school which the pupil regularly attends shall give prior approval for work to be taken at other educational institutions or environments. These shall include, but not be limited to, other public and private schools, institutions of higher education, and on-line courses.

I. Tuition

1. Tuition may be charged for the enrollment of a resident pupil in a remedial or advancement course taken for credit in accordance with the provisions of N.J.S.A. 18A:11-15. Tuition may be charged to a resident pupil enrolled in an enrichment(s) course which carry no credit and are determined by the Executive County Superintendent of Schools to have no direct relationship to the curriculum.

2. The Board of Education, upon the recommendation of the Superintendent of Schools, shall approve the tuition to be charged for the enrollment of any pupil, resident or nonresident, in an enrichment course.

3. The Board of Education, upon the recommendation of the Superintendent of Schools, shall approve the tuition to be charged

for the enrollment of a nonresident pupil in a remedial or advancement course.

4. Payment of tuition must be made in full to the Principal before the first day of the summer session.

J. Records

1. The permanent/cumulative record of each pupil who completes a program of study in the summer session will include:

   a. The amount of time the pupil spent in receiving class instruction in the summer session; and

   b. An evaluation and a description of work completed in the summer session, including the pupil's grade and the credit earned, if any.

2. The amount of time which a pupil has spent in receiving class instruction shall become part of the pupil's permanent/cumulative record and shall be included whenever the record is transferred to another school.

Issued: 17 December 2013

2440 SUMMER SESSION

The Board of Education may conduct a summer session. A summer session must be approved by the Board of Education and the Executive County Superintendent of Schools and may include:

1. Remedial courses for pupils who wish to retake a course or subject previously taken and for which credits or placement may be awarded upon successful completion;

2. Advanced courses for pupils who wish to take a course or subject not previously taken in an approved school district program and for which additional credits or advanced placement may be awarded upon successful completion of the course; and

3. Enrichment courses for pupils who wish to take a course or subject of a vocational interest and for which no credits are to be awarded.

The Superintendent of Schools will develop a summer session program and submit the proposed program to the Board for approval. The proposed program shall include the details of the summer session including, but not limited to, a list of the courses or programs offered, the hours of operation, the school(s) where the summer session(s) will be operating, any tuition fees to be charged in accordance with the provisions of N.J.A.C. 6A:32-10.3, and projected cost of operation.

A pupil will be enrolled in a remedial course only on the written recommendation of the Principal of the school the pupil regularly attends. The recommendation shall state the name of the subject(s) which the pupil may take and the purpose for which each subject is taken. 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 the summer session.

In accordance with the provisions of N.J.A.C. 6A:32-10.3, tuition may be charged to nonresident pupils enrolled in a summer session course and to resident pupils

enrolled in enrichment courses which carry no credit and are determined by the Executive County Superintendent to have no direct relationship to the curriculum. Tuition may be charged

to pupils domiciled within the district for enrollment in remedial or advanced courses in accordance with the provisions of N.J.S.A. 18A:11-15.

The Superintendent shall develop regulations for the summer session 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 session shall be consistent with rules of the State Board of Education and Board policies. The operation of the summer session shall not conflict in any way with the administration of the regular school sessions of this district.

N.J.S.A. 18A:11-15; 18A:54B-1 et seq.
N.J.A.C. 6A:32-10.1; 6A:32-10.2; 6A:32-10.3; 6A:32-10.4; 6A:32-10.5

Adopted: 17 December 2013

R 2460 SPECIAL EDUCATION (M)

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:

R 2460.1	Special Education - Location, Identification, and Referral (M)
R 2460.8	Special Education - Free and Appropriate Public Education (M)
R 2460.9	Special Education - Transition From Early Intervention Programs to Preschool Programs (M)
R 2460.15	Special Education – In-Service Training Needs for Professional and Paraprofessional Staff (M)
R 2460.16	Special Education - Instructional Material to Blind or Print-Disabled Students (M)

Definitions:

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

Adopted: 17 December 2013

Revised: 25 April 2017

2460 SPECIAL EDUCATION (M)

M

The Mendham Township Board of Education assures compliance with Part B of the Individuals with Disabilities Education Act (IDEA) and the New Jersey Administrative Code 6A:14-1.1 et seq. Furthermore, the Board will have programs and procedures in effect to ensure the following:

1. All students with disabilities, who are in need of special education and related services, including students 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 students 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. Students 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, students with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.

6. Students 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 students with disabilities will participate in State-wide assessments or the applicable alternative assessment in grades three, four, five, six, seven, eight, and high school in the applicable courses.

7. Students with disabilities are afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent as set forth in N.J.A.C. 6A:14-2.2 and Policy 2467, when appropriate.

8. The rules set forth in N.J.A.C. 6A:14 ensure a free appropriate public education is available to all students with disabilities between the ages of three and twenty-one, including students with disabilities who have been suspended or expelled from school:

   a. The obligation to make a free, appropriate public education available to each eligible student begins no later than the student's third birthday and that an individualized education program (IEP) is in effect for the student 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 student with a disability who needs special education and related services, even though the student is advancing from grade to grade;

   d. The services and placement needed by each student with a disability to receive a free, appropriate public education are based on the student's unique needs and not on the student's disability; and

   e. The services and placement needed by each student with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the student's home as possible and, when the IEP does not describe specific restrictions, the student is educated in the school he or she would attend if not a student 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 students with disabilities is provided.

11. The compilation, maintenance, access to, and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.

12. Provision is made for the participation of students 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. Students 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 and N.J.A.C. 6A:14-7.5(b)3.

14. All personnel serving students with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law, pursuant to N.J.A.C. 6A:14-1.2(b)13.

15. Pursuant to N.J.A.C. 6A:14-1.2(b)4, 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 students with disabilities that impedes the learning of students 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 materials will be provided to blind or print-disabled students in a timely manner, consistent with a plan developed by the district.

17. For students 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 Developmentally Disabled Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., and N.J.A.C. 6A:14-1.2(b)17, the necessary materials to the parent to apply for such services.

18. The school district will accept the use of electronic mail from the parent(s) to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. The parent(s) shall be informed by the Director of Special Services of the procedures to access the electronic mail system. The parent(s) may not utilize electronic mail to provide written consent when the district provides written notice and seeks parental consent as required by N.J.A.C. 6A:14-1.2(b)18.**]**

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 student's IEP, pursuant to N.J.A.C. 6A:14-4.5(d).

20. The school district has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of special education services as required by N.J.A.C. 6A:14-3.7(c)4.

21. The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities in accordance with N.J.S.A. 18A:40-5.1 et seq. and Policy 5339.

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.

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

Adopted: 17 December 2013
Revised: 25 April 2017

R 2460.1 SPECIAL EDUCATION – LOCATION, IDENTIFICATION, AND REFERRAL (M)

M

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

A. Procedures for Locating Students With Disabilities

1. The Director of Special Services will coordinate the child find activities to locate, identify and evaluate all children, ages three through twenty-one, who reside within the school district or attend nonpublic schools within the school district and who may have a disability.

2. By October 15 of each school year, the Director of Special Services or his/her designee will conduct child find activities, in the native language of the population, as appropriate, including but not limited to:

   a. Development of child find materials for distribution.

   b. Broadcasting of child find information on the school district cable television station. (if applicable)

   c. Distribution of flyers to the parents of all students enrolled in the school district.

   d. Mailing of child find material to nonpublic schools in the area.

   e. Mailing of child find material to local pediatricians, hospitals and clergy.

f. Public service announcements on the local foreign language radio stations and cable television stations.

g. Public service announcements in local newspapers.

h. Distribution of child find materials in supermarkets, convenience stores, shelters for the homeless, public and private social service agency locations and nursery school providers.

i. Mailing information letters to local physicians, hospitals, nursery schools, non-public schools, health departments, community centers, rescue squads and churches.

j. A guide to preschool services for potentially disabled children ages three to five is made available to all school parents.

k. Posting of State developed child find materials in Elementary School, Middle School and Town Hall for potentially disabled students and/or early intervention program.

l. Training of home school advocate/school community liaisons or others to assist in the identification of potentially disabled students.

m. 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.

n. Information is distributed through the Parent Advisory Committee.

o. School handbooks distributed to parents contain information describing special education services.

p. Distribution of information to the school district's ESL/Bilingual teachers describing child find activities.

q. Students entering Kindergarten are screened to identify students who may have a disability.

r. Intervention and Referral Services Committees (I&RS) have been established in all school buildings.

B. Procedures for Intervention in the General Education Program

A staff member or agency shall provide in writing a request for intervention services for students ages 3 to 15, to the Building Principal or designee. The request shall contain the following:

1. Reason for request (including parental or adult student request);

2. Descriptive behavior of student 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/evaluation of the interventions identified.

An Intervention and Referral Services Committee (I&RS) will be in place in each school building pursuant to N.J.A.C. 6A:16-8.1 et seq. and Policy and Regulation 2417.

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.

4. The I&RS Committee shall:

   a. Plan and provide appropriate intervention services;

   b. Actively involve the parent(s) in the development and implementation of intervention plans;

   c. Develop an action plan for an identified student which specifies specific tasks, resources, persons responsible, completion dates, date for review;

   d. Coordinate the services of community based social and health provider agencies;

   e. Process and complete the documentation forms;

   f. Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan; and

   g. 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 June 1 each school year;

   b. Staff handbooks are updated by the Principal 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 are distributed in the month of April and September and provide information on intervention services; and

e. Parent/student handbooks distributed in the month of September and include information on intervention services.

C. Procedures for Referral

Referral procedures are included in professional staff handbooks and referral forms are available in the Principal's office, the Child Study Team (CST) office, and the Office of Special Services.

1. Parental Notification of Referral Procedures

Referral procedures shall be included in the Special Education Letter. 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 Director of Special Services;

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 student shall be forwarded to the school nurse who will transmit the summary to the CST;

e. The Director of Special Services 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 student to the CST may be made by administrative, instructional, or other professional staff to determine eligibility for special services when:

a. It is determined (optional: through the I&RS Committee) that interventions in the general education program have not been effective in alleviating the student's educational difficulties.

b. It can be documented that the nature of the student's educational problem(s) is such that an evaluation to determine eligibility for services is warranted without delay.

c. The Director of Special Services, through in-service training, shall ensure that students are referred who may have a disability, but are advancing from grade to grade.

(1) A student with a disability, who is advancing from grade to grade with the support of specially designed services, may continue to be eligible when:

(a) As part of the re-evaluation, the Individualized Education Plan (IEP) team determines that the student continues to require specially designed services to progress in the general education curriculum; and

(b) The use of functional assessment information supports the IEP team's determination.

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 (optional: the intervention record) shall be forwarded with the referral to the CST along with any other relevant data;

c. I&RS documentation does not need to be forwarded for direct referral when the nature of the student's problem is such that the evaluation is warranted without delay;

d. The referral should be dated upon receipt by the CST;

e. 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;

f. Upon receipt of the referral, a request for a summary and review of health and medical information regarding the student shall be forwarded to the school nurse who will transmit the summary to the CST;

g. The Director of Special Services 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.

4. 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 student placement according to N.J.A.C. 6A:14-4.7(i).

5. Each evaluation of the student requires an assessment to determine appropriate post-secondary outcomes as part of transition services planning.

6. 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.

7. The 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 the parent(s) has a reasonable amount of time to review documentation prior to an eligibility conference.

8. A student may be referred directly to the CST when warranted.

Adopted: 17 December 2013
Revised: 25 April 2017

R 2460.8 SPECIAL EDUCATION - FREE AND APPROPRIATE PUBLIC EDUCATION (M)

M

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

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

1. School officials responsible for implementing suspensions/expulsions in the district are the following: (List school officials/designees by district organizational level.)

   a. ___Grades Six – Eight Principal/Vice Principal or designee;

   b. ___Grades Pre-Kindergarten – Five Principal/Vice Principal or designee;

2. Each time a student 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 Student Safety Data System (SSDS).

3. Each Principal or designee will ensure that a system is in place to track the number of days a student with disabilities has been removed for disciplinary reasons. Documentation will include:

   a. Student'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 student is suspended from transportation:

a. Suspension from transportation is not counted as a day of removal if the student attended school.

b. Suspension from transportation is counted as a day of removal if the student does not attend school.

c. If transportation is included in the student'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 student does not attend school.

5. When a student 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 student to participate and progress in the general curriculum,

b. Services and modifications specified in the student's IEP,

c. Interaction with peers who are not disabled to the extent they would have in the current placement, and

d. The student 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/Vice 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/Vice 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 student to participate and progress appropriately in the general education curriculum; and

(2) Advance appropriately toward achieving the goals set out in the student's IEP.

c. Written documentation of the consultation and services provided shall be maintained in the student's file.

7. When a disabled student 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, Individuals with Disabilities Education Act Amendments of 2004, 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 student's file.

Procedures Regarding the Provision of a Free and Appropriate Public Education to Preschool Age Students 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 student 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 Preschool Coordinator or the Director of Special Services.

2. Upon receipt of the written request, the request shall be dated and signed by the recipient.

3. The district will respond to referrals of preschoolers according to N.J.A.C. 6A:14-3.3(e).

4. A file will be initiated for the potentially disabled preschooler:

a. The Director of Special Services 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 Students with Disabilities Who Are Advancing From Grade to Grade

The Director of Special Services through in-service training, shall ensure students 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 student 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 Students Not Yet Eligible For Special Education

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

Adopted: 17 December 2013
Revised: 25 April 2017
Revised: 19 March 2019

R 2460.9 SPECIAL EDUCATION - TRANSITION FROM EARLY INTERVENTION PROGRAMS TO PRESCHOOL PROGRAMS (M)

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 Preschool Transition Planning Conference

1. The district will make available a CST member to participate in the preschool transition planning conference arranged by the designated Part C 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 district registration requirements;

    c. Provide the parent(s) written information with respect to available district programs for preschool students, 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 initial IEP meeting.

2. The district will work collaboratively with the EIP designated Part C 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 student transitioning from Part C to Part B.

Adopted: 17 December 2013
Revised: 25 April 2017

R 2460.15 SPECIAL EDUCATION - IN-SERVICE TRAINING NEEDS FOR PROFESSIONAL AND PARAPROFESSIONAL STAFF

The in-service training needs for professional and paraprofessional staff who provide special education, general education, or related services will be identified and appropriate in-service special education training will be provided by the district.

The district will maintain information to demonstrate its efforts to:

1. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;

2. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;

3. Acquire and disseminate to teachers, administrators, 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;

4. Insure that the in-service training is integrated to the maximum extent possible with other professional development activities; and

5. Provide for joint training activities of parents and special education, related services, and general education personnel.

Adopted: 25 April 2017

R 2460.16 SPECIAL EDUCATION - INSTRUCTIONAL MATERIAL TO BLIND OR PRINT-DISABLED PUPILS (M)

M

All students 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 students in a timely manner will:

1. Be included in the Individualized Education Program of each student with a disability;

2. Set forth the instructional materials needed by the student;

3. Indicate how the instructional material will be provided to the blind or print-disabled student; and

4. Address any assistive technology needed to permit the student to utilize the instructional material to be provided.

Adopted: 17 December 2013
Readopted: 25 April 2017

2464 GIFTED AND TALENTED PUPILS (M)

M

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

For purposes of this Policy, "gifted and talented students" means students who possess or demonstrate high levels of ability in one or more content areas 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 Superintendent will develop appropriate curricular and instructional modifications used for gifted and talented students indicating content, process, products, and learning environments.

The Superintendent will develop procedures for an ongoing Kindergarten through grade twelve identification process for gifted and talented students that includes multiple measures. Multiple measures may include, but are not limited to: achievement test scores; grades; student performance or products; intelligence testing; parent, student, and/or teacher recommendation; and other appropriate measures. The identification methodology will be developmentally appropriate, non-discriminatory, and related to the programs and services offered by the district. The identification procedures will be reviewed annually.

The Superintendent will take into consideration the Pre-Kindergarten through Grade Twelve Gifted Programming Standards of the National Association for Gifted Children in developing programs for gifted and talented students. The educational program offered to gifted and talented students 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 gifted and talented students may include, but are not limited to: pull-out programs; classroom differentiated instruction; acceleration; flexible pacing;

compacted curricula; distance learning; advanced classes; or individual programs infused into the student's regular instructional program, provided that a written description of the infusion has been prepared and filed in the student's record.

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

The parent of any student identified as gifted or talented shall be consulted regarding any program designed to address the student's particular needs.

N.J.S.A. 18A:61A-2; 18A:35-4.16

N.J.A.C. 6A:8-1.3; 6A:8-3.1(a)5

P.L. 108-382, Sec. 10201 et seq.

Adopted: 17 December 2013
Revised: 25 April 2017

R 2464 GIFTED AND TALENTED PUPILS (M)

M

All MendhamTownship students should be exposed to enriching learning experiences. Whole class enrichment will be offered in grades Kindergarten through second. Quest, a gifted and talented pullout enrichment program, will be offered to qualifying students in grades three through eight. Gateways, a personalized gifted and talented instructional program will be offered to qualifying students in grades Kindergarten through eight.

A. Identification and Selection

1. Classroom teachers will be familiar with the criteria for identifying gifted and talented students and will be alert to students who exhibit those criteria. The identification methodology will be developmentally appropriate, nondiscriminatory, and related to the programs and services offered by the district.

2. The Gifted and Talented Coordinator and/or teacher will review the cumulative files of all Kindergarten through grade eight students against the criteria identifying gifted and talented students. The review may include examination of classroom achievements, a body of work in the related arts, the results of standardized testing (a cognitive abilities test and achievement test), other relative measures, and teaching staff member observation reports.

3. The Gifted and Talented Coordinator and/or teacher will confer with past and present teachers of any students identified in the review of files and of any student recommended for screening by a teacher.

4. The Gifted and Talented Committee comprised of the Coordinator, the Gifted and Talented teacher, and at least one regular education teacher will receive the recommendations of the teachers/staff and will identify those students who should receive services through the Gifted and Talented Program.

B. Identification Criteria

Students will be considered for participation in the gifted and talented program when compared to their peers nationally and within the district as identified by the district matrix. A student will be considered for participation in the Quest and/or Gateways programs who demonstrates:

Quest

1. Is highly motivated to achieve academically and seeks additional challenge;

2. Consistently demonstrates excellent academic performance (report cards, academic products);

3. Is identified by teachers and other staff members as possessing advanced capabilities and high motivation;

4. Consistently demonstrates intellectual or creative ability of a nature not readily susceptible to testing;

5. Displays an extraordinary artistic creative talent, through a body of work, with a high degree of self-motivation; or

6. Receives a qualifying score on the district matrix for participation in Quest.

Gateways

1. Has high levels of standardized test scores, 9th Stanine or 98th percentile, in specific academic areas as compared to peers nationally and within the district;

2. Is identified by teachers and other staff members as possessing exceptional academic aptitude in a specific area;

3. Consistently demonstrates intellectual or creative ability of a nature readily susceptible to testing.

C. Program

1. When a student has been identified for participation in Quest and/or Gateways, the coordinator and/or Gifted & Talented teacher will:

   a. Inform the student's parent or legal guardian on the goals of the program and secure the parent or legal guardian's cooperation and permission for the student's participation in the program.

   Gateways only:

   b. Interview each student identified for Gateways to obtain additional information about the student and for guidance in establishing an enriched educational program for the student;

   c. Confer with the students teacher about a proposed educational program for the student; and

   d. The Gifted and Talented Coordinator shall prepare and present to the Principal for approval a written educational plan for the student which will be evaluated annually.

2. The enrichment needs of gifted and talented students can be met through a wide variety of activities and teaching strategies. Appropriate curricular and instructional modifications will be developed for gifted and talented students and the program will address appropriate content, process, products and learning environment.

3. Each student's program will seek to involve the student in all subject areas that can provide growth and stimulation in higher

cognitive processes such as interpretation, extrapolation, translation, application, analysis, synthesis, and evaluation.

4. No enrichment program will replace the basic instructional program appropriate to the student's grade level. Students are responsible for completing the regular curricular assignments only superseded by a replacement program.

5. The enriched educational program for a gifted or talented student may consist of:

   a. Additional classroom projects and assignments;

   b. Special classes in appropriate academic areas;

   c. Out-of-class sessions with the Gifted and Talented teacher, and/or related arts teacher;

   d. Independent projects in after-school sessions supervised by the Gifted and Talented teacher;

   e. General information, as well as content-specific information, as provided for in the curriculum frameworks developed by the New Jersey Department of Education.

6. A classroom teacher may provide for the needs of gifted and talented students by:

   a. Presenting content material that is related to broad-based issues, themes, or problems;

   b. Integrating multiple disciplines into the study area;

   c. Allowing for in-depth learning of a topic selected by the student within the study area;

   d. Developing the student’s independent and self-directed study skills;

e. Developing research skills and methods;

f. Integrating higher level thinking skills into the curriculum;

g. Focusing on open-ended tasks;

h. Using new techniques, materials, and forms;

i. Encouraging the development of self-understanding; and

j. Encouraging self-appraisal and evaluation.

D. Exit Procedures

1. Each student participating in Gateways will be assessed annually for the continuing appropriateness of his/her enriched program. Assessment will include:

   a. Interviews with the student and teaching staff members educationally responsible for the student, collection of parent supplementary information through discussion or written response.

   b. Review of the student's file, including relevant test results and progress.

   c. Review of the student's work in the preceding school year.

2. The program will be revised as required to meet the student's needs and interests.

3. The student may be withdrawn from Quest when:

   a. The student's academic record indicates a decline in performance;

b. The student's behavior affects personal and peer progress in Quest;

c. The student wishes to withdraw and his/her parent or legal guardian consents to withdrawal.

4. The student may be withdrawn from Gateways when:

a. The student and his/her parent or legal guardian and Gateways Committee have met and the parents or legal guardians consent to withdrawal.

The MendhamTownshipElementary School offers a variety of programs through Gifted & Talented-Services to meet the needs of academically advanced students. Programs include Quest, M3 (Mentoring Mathematical Minds), Enrichment 3-4, and Gateways (Math and Social Studies).

Quest

Quest is a Renzulli model enrichment program to enhance 21st Century Skills; collaboration, communication, creativity, and critical thinking. All students in grades Kindergarten through two receive push-in weekly instruction from the Gifted and Talented Teacher. In grades three through four, Quest is a pull-out program for students who have demonstrated evidence of high ability, achievement, motivation, creativity and critical thinking. The quest class meets weekly during the Enrichment period. Students are screened for the program every two years. Eligibility for Quest in grades three and five is determined through the following process.

1. Stage 1 - Screening

The Cognitive Abilities Test (CogAT) is administered to students in grades two and four in the spring. Based upon the results, students may be asked to complete an additional assessment to determine eligibility for enrichment services through the Gifted and Talented program. If a student receives an ability (CogAT) Composite Standard Age Score of 130 or above, he or she will be given the

Sages-2 Aptitude Assessment (Screening Assessment for Gifted Elementary and Middle School Students).

A standard Age Score of 130 represents scores in the 9th stanine and the 98th percentile of national scores.

2. Stage 2 - Identification

Route 1

Students who receive a Standard Age Score of 130 or higher on the Composite section of the CogAT and a Sages-2 aptitude score of 125 or higher (on either section) will receive services through Quest. Eligibility will remain for two years.

A Standard Age Score of 125 represents scores in the 8th stanine and 94th percentile of national scores. A standard Age Score of 130 represents scores in the 9th stanine and the 98th percentile of national scores.

Route 2

Students who receive a Standard Age Score of 125 or above, in the Non Verbal and/or Composite section of the CogAT, will then move to teacher recommendation. Two teachers will complete the Renzulli-Hartman Checklist for each student in Route 2. Students must receive at least 68 out of 72 points on one or both of the Checklists.

A score of 68 out of 72 indicates the student consistently demonstrates 95% of the critical and creative behaviors listed on the Renzulli-Hartman Checklist.

Alternative Pathways/Appeal

If a child does not meet the entrance requirements for Quest services indicted in Routes 1 & 2, a parent or teacher can request the child be re-evaluated through an appeal process. All appeals must be filed by June 30th for consideration for

the following school year. New students may request consideration upon registration. The child must have demonstrated above local average ability or aptitude on the CogAT and the Sages-2 for the appeal to be considered. The average Composite Standard Age Score necessary is 115 or above.

The appeal will consist of administration of the SAGES-2 test (if not already taken) and a provided opportunity for the student to demonstrate critical and creative thinking skills in a given performance task. The students will be able to select from either a linguistic (language based) or mathematical/spatial performance task. The students will complete the task in a small group setting, and be assessed on the Creative and Critical Thinking rubric. The student must receive a score 27 on the rubric for the student to receive services through the Quest program.

Mentoring Mathematical Minds (M3) is a math enrichment offered to students who are progressing above grade level standard and are recommended by their classroom teacher. M3 participation is determined quarterly based upon unit pretest scores and class participation.

Gateways

Gateways offers content specific accelerated or advanced academic experiences through Math and Social Studies. A student at a readiness level of 2-3 grade levels above his or her peers will be considered for Gateways. An end of year math assessment and individual Key Math assessment is administered to students recommended by their teachers for consideration for Gateways Math. Eligibility for Gateways Social Studies is determined through DRA reading level and writing prompt score. A student must have a DRA level of 40 (nonfiction) at the end of 2nd grade and a writing score of 3 on the 4th grade writing prompt to be considered for 3rd grade Gateways Social Studies. A student must have a DRA level of 70 (nonfiction) at the end of 3rd grade and a writing prompt score of 3 on the 5th grade writing prompt to be considered for 4th Grade Gateways Social Studies.

Enrichment 3-4 offers a variety of topics that students will self-select based upon interest and readiness level. Students will select new topics of study every 6-8 weeks. The class will be taken during the designated enrichment period.

REGULATION

Issued: 17 December 2013

2466 NEEDLESS PUBLIC LABELING OF PUPILS WITH DISABILITIES (M)

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: 17 December 2013

2467 SURROGATE PARENTS AND FOSTER PARENTS (M)

M

Federal and State laws require the Board ensure the rights of a student are protected through the provision of an individual to act as surrogate for the parent 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;

2. The parent cannot be located after reasonable efforts;

3. An agency of the State of New Jersey has guardianship of the student and that agency has not taken steps to appoint a surrogate parent for the student;

4. The student is a ward of the State and no State agency has taken steps to appoint a surrogate parent for the student;

5. No parent can be identified for the student 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 student's parent, and no State agency has taken steps to appoint a surrogate parent for the student; and

6. The student is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the student.

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 student. 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 student.

The person serving as a surrogate parent shall:

1. Have no interest that conflicts with those of the student he/she represents;

2. Possess knowledge and skills that ensure adequate representation of the student;

3. Not be replaced without cause;

4. Be at least eighteen years of age;

5. 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. 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 Director of Special Services shall serve as Surrogate Parent Coordinator and will: determine whether there is a need for a surrogate parent for a student; contact any State agency that is involved with the student to determine whether the State has a surrogate parent appointed for the student; and make reasonable efforts to appoint a surrogate parent for the student within thirty days of determining that there is a need for a surrogate parent for the student.

When a student (who is or may be a student with a disability) is in the care of a foster parent, and the foster parent is not the parent of the student as defined in N.J.A.C. 6A:14-1.3, the district where the foster parent resides shall contact the student's case manager at the Division of Child Protection and Permanency (DCP&P) in the Department of Children and Families to determine whether the parent retains the right to make educational decisions and determine the whereabouts of the parent.

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

If the district cannot ascertain the whereabouts of the parent, the foster parent, unless that person is unwilling to do so, shall serve as the parent pursuant to N.J.A.C. 6A:14-1.3. If there is no foster parent, or if the foster parent is unwilling to serve as the student's parent, the Surrogate Parent Coordinator shall consult with the student's case manager at DCP&P to assist in identifying an individual to serve as a surrogate parent and 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 student. The Surrogate Parent Coordinator 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 Surrogate Parent Coordinator to discuss the rights of the surrogate parent and the applicable statutes, administrative codes, and Federal laws. The Surrogate Parent 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 student and the nature of the student's disability through a review of the student's record;

4. Providing the surrogate parent an opportunity to confer with the student's case manager to discuss the student; and

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

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.

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

Adopted: 17 December 2013
Revised: 25 April 2017

2468 INDEPENDENT EDUCATIONAL EVALUATIONS

Special education law permits a parent to request an independent educational evaluation (IEE) for their child if there is disagreement with any evaluation provided by the Board of Education. An "independent educational evaluation" is an evaluation conducted by a qualified examiner who is not an employee of the public school district responsible for the education of the child in question. Such IEEs shall be provided at no cost to the parent unless the school district initiates a due process hearing in accordance with the provisions of N.J.A.C. 6A:14-2.7 et seq. to show that its evaluation is appropriate and a final determination to that effect is made following the hearing. If it is determined the school district's evaluation is appropriate, the parent still has the right to an IEE, but not at the school district's expense.

Upon receipt of a parental request for an IEE, the school district shall provide the parent with information about where an IEE may be obtained and the criteria for IEEs according to N.J.A.C. 6A:14-2.5(c)3 and (c)4 and the additional criteria outlined below in this Policy:

1. Any IEE paid for with public funds shall:

    a. Be conducted according to the provisions of N.J.A.C. 6A:14-3.4; and

    b. Be obtained from another public school district, educational services commission, jointure commission, a clinic or agency approved under N.J.A.C. 6A:14-5, or private practitioner, who is appropriately certified and/or licensed, where a license is required.

2. An independent medical evaluation may be obtained according to N.J.A.C. 6A:14-5.1(e).

Additional criteria for an IEE shall be as follows:

1. The Board will not pay for an IEE unless it complies with the following criteria unless the parent can show that unique circumstances warrant deviation from same:

   a. The independent evaluator must be appropriately certified and/or licensed in the State of New Jersey. In instances where no applicable certification/license exists, the evaluator must provide the Board with documentation of extensive and recent training and experience related to the assessment of the known or suspected disability;

   b. The independent evaluator may only charge fees for educational evaluation services that, in the judgment of the Board, are reasonable in accordance with 2. below;

   c. The independent evaluator must be free from any conflict of interest;

   d. The independent evaluator and members of the Child Study Team must be permitted to directly communicate and share information with each other. The independent evaluator must also agree to release the assessment information, results, and report(s) to the school district prior to receipt of payment for services;

   e. For any independent evaluation, whether paid for with public or private funds, the school district shall permit the evaluator to observe the pupil in the classroom or other educational setting, as applicable; and

   f. The independent evaluator shall make at least one contact with the pupil's case manager for the purpose of determining how the pupil is progressing in his/her current programming.

2. The maximum allowable cost for an independent evaluation will be limited to the reasonable and customary rate, as determined and approved by the Board annually. This rate shall be in the range of what it would cost the Board to provide the same type of

assessment through either another public school district, educational services commission, jointure commission, a clinic or agency approved under N.J.A.C. 6A:14-5, or private practitioner, who is appropriately certified and/or licensed, where a license is required. This Board-approved rate shall be provided to the parent upon their request for an IEE. The Board shall not be responsible for any costs beyond the IEE, such as transportation, lodging, food, etc.

a. The parent may provide documentation to the Board demonstrating unique circumstances to justify an IEE that exceeds the maximum allowable cost established by the Board. If, in the Board's judgment, there is no justification for the excess cost, the Board may agree to fund the IEE up to the school district's maximum allowable cost with the parent responsible for any remaining costs. In the alternative, the Board may request a due process hearing to enforce its established maximum allowable cost.

Upon receipt of a parental request for an IEE, the school district shall take steps to ensure the IEE is provided without undue delay or not later than twenty calendar days after receipt of the parental request, the school district shall request a due process hearing in accordance with the provisions of N.J.A.C. 6A:14-2.7 et seq. to show that its evaluation is appropriate.

If a parent requests an IEE, the school district may ask the parent to explain why he or she objects to the school district's evaluation. However, the school district shall not require such an explanation and shall not delay either providing the IEE or initiating a due process hearing to defend the school district's evaluation.

Any IEE submitted to the district, including an IEE obtained by the parent at private expense, shall be considered in making decisions regarding special education and related services.

If an Administrative Law Judge orders that an IEE be conducted, the IEE shall be obtained by the district in accordance with the decision or Order of the Administrative Law Judge, and the Board of Education shall pay the cost of the IEE in accordance with the provisions of this Policy.

A parent is entitled to only one IEE paid for by the Board each time the school district conducts an evaluation with which the parent disagrees.

N.J.A.C. 6A:14-2.5; 6A:14-2.7
CFR Section 300.502

Adopted: 17 December 2013

2481 HOME OR OUT-OF-SCHOOL INSTRUCTION FOR GENERAL EDUCATION PUPILS (M)

M

The Board of Education shall provide instructional services to an enrolled general education student at the student's home or other suitable out-of-school setting under the following conditions:

A. The student is mandated by State law and rule for placement in an alternative education program, but placement is not immediately available;

B. The student is placed on short-term or long-term suspension from participation in the general education program; or

C. A court order requires the student receive instructional services in the home or other out-of-school setting.

The school district in which a student resides shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly, or through online services, including any needed equipment, 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 student 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 teacher(s) providing instruction shall be a certified teacher. 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 student's classroom.

The instruction shall meet the Core Curriculum Content Standards and the Board of Education's requirements for promotion and graduation.

If instruction is delivered in the student's home, a parent or other adult twenty-one years of age or older who has been designated by the parent shall be present during all periods of home instruction.

N.J.S.A. 18A:38-1 through 18A:38-25
N.J.A.C. 6A:16-10.2

Adopted: 17 December 2013
Revised: 21 October 2014

R 2481 HOME OR OUT-OF-SCHOOL INSTRUCTION FOR GENERAL EDUCATION PUPILS

The Board of Education shall provide instructional services to an enrolled general education student at the student'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 student is mandated by State law and rule for placement in an alternative education program, but placement is not immediately available;

2. The student is placed on short-term or long-term suspension from participation in the general education program; or

3. A court order requires the student to 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 student has left the general education program.

2. The school district in which a student resides shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly or through online services, including any needed equipment, 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 district shall establish a written plan for the delivery of instruction and maintain a record of delivery of instructional services and student progress.

2. The teacher providing instruction shall be a certified teacher.

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 student's classroom.

4. The instruction shall meet the Core Curriculum Content Standards and the Board of Education's requirements for promotion and graduation.

Issued: 17 December 2013
Revised: 21 October 2014

2510 ADOPTION OF TEXTBOOKS

The Board of Education believes that textbooks should support and enrich the curriculum and make possible the achievement of the districts instructional goals. The Superintendent shall develop procedures for continual review of new texts being offered and evaluation of those already in use to ensure that the textbooks used in this district are up to date in the factual matter they present and further the districts instructional goals. Textbooks and instructional materials should be judged by additional standards which shall include, but not be limited to:

A. Does the material reflect the district's affirmative action/equity policy, which prohibits the teaching or encouragement of bias based on any categories listed in law or Board policy?

B. Does it help pupils develop abilities in critical reading and thinking?

C. Does it provide effective basic or advanced education for the pupils for whom it is intended?

The review process shall:

A. Be conducted by teaching staff members, particularly those teachers who will be using the materials as an integral part of the instructional program;

B. Include a written review of the material which shall reflect the consensus of the teaching staff;

C. Provide an opportunity for public inspection of the recommended text.

The Superintendent shall develop administrative rules outlining a procedure for the selection of instructional materials that meets the above criteria. Instructional materials used within the district should be sufficient in quantity and scope to meet the needs of every pupil in the district.

The Board, by law, makes the final textbook selection decision. However, prior to final adoption, the recommendations resulting from each review will be given thorough consideration.

Any citizen who objects to the final selections made by the Board should follow the procedures outlined in regulation regarding instructional materials.

Animal dissection is not required and alternative education to be provided.

The Board, by law, will allow pupils to refuse to participate in animal dissection.

1. The Board will offer an alternate education program for a course or portion of a course involving dissection of animals.

2. A public school pupil from Kindergarten through grade eight may refuse to dissect, vivisect, incubate, capture or otherwise harm or destroy animals or any parts thereof as part of a course of instruction.

    a. "Alternative education project" means the use of video tapes, models, films, books, computers, or any other tools which provide an alternative method for obtaining and testing the knowledge, information, or experience required by a course of study.

    b. "Animal" means any living organism that is an invertebrate, or is in the phylum chordata or organisms which have a notochord and includes an animal's cadaver or severed parts of an animal's cadaver.

3. The school shall notify pupils and their parents or legal guardians at the beginning of each school year of the right to decline to participate in the activities enumerated in subsection a. of this section and shall authorize parents or legal guardians to assert the right of their children to refuse to participate in these activities. Within two weeks of the receipt of the notice, the pupils, parents or legal guardians shall notify the school if the right to decline participation in the enumerated activities will be exercised.

4. Any pupil who chooses to refrain from participation in or observation of a portion of a course of instruction in accordance with this section 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 parts.

5. 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.

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

Adopted: 17 December 2013

R 2510 ADOPTION OF TEXTBOOKS

This regulation pertains to instructional materials/textbooks which in policy are defined as those printed materials which directly and primarily support the Board-adopted written curriculum and which are used by students as a primary means of meeting course objectives.

A. Textbook selections will be made as part of the curriculum development process. In addition, during the curriculum revision process, the previously adopted material will be reviewed for its continued appropriateness and accuracy.

B. When it is determined that previously adopted material continues to be appropriate and accurate, the Board of Education's prior approval of material will remain in effect.

C. When it is determined that previously adopted material is no longer appropriate, either due to a change in the written curriculum or to significant revisions in a later edition of the previously adopted text, the Superintendent may direct that Board approval be renewed or a new textbook be sought.

D. When Board of Education approved material is recommended for use in additional courses other than the course or courses for which the material was originally adopted, the Superintendent may seek Board approval for that same material to be used in specific other courses.

E. In making a recommendation for the adoption of a new text, the Superintendent shall obtain information in writing to include but not be limited to that which is addressed in policy.

F. The Board will not begin a review of books until all school system reviews and comments, including those of the Affirmative Action Officer, if any, are complete.

G. The Affirmative Action Officer of the MendhamTownshipSchool District carries the responsibility of providing official recommendations with regard to affirmative action issues on textbooks. The Affirmative Action Officer

may solicit opinions from members of the Affirmative Action Committee and/or other community members to reach an appropriate recommendation.

H. The Superintendent shall seek opinions of District teachers and administrators prior to his/her recommending that the Board of Education approve new material.

I. The primary responsibility for the review of textbooks brought to the Board for approval shall fall within the Board of Education Curriculum Committee. The chair of the Curriculum Committee generally will provide the official recommendation with regard to a textbook recommendation; however, that duty may be delegated to other members of the Committee when necessary. The chair of the Curriculum Committee may solicit the opinion of one or more of the Committee to formulate a recommendation for a text.

J. Board of Education members shall have an opportunity to examine instructional materials brought to them for their approval. When it is impractical to transport material to the Board of Education meetings, the material shall be available for examination in the District Administration Office.

K. It should not be construed that the Board of Education approval of a textbook obligates the Board to budget directly for the procurement of that textbook, nor should it be construed that the approved textbook is the sole source of text materials for the particular written curriculum.

L. With approval of the Superintendent, subscriptions are permitted for district-adopted textbooks for a course. Substitute textbooks shall be presented to the Board of Education for its approval, following the same procedure as above. It is also permissible that teachers substitute materials other than textbooks for the delivery of instruction when it is deemed appropriate.

Issued: 17 December 2013

2520 INSTRUCTIONAL SUPPLIES (M)

M

The Board believes that personnel and materials appropriate to the needs of the school program must be available to each pupil and teacher.

To be in compliance with the requirements of Federal law, the Board of Education directs the Superintendent to distribute curriculum materials and instructional supplies to the schools in such a way that equivalence of such materials is ensured among the schools. Staff assignments shall comply with this directive.

When a school fails to achieve adequate yearly progress as defined by the State for two consecutive years, all provisions in Federal law shall be followed.

The Board will endeavor to provide the supportive resources and personnel necessary for teachers to implement the approved curriculum in their classrooms and work effectively with children.

It will be the administration's responsibility to set up and maintain such central services for curriculum materials, including audiovisual materials, as are needed, and appropriate channels through which teachers and pupils will be supplied with these resources.

In addition, there will be a media resource center and media specialist to offer children instruction and teachers assistance in selecting and using learning resources.

The Board of Education shall provide a diversity of instructional resources including textbooks and other printed materials, audiovisual aids and devices, laboratory and shop materials, computers, and equipment necessary to implement district and school educational goals and objectives and meet pupil needs. The instructional resources shall contain materials and be used in a way that will:

1. Enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the pupils served;

2. Stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards;

3. Present opposing sides of controversial issues so that young citizens may, under guidance, develop the practice of critical reading and thinking;

4. Represent truly and fairly the conditions of urban, suburban and rural life in our country today;

5. Present a fair picture of the capabilities and possible contributions toward family and civic life of both sexes and all religious, ethnic and cultural grouping present their contributions to our American heritage assure that no group is presented in an unfair or derogatory manner;

6. Provide sufficient variety, quantity and quality to implement the instructional program effectively.

Materials and equipment shall be located as close to the pupil and teacher as is economically feasible, and in sufficient quantity so as to be easily available.

The Superintendent shall provide the Board with recommendations for the acquisition of instructional resources consistent with the budget. The Superintendent shall consider recommendations of staff members on the appropriateness of particular items to specific programs.

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

Adopted: 17 December 2013

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 Policy No. 9130 on public complaints.

Adopted: 17 December 2013

R 2531 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 therefrom 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.

Issued: 17 December 2013

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.

17 U.S.C. 101 et seq.

Adopted: 17 December 2013

2551 MUSICAL INSTRUMENTS

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

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

District-owned instruments will be available to pupils, in the order in which requests are made, until the supply is exhausted. If necessary, instruments will be redistributed among 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: 17 December 2013

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 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 the school submitted to the Principal or designee 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 teacher or other qualified adult must assume primary responsibility for the animal, its nourishment, and its sanitary living conditions. The 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, vivisect, 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.

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

Adopted: 17 December 2013

R 2560 LIVE ANIMALS IN SCHOOL

A. Standards for Use

1. A teacher 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 Principal or designee before the live animal is brought into the school building.

4. Animals may be handled only by the 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 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.

9. The 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 Principal or designee determines that there is a pupil(s) who would suffer an adverse reaction, the 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 adult supervisor in charge will:

1. Take immediate and prudent steps to prevent further injury;

2. Follow Regulation No. 8441 for 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.

Issued: 17 December 20134

2610 EDUCATIONAL PROGRAM EVALUATION (M)

M

TThe 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. The Superintendent shall employ such tests and methods that will ensure decision making is data driven and a variety of sources of data are used to analyze and monitor student achievement and progress, as well as evaluate school programs. 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 that evaluate the progress of students and the effectiveness of staff members. The Superintendent shall use multiple (more than two) sources of data to monitor student achievement and the progress of students. The Superintendent shall also use multiple (more than two) sources of data to evaluate the effectiveness of programs, initiatives, and strategies.

The Board will annually make available to the public the collective progress of students 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 student 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.

N.J.S.A. 18A:7A-11
N.J.A.C. 6A:8-4.1 et seq.

Adopted: 17 December 2013
Revised: 20 December 2016
Revised: 19 March 2019

R 2622 STUDENT ASSESSMENT

The New Jersey Department of Education, pursuant to State law and regulations, requires all students to take State assessments as scheduled. There is no provision for a student to opt-out of Statewide assessments. Therefore, the Board requires all students to take Statewide assessments and the Board cannot grant permission to a parent for their child to opt-out of required Statewide assessments. The procedures outlined below shall be followed in the event a parent refuses to have their child participate in a Statewide assessment.

A. Written Notice from Parent

1. A parent who refuses to have their child participate in a Statewide assessment shall submit a letter to the school Principal stating their child will not participate in a Statewide assessment.

2. The parent shall indicate in the letter the testing date(s) and the specific Statewide assessment(s) their child will not be taking.

3. The letter shall be submitted to the Principal at least five school days before the scheduled testing date.

4. The letter shall be maintained with the student's academic records.

B. Testing Date

1. A student whose parent has provided prior written notice informing the Principal their child will not be participating in a Statewide assessment will be required to report to the testing location on the date of the assessment.

2. The student will be required to remain in the testing location and sit quietly and not cause any distractions while other students are taking the assessment.

3. A student not participating in a Statewide assessment will notbe provided an alternative educational activity during the testing time.

C. Attendance Recording

1. A student, whose parent has provided prior written notice informing the Principal their child will not participate in a Statewide assessment, who reports to school on the testing date shall be recorded as present in school.

2. A student, whose parent has provided prior written notice informing the Principal their child will not participate in a Statewide assessment, who does not report to school on the testing date shall be recorded as absent. This absence shall be recorded as an unexcused absence.

D. School District Response

1. There shall be no disciplinary consequence imposed upon a student who does not participate in a Statewide assessment in accordance with the provisions outlined in this procedure.

2. A student who does not participate in a Statewide assessment(s) will not receive any credit for the Statewide assessment(s).

2622 STUDENT ASSESSMENT (M)

The Commissioner of Education, in accordance with N.J.S.A. 18A:7C-1 et seq. and 18A:7E-2 and 3, may implement assessments of student achievement in any grade(s) and by such assessments as he or she deems appropriate. The Commissioner shall report to the State Board of Education the results of such assessments.

The Commissioner shall implement a system and related schedule of Statewide assessments to evaluate student achievement of the New Jersey Student Learning Standards (NJSLS). The Commissioner, with the approval of the State Board of Education, shall define the scope and level of student performance on Statewide assessments that demonstrate thorough understanding of the knowledge and skills delineated by the NJSLS at grade levels three through twelve. After consultation with the Commissioner, the State Board of Education shall establish by resolution uniform Statewide criteria defining adequate school district progress toward meeting the NJSLS.

State assessments provide parents with important information about their child's progress; detailed diagnostic information about each individual student's performance that educators, parents, and students can utilize to enhance foundational knowledge and student achievement; and include item analysis which will clarify a student's level of knowledge and understanding of a particular subject or area of a subject. The data derived from State assessments will be utilized by teachers and administrators to pinpoint areas of difficulty and customize instruction accordingly. Such data can be accessed and utilized as a student progresses to successive school levels.

Pursuant to N.J.A.C. 6A:8-4.1(b) and (c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled. There is no provision for a student to opt-out of Statewide assessments. If a student is absent on a testing date, the student will be expected to take the missed test on another school day. Parents and students will be informed of all scheduled testing dates, including make-up testing dates for students who missed the initial testing date.

Statewide Assessment System

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

The Board of Education shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments, including the following major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight; the high school end-of-course PARCC assessments; and the alternative assessment for students with disabilities; and provide notification to each student entering grades three through twelve of the Statewide assessment schedule.

The Department of Education shall implement the elementary component of the Statewide assessment of the NJSLS consisting of continued administration of mathematics and English language arts in grades three, four, and five, and of science in grade four.

The Department of Education shall implement the middle school component of the Statewide assessment of the NJSLS consisting of the following: continued administration of mathematics and English language arts in grades six, seven, and eight; and of science in grade eight.

The Department of Education shall implement a high school assessment program component of the NJSLS that assesses, at a minimum, English language arts, mathematics, and science with the exception that students may receive a waiver from the Board of Education from taking the high school end-of-course PARCC assessment in ELA 11 due to the student's participation in another English language/literature college placement assessment during the same school year.

The Board shall provide appropriate accommodations or modifications to the Statewide assessment system as specified by the Department of Education for English Language Learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act as determined by the IEP or 504 Team in accordance with N.J.A.C. 6A:8-4.1(d)1. The Board may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or English. The Board of Education

shall have the option for a first-year ELL of substituting a Department of Education-approved language proficiency test only for the English language arts section of the elementary or middle school component of the Statewide assessment, when the student has entered the United States after July 1 of the calendar year prior to the test administration.

The Board of Education shall ensure students with disabilities as defined in N.J.A.C. 6A:14-1.3 participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10.

At specific times prescribed by the Commissioner of Education, the Board of Education shall administer the alternative assessment for students with disabilities to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities. The Department of Education shall implement the alternative assessment for students with disabilities according to the schedules in N.J.A.C. 6A:8-4.1(c)1, 2, and 3. The alternative assessment for students with disabilities measures the progress of students who have been determined eligible for the alternative assessment for students with disabilities by the IEP team in accordance with N.J.A.C. 6A:14-4.10.

The Boards of Education shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(f).

Test Administration Procedures and Security Measures

The Board of Education shall be responsible for ensuring the security of all components of the Statewide assessment system that are administered within the school district. All Statewide assessments shall be administered in accordance with the Department of Education's required test administration procedures and security measures. Any breach of such procedures or measures shall be immediately reported to the Superintendent or designee.

Documentation of Student Achievement

The Department of Education shall provide the Superintendent with documentation of student performance after each test administration in accordance with the provisions of N.J.A.C. 6A:8-4.2(a). The Board shall maintain an accurate record of each student's performance on Statewide assessments in

accordance with N.J.A.C. 6A:8-4.2. Information regarding individual student test scores shall only be released in accordance with Federal and State law.

The Board of Education shall transmit within ten business days any official records, including transcripts, of students who transfer to other school districts or institutions.

The Board of Education shall maintain an accurate record of each student's performance on Statewide assessments.

The Board of Education shall maintain for every student a ninth grade through graduation transcript that contains the following, as available:

1. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth in N.J.A.C. 6A:8-5.1(a)6;

2. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);

3. Evidence of instructional experience and performance in the NJSLS;

4. Evidence of technological literacy;

5. Evidence of career education instructional experiences and career development activities;

6. Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in Department of Education-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and

7. Any other information deemed appropriate by the Board of Education.

Accountability

The Superintendent shall report preliminary and final results of annual assessments to the Board of Education as required by the New Jersey Department of Education. The Board of Education will provide parents, students, and citizens with results of annual assessments according to N.J.A.C. 6A:8-4.2. The Board shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area either on Statewide or local assessments. All students shall be expected to demonstrate the knowledge and skills of the NJSLS as measured by the Statewide assessment system.

Annual Review and Evaluation of School Districts

The Department of Education shall review the performance of schools and school districts in accordance with the provisions of N.J.A.C. 6A:8-4.4.

Public Reporting

In accordance with the requirements of N.J.A.C. 6A:8-4.5, the Department of Education shall report annually to the State Board of Education and the public on the progress of all students and student subgroups in meeting the NJSLS as measured by the Statewide assessment system by publishing and distributing the Department of Education's annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 5. After each test administration, the Department of Education shall report to the Board on the performance of all students and of student subgroups. The Department of Education shall report performance on the APA with the same frequency and in the same detail as it reports on other Statewide assessments, including school and school district means, and the number and percentage of participating students. In public reporting of school and district performance data, the Department of Education shall not compromise the confidentiality of individual students.

Parental Notification

Parents shall be informed of the district assessment system and of any special tests that are to be administered to their children.

N.J.S.A. 18A:7C-1
N.J.A.C. 6A:8-4.1 et seq.; 6A:8-5.1; 6A:14-1.1 et seq.;

6A:14-3.7; 6A:14-4.10

Adopted: 12 December 2013
Revised: 24 March 2015
Revised: 20 December 2016
Revised: 25 April 2017

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 Principal. A pupil classified as disabled will be graded in accordance with his/her Individualized Educational Program (IEP) or the Section 504 Plan.

Adopted: 17 December 2013

R 2624 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 Policy No. 5420 and Regulation No. 5420.

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 Policy Nos. 5200, 5410, and 5460.

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 plus or minus signs.

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

Primary Grades

Kindergarten – 1st grade

S+ = Demonstrating readiness beyond grade level

S = Secure with grade-level standard

P = Progressing towards, but not yet meeting grade-level standard

M = Minimal progression toward grade-level standard

X = Not evaluated at this time

Grades 2 - 8

A+	96.5 -100
A	93.5 - 96.4
A-	89.5 - 93.4
B+	86.5 - 89.4
B	83.5 - 86.4
B-	79.5 - 83.4
C+	76.5 - 79.4
C	73.5 - 76.4
C-	69.5 - 73.4
D+	66.5 - 69.4
D	63.5 - 66.4
D-	59.5 - 63.4
F	Below 59
E	Excellent
S	Satisfactory
N	Needs Improvement
U	Unsatisfactory

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.

Issued: 17 December 2013

2631 NEW JERSEY QUALITY SINGLE ACCOUNTABILITY CONTINUUM (QSAC)

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.

N.J.S.A. 18A:7A-3 et seq.
N.J.A.C. 6A:30-1.1 et seq.

Adopted: 17 December 2013

2700 SERVICES TO NONPUBLIC SCHOOL PUPILS (M)

M

The Board of Education shall provide, in accordance with law and to the limit of State aid available for such purposes, services to students 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.

For the purpose of this Policy, "district of attendance" shall mean the school district in which the nonpublic school is located.

A. Special Education and Related Services - N.J.S.A. 18A:46-19; N.J.S.A. 18A:46A-1; N.J.A.C. 6A:14-6

The Board of Education of the district of attendance, as required by Federal law and regulation under Part B of the Individuals with Disabilities Education Act (IDEA), shall provide a genuine opportunity for the equitable participation of students with disabilities who are enrolled in nonpublic schools or early childhood programs by their parents. The district of attendance shall make the final decisions with respect to the services to be provided to eligible students with disabilities enrolled in nonpublic schools or early childhood programs. Services shall be provided only upon the written consent of the parent and shall be provided in a location determined by the Board pursuant to N.J.S.A. 18A:46-19.5. The district of attendance shall spend an amount of money equal to a proportionate amount of Federal funds available under Part B of the IDEA for the provision of services to students with disabilities who are attending nonpublic schools.

The district of attendance, after timely and meaningful consultation with representatives of the nonpublic school, shall undertake a child find process in accordance with IDEA and its implementing regulations to determine the number of parentally placed children with disabilities attending nonpublic schools located within the district. As part of the child find process the district shall consult with private school representatives and representatives of parents of parentally placed nonpublic school children with disabilities in the design and development

of special education and related services for such children in accordance with N.J.A.C. 6A:14-6.1(c)1. Furthermore, services may be provided by district personnel or through contracts with individuals, approved clinics, or agencies. In addition, services provided shall be secular, neutral, and non-ideological. Those procedural safeguards available to nonpublic school students with disabilities and their parents as specified by Federal law and rules under Part B of the IDEA shall apply in accordance with N.J.A.C. 6A:14-6.1(e).

If a nonpublic school student with a disability will receive special education or related services from the district, the district shall initiate and conduct meetings according to N.J.A.C. 6A:14-2.3(k) to develop, review, and revise a service plan for the student and ensure a representative of the nonpublic school or early childhood program attends each meeting pursuant to N.J.A.C. 6A:14-6.1(f)2.

The Board shall provide for the services of a certified speech-language specialist for each child attending a nonpublic school located in the school district and classified pursuant to N.J.S.A. 18A:46-8 as requiring the services of a certified speech-language specialist. Services for children enrolled in nonpublic schools shall be provided only upon the consent of the parent or guardian and shall be provided in a location determined by the Board pursuant to rules and regulations of the State Board of Education. The Board shall provide for such transportation and maintenance and the cost shall be paid from State aid received by the district in accordance with N.J.S.A. 18A:46-19.6. Contracts for speech correction services shall be in accordance with N.J.S.A. 18A:46-19.7. Costs and provisions for speech correction services shall be managed in accordance with N.J.S.A. 18A:46-19.7 and N.J.S.A. 18A:46-19.8.

The Board shall provide for the receipt of auxiliary services by children between the ages of five and twenty residing in the State and enrolled full-time in a nonpublic school located in the district in accordance with N.J.S.A. 18A:46A-3. Auxiliary services shall mean compensatory education services for the improvement of students' communication skills; supportive services acquiring communication proficiency in the English language for children of limited English-speaking ability; and home instruction services. Services for children enrolled in nonpublic schools shall be provided only upon the consent of the parent and in a location

determined by the Board pursuant to rules and regulations of the State Board of Education. The cost of transportation for auxiliary services shall be managed in accordance with N.J.S.A. 18A:46A-6. Contracts for auxiliary services shall be managed in accordance with N.J.S.A. 18A:46A-7. Cost limitations for auxiliary services shall be managed in accordance with N.J.S.A. 18A:46A-8. Calculation of the costs by the Commissioner shall be managed in accordance with N.J.S.A 18A:46A-9.

B. Health Services - N.J.S.A. 18A:40-23 through 31; N.J.A.C. 6A:16-2.5

The Board shall provide nursing services for students who are enrolled full-time in a nonpublic school located in their district pursuant to N.J.S.A. 18A:40-23. The services shall include assistance with medical examinations; including dental screening, conducting screening of hearing examinations, the maintenance of student health records, and notification of local or county health officials of any student who has not been properly immunized; and conducting examinations of students between the ages of ten and eighteen for the condition known as scoliosis. The Board shall adopt written policies and procedures extending the emergency care provided to public school students to those students who are enrolled full-time in the nonpublic school or are injured or become ill at school or during participation on a school team or squad in accordance with N.J.A.C. 6A:16-2.5(b).

Nursing services funded by the Board pursuant to N.J.S.A. 18A:40-23 et seq. shall be provided by a registered nurse licensed by the New Jersey State Board of Nursing who is an employee of the school district or a third-party contractor or is an independent contractor. The Board shall either employ a qualified independent contractor to provide nursing services or shall contract, pursuant to N.J.S.A. 18A:40-28, with other district Boards of Education or with a public or private agency approved by the Commissioner to provide nursing services, pursuant to N.J.A.C. 6A:14-5.2. Prior to any change in the provision of nursing services, the Board shall provide timely and meaningful consultation with appropriate nonpublic school representatives, including parents, pursuant to N.J.S.A. 18A:40-28.

The nursing services provided to nonpublic school students shall not include instructional services in accordance with N.J.A.C. 6A:16-2.5(f). A nonpublic school may decline nursing services required or permitted by submitting to the district of attendance notification in accordance with N.J.A.C. 6A:16-2.5(g). A student who is enrolled in a nonpublic school and whose parent objects to the student receiving any service provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the service except for a physical or medical examination to determine whether the student is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.

The Board of Education shall provide health services based upon the following: the funding for services shall be based upon the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year; a report provided to the New Jersey Department of Education (NJDOE) by the district of attendance or nonpublic school that includes the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year; and the funds expended by the district of attendance for administrative costs shall be limited to the actual costs or six percent of the funds allocated annually for each participating nonpublic school, whichever is less. Administrative costs shall include, but not be limited to, the costs related to the district of attendance annual consultation, bidding, program and contract management, and oversight and quality control.

The Superintendent or designee of the district of attendance in which a nonpublic school is located shall confer annually with the administrator of the nonpublic school for the following purposes: to advise the nonpublic school of the amount of funds allocated to it by the NJDOE for the provision of health services for full-time students enrolled in the nonpublic school; to agree on the basic health services that shall be provided; the additional medical services, equipment, or supplies that may be provided as set forth in N.J.S.A. 18A:40-23 et seq.; to discuss the criteria to be used in the selection of a nursing service provider by the district of attendance for the nonpublic school; and to ascertain the level of satisfaction of the nonpublic school with the current nursing service provider. If the Superintendent or designee and the nonpublic school administrator cannot reach agreement regarding the health services and additional medical services to be provided, the County Office of Education

shall provide assistance; to assure that a description of the provision of nursing services is reflected in the nursing services plan of the district of attendance; and to ensure nonpublic school students in the district of attendance who are knowingly without medical coverage have access to the New Jersey FamilyCare program and to make information accessible regarding the program to the nonpublic school students, pursuant to N.J.S.A. 18A:40-34. The Superintendent or designee must submit a report to the Executive County Superintendent on or before October 1 annually in accordance with N.J.A.C. 6A:16-2.5(k).

C. Textbook Aid to Public and Nonpublic Schools - N.J.S.A. 18A:58-37 et seq.; N.J.A.C. 6A:23A-20 et seq.

N.J.S.A. 18A:58-37.3 requires the Board in which a nonpublic school is located to purchase and to loan, without charge, upon individual requests, textbooks to students in the nonpublic school or schools located within the district of attendance when such students are residents of the State. The Board shall not be required to expend funds for the purchase and loan of textbooks in excess of the amounts provided in State aid. Students who are enrolled in a nonpublic school whose parents do not maintain a residence in this State are not eligible to receive such textbooks. Students who are enrolled in a nonpublic school whose tuition is paid by the district of attendance are not eligible to receive such textbooks. The Board shall distribute to all students on an equitable basis existing book stocks and newly purchased textbooks purchased pursuant to N.J.S.A. 18A:58-37.1 et seq. The Board shall not discriminate against students in either public or nonpublic schools.

An individual written request for the loan of textbooks shall be signed by the parent(s) of nonpublic school students and shall be submitted directly to the Board of the district of attendance or may be forwarded collectively by the nonpublic school. Requests must be received by the Board by March 1 preceding the school year. All individual requests must be made in accordance with N.J.A.C. 6A:23A-20.3.

In accordance with N.J.A.C. 6A:23A-20.4, all textbooks purchased under the provisions of N.J.S.A. 18A:58-37.1 et seq. shall remain the property of the district which shall indicate such ownership in each book by a label. The Board shall be responsible for the receipt of the textbooks from the

vendor and inventory of such textbooks. The Board may require that the textbooks be returned to the district at the end of the school year or may enter into agreements with the nonpublic schools to store such books. In the event of such an agreement, the Board shall not pay storage charges of any kind to a nonpublic school for this service.

The Board's accounting entries in relation to expenditures for the purchase of textbooks shall be managed in accordance with N.J.A.C. 23A-20.5.

N.J.S.A. 18A:40-23 through 31; 18A:46-19;
18A:46A-1; 18A:58-37 et seq.
N.J.A.C. 6A:14-6; 6A:16-2.5; 6A:23A-20 et seq.

Adopted: 17 December 2013
Revised: 26 September 2017