

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6147

Policy

<input type="checkbox"/>	Monitored
<input checked="" type="checkbox"/>	Mandated
<input checked="" type="checkbox"/>	Other Reasons

STANDARDS OF PROFICIENCY

The superintendent, in consultation with teaching staff, shall develop criteria for evaluation, indicators of achievement of the criteria, and acceptable standards of achievement for all grade levels, courses and programs offered by the district. The criteria, indicators and standards must be related to district goals and objectives. Parents/guardians shall be notified in a timely manner whenever their child appears in danger of failing to meet required proficiency levels. Parents/guardians shall be strongly encouraged to participate in designing remedial plans for their children.

These standards of proficiency shall include but not be limited to those New Jersey Student Learning Standards identified by the State Department of Education and shall form the basis for the district's grading system.

By the date required by law, the superintendent shall annually report to the board and the community at a regularly scheduled meeting an evaluation of student achievement toward meeting district and school goals and objectives.

The superintendent shall consider additional factors contributing to student achievement such as indicators of student and educator engagement, school climate and/or safety. The superintendent may consult with the appropriate staff member in the development and assessment of indicators of engagement, school climate and/or safety, such as teaching staff, the affirmative action officer and the anti-bullying coordinator and/or specialist.

The board shall administer the applicable Statewide assessments, including the six major components: the elementary assessment component for grades three through five, and the middle school assessment component for grades six through eight. The Statewide assessments shall be administered according to a schedule prescribed by the Commissioner.

Through the individualized education program (IEP) process the board may specify alternative requirements for a state-endorsed diploma for individual students with disabilities.

Low student achievement shall be regarded by the board as an indication that revisions are needed in educational programming, general strategy, staff resource use, staff evaluation, and/or other aspects of the learning program.

Adopted:	September 10, 1985
Revised:	January 22, 2009
NJSBA Review/Update:	June 2022
Readopted:	

Key Words

Proficiencies, Standards of Proficiency

Legal References: N.J.S.A. 18A:7C-1
N.J.S.A. 18A:7C-2
N.J.S.A. 18A:7E-2

Commissioner of Education to develop a program of standards and guidelines
Establishment of standards for graduation from secondary schools for graduation from secondary schools

STANDARDS OF PROFICIENCY (continued)

through -5	School report card program
<u>N.J.S.A.</u> 18A:7F-46	Review, update of the New Jersey Student Learning Standards; Educational Adequacy Report
<u>N.J.S.A.</u> 18A:35-4.9	Student promotion and remediation; policies and procedures
<u>N.J.A.C.</u> 6A:8-1.1 <u>et seq.</u>	Standards and Assessment
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:8-1.1, -1.3, -2.1, -4.1, -4.4, -5.1	
<u>N.J.A.C.</u> 6A:14-4.10, 11	Statewide assessment
<u>N.J.A.C.</u> 6A:15-1.1 <u>et seq.</u>	Bilingual Education
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:15-1.11	
<u>N.J.A.C.</u> 6A:23A-9.5	Commissioner to ensure achievement of the New Jersey Student Learning Standards
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 6A:32-2.1	Definitions
<u>N.J.A.C.</u> 6A:32-12.1 <u>et seq.</u>	Student Behavior
<u>Abbott v. Burke</u> , 149 <u>N.J.</u> 145 (1997) (Abbott IV)	
<u>Abbott v. Burke</u> , 153 <u>N.J.</u> 480 (1998) (Abbott V)	
<u>Abbott v. Burke</u> , 163 <u>N.J.</u> 95 (2000) (Abbott VI)	
<u>Every Student Succeeds Act</u> , <u>Pub. L.</u> 114-95, 20 <u>U.S.C.A.</u> 6301 <u>et seq.</u>	

Possible

<u>Cross References:</u>	*1120	Board of education meetings
	*5113	Attendance, absences and excuses
	*5120	Assessment of individual needs
	*5124	Reporting to parents/guardians
	*5125	Student records
	6000	Concepts and roles in instruction
	*6010	Goals and objectives
	*6140	Curriculum adoption
	*6141	Curriculum design/development
	*6146	Graduation requirements
	*6146.2	Promotion/retention
	*6171.1	Remedial instruction
	*6171.3	At-risk and Title 1
	*6300	Evaluation of the instructional program

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

EVALUATION OF INDIVIDUAL STUDENT PERFORMANCE

Grading

The superintendent, in consultation with the teaching staff, shall develop a marking system to be used uniformly in the same grade level throughout the Quinton Township District school. The system should be clear, easily understood by parents/guardians and students, and able to be applied with consistency of interpretation. Computation of grade-point average and rank in class shall be uniform throughout the district. Evaluation and grading symbols shall be intended to appraise the student's progress toward established goals, and shall be a factor in promotion/graduation decisions.

The board encourages the certified staff, under the direction of the superintendent, to employ a comprehensive approach to the use of appraisal and evaluative techniques in monitoring student progress, including, but not limited to, written and oral teacher-made tests, performance observation, parent/guardian interviews, formal and informal evaluation techniques, use of cumulative student records, and medical examinations. Recognized standardized achievement tests may also be used in grades designated by the board.

The superintendent shall have the right to review disputed grades and with board approval to adjust them.

Testing

In addition to testing procedures established in policy 5120 Assessment of Individual Needs, the school district shall establish and maintain a general testing program to:

- A. Improve the instructional program to assist students in achieving the New Jersey Student Learning Standards;
- B. Measure the needs and progress of individual students;
- C. Measure the achievement of grade levels;
- D. Allow comparison of district students with national or other norms;
- E. Aid in evaluation of programs.

The district testing program shall embody at least the tests required by state and federal law. The administration shall continually scrutinize the applicability and effectiveness of tests being used in the district.

School personnel shall not use tests, procedures or other guidance and counseling materials that are differentiated or stereotyped on the basis of race, color, creed, religion, gender, gender identity or expression, affectional or sexual orientation, ancestry, national origin, nationality, disability, marital status, familial status, pregnancy or social or economic status.

There are no provisions for students to "opt-out" of any state-mandated assessments.

Any requests for surveys, student observations, or student questionnaires must be forwarded through the principal's office to the superintendent's office for approval before any survey or observation can be conducted. If the survey concerns any of the topics described in statute, the superintendent shall obtain written consent from parents/guardians or the students being surveyed at least two weeks prior to its administration.

EVALUATION OF INDIVIDUAL STUDENT PERFORMANCE (continued)

Individual results of standardized tests, including intelligence tests, shall be made available to parents/guardians upon their request, but shall be considered confidential information to be available only to authorized persons. School and district test results shall be discussed in a public meeting.

Determining Class Rank

The superintendent shall develop procedures for determining class ranking that take into account:

- A. Records of transfer students;
- B. Honors and advanced courses.

Adopted: January 22, 2009
 Revised: January 22, 2015, May 28, 2015, December 21, 2017
 NJSBA Review/Update: June 2022
 Readopted:

Key Words

Evaluation, Student Evaluation, Student Evaluation, Class Rank, Grading, Testing, Examinations

Legal References: N.J.S.A. 18A:7C-3, -4, -6, -6.2 Remedial instruction for students not meeting graduation standards
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:35-4.9 Student promotion and remediation, policies and procedures
N.J.S.A. 18A:36-34 Written approval required prior to acquisition of certain survey information from students
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:7-1.7 Equality in school and classroom practice
N.J.A.C. 6A:8-1.1 et seq. Standards and Assessments
See particularly:
N.J.A.C. 6A:8-1.3, -4.1, -5.1
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
N.J.A.C. 6A:32-2.1 Definitions
N.J.A.C. 6A:32-7.1 Student Records

34 CFR 98 - Protection of Student Rights

Every Student Succeeds Act of 2015, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

Talarsky v. Edison Township Board of Education, 1977 S.L.D. 862

Possible

Cross References: *1000/1010 Concepts and roles in community relations; goals and objectives
 *1120 Board of education meetings
 *5113 Attendance, absences and excuses
 *5120 Assessment of individual needs
 *5124 Reporting to parents/guardians
 *5125 Student records
 *5141.3 Health examinations and immunizations

EVALUATION OF INDIVIDUAL STUDENT PERFORMANCE (continued)

*6142.6	Basic skills
*6146	Graduation requirements
*6146.2	Promotion/retention
*6147	Standards of proficiency

*Indicates policy is included in the Critical Policy Reference Manual.

Regulation

STATEWIDE PROFICIENCY ASSESSMENTS, REFUSAL TO PARTICIPATE AND ALTERNATE
ARRANGEMENTS

The Quinton Township Board of Education and the administration strongly encourage student participation in state mandated assessments. However, the board recognizes that some families may have questions and concerns about these assessments, and the following regulation shall be followed by throughout the district:

- A. Parents/Guardians who choose to disallow participation, must submit a written statement to the building principal prior to the actual dates of testing, documenting their intention to have their child not participate in state mandated assessments;
- B. Students whose parents/guardians have submitted a written statement disallowing participation in state mandated assessments, are expected to come to school on the days of testing, where they will be marked present. They will be provided an alternate schedule and attend classes as they would during the school day. In addition, an appropriate alternative assignment may be instituted regarding the student's work during said time;
- C. A student who does not participate in a statewide assessment(s) will not receive any credit for the Statewide assessment(s) and courses for placement may be affected;
- D. Students whose parents/guardians have not submitted a written statement of nonparticipation and who are not present on the day of the assessment will be marked absent and will sit for the state mandated assessments. make-up tests as scheduled;
- E. Students whose parents/guardians have submitted a written statement of non-participation and who are not present on the day of the assessment will be marked absent. This absence will be unexcused. However, these students will not be expected to participate in the assessment on the scheduled make-up tests;
- F. Students whose parents/guardians have not submitted a written statement of nonparticipation and who arrive late to school will be marked as such. However, they will be expected to participate in the test make-up period as scheduled;
- G. Students whose parents/guardians have submitted a written statement of nonparticipation and who arrive late to school will be marked as such. However, they will not be expected to participate in the test make-up period as scheduled.

State law and regulations require all students to take State assessments. There are no provisions for students or their parents/guardians to "opt-out" of any state-mandated assessments.

Effective Date:

Date of Review/Revision:

Regulation

EVALUATION OF INDIVIDUAL STUDENT PERFORMANCE

The Quinton Township Board of Education encourages the certified staff, under the direction of the superintendent, to employ a comprehensive approach to the use of appraisal and evaluative techniques in monitoring pupil progress, including, but not limited to, recognized standardized achievement testing programs, written and oral teacher-made tests, performance observation, parent interviews, formal and informal evaluation techniques, use of cumulative pupil records, and medical examinations.

The superintendent, in consultation with the teaching staff, shall develop a marking system to be used uniformly throughout the district. The system should be clear, easily understood by parents and pupils, and able to be applied with consistency of interpretation. The evaluation and the grading symbols shall be intended to appraise the pupil's progress toward established goals and shall be a factor in promotion/graduation decisions.

The parents must be made aware of the progress of their child, his/her own growth patterns and the child's progress in relation to recognized standards.

The board of education reserves the right to review and alter any grade or evaluation assigned to a student by the professional staff. As a matter of policy it delegates this authority to the superintendent, who shall develop and implement an administrative regulation that establishes a process for the review of any grade or evaluation in question. The regulations shall protect the integrity of the grading and evaluation system and guarantee a fair hearing to all individuals party to a dispute concerning a grade or evaluation.

The school district shall establish and maintain a testing program to:

- A. Measure the needs and progress of individual pupils;
- B. Measure the achievement of grade levels;
- C. Allow comparison of district student with national or other norms;
- D. Aid in evaluation of programs.

The district's testing program shall embody at least the tests required by state law. The administration shall continually scrutinize the applicability and effectiveness of tests being used in the district.

Grading Policy

The philosophy of the board of education concerning academic achievement is based on the premise that children have diverse capabilities, interests and individual patterns of growth and learning.

EXAMINATIONS, GRADING, RATING, TESTING (continued)

Therefore, the board feels it important that teachers have as much and as accurate knowledge of each student as is possible through tests and observations of student intelligence, achievement, work habits, skills, health and home environment.

The board recognizes that many factors that cannot be clinically tested, such as attitude toward others and work habits may influence a student's success as much as knowledge of subject areas.

In fairness to all students then, achievement shall be judged in relation to a student's learning capacity and in terms of his/her degree of mastery of skills, instructional goals and objectives.

Tests, quizzes and other evaluation devices will be administered on a regular basis to generate grades to promote a process of continuous evaluation of student performance to inform the student and his/her parents of his/her progress and to provide a basis for bringing about change in the student's performance, if such a change is deemed necessary.

Grading System

The grading system in the Quinton Township School shall be:

<u>Grade</u>	<u>K-3</u>
4	
3	
2	
1	

The number indicates that the student:

- | | | |
|----|----|---|
| A. | 4. | <ul style="list-style-type: none"> a. Requires minimal instructional guidance b. Consistently grasps instructional concepts c. Consistently produces high quality work d. Consistently applies and extends learned skills e. Consistently demonstrates critical and creative thinking skills |
| | 3. | <ul style="list-style-type: none"> a. Requires regular instructional guidance b. Usually grasps instructional concepts c. Usually produces work of satisfactory quality d. Shows evidence of critical and creative thinking skills |
| | 2. | <ul style="list-style-type: none"> a. Requires frequent instructional guidance b. Needs modified instructional assignments c. Produces work of inconsistent quality d. Needs frequent reteaching and additional practice e. Shows little evidence of critical and creative thinking skills |
| | 1. | <ul style="list-style-type: none"> a. Requires continual instructional guidance b. Is unable to complete modified instructional assignments c. Quality of work is consistently poor d. Needs constant reteaching and additional practice e. Shows no evidence of critical and creative thinking skills |

EXAMINATIONS, GRADING, RATING, TESTING (continued)

Grades 4-8

A = 92 to 100

B = 85 to 91

C = 78 to 84

D = 70 to 77

F = Below 70

Adopted:	January 22, 2009
Revised:	January 22, 2015, May 28, 2015, December 21, 2017
NJSBA Review/Update:	June 2022
Readopted:	

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6151

☐ Monitored

☐ Mandated

☒ Other Reasons

Policy

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-student requirements of the State Department of Education.

Public Input

The board of education recognizes its responsibility to ensure that arrangements be tailored to suit the changing needs of the student body. As a result the board welcomes recommendations from faculty, students, staff or community as to ways by which it may improve instructional arrangements. These might include:

- A. Providing classroom or other instructional space;
- B. Revising class size ranges and limits;
- C. Permitting scheduling innovations based on individual student needs;
- D. Arranging team teaching or other means for emphasizing the inter-disciplinary nature of knowledge and the interrelatedness of learning;
- E. Involving students in directed and self-selected activities;
- F. Adapting instruction to diverse student learning styles

The board of education, however, reserves the right to make the final determination on all matters affecting instructional arrangements.

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-student requirements of the State Department of Education.

Adopted: December 10, 1985
Revised: July 8, 1993, January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Class Size, Space-per-student Requirements

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.A.C.</u> 6A:8-2.1	Authority for educational goals and standards
	<u>N.J.A.C.</u> 6A:14-4.7	Program criteria: special class programs, secondary and vocational rehabilitation

CLASS SIZE (continued)

<u>N.J.A.C.</u> 6A:23A-9.5	Commissioner to ensure achievement of the New Jersey Student Learning Standards
<u>N.J.A.C.</u> 6A:26-2.1 <u>et seq.</u>	Long-Range Facilities Plans
<u>N.J.A.C.</u> 6A:32-8.2	School enrollment
<u>N.J.A.C.</u> 6A:32-8.3	School attendance

Possible

<u>Cross References:</u>	3240	Tuition income
	*5118	Nonresidents
	*5120	Assessment of individual needs
	*5145.4	Equal educational opportunity
	6150	Instructional arrangements
	*6171.4	Special education
	*7110	Long-range facilities planning

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6153

Policy

<input type="checkbox"/>	Monitored
<input checked="" type="checkbox"/>	Mandated
<input checked="" type="checkbox"/>	Other Reasons

FIELD TRIPS

The Quinton Township 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.

For purposes of this policy, a field trip shall be defined as any journey by a group of students 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 a first-hand educational experience not available in the classroom.

The board of education shall consider field trips which are included in curriculum guides to have been approved in advance. All trips not listed in the curriculum guide must be individually approved by the board. Times and locations of field trips shall not be posted on any district web sites.

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

- A. All trips, and the arrangements for them, must have advance approval. This includes whether district buses will be used; whether these may be supplemented by private vehicles; the route to be followed; and parking arrangements if necessary;
- B. Costs must be ascertained;
- C. Each child who goes on a field trip or excursion must have written parental permission;
- D. Student safety must be of prime concern, and adequate supervision must be provided by staff aided by other adult chaperones if necessary;
- E. All trips must be well planned, properly timed, and related to regular learning activities, or to district goals and objectives; and
- F. Each field trip should be evaluated by students, teachers, and the administration.

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 student is to be denied the right to participate because of inability to pay.

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 students on trips not approved by the board. No staff member may solicit students of this district for such trips within the facilities or on the school grounds of this district without board permission.

Student Self-Administration of Medication

The board shall permit self-administration of medication on field trips for asthma or other potentially life-threatening illness. All conditions established by law and board policy shall be met (see policy 5141.215141.21 Administering Medication).

Epinephrine shall be administered via epi-pen to students in emergencies on field trips by the school nurse,

FIELD TRIPS (continued)

his/her designee(s), the student's parent/guardian or the student himself/herself, in accordance with policy 5141.21 Administering Medication.

Adopted: November 12, 1985
 Revised: September 11, 1990, March 11, 1993, January 22, 2009
 NJSBA Review/Update: June 2022
 Readopted:

Key Words

Field Trips, Trips

Legal References: N.J.S.A. 18A:25-2 Authority over students
N.J.S.A. 18A:36-21
 through -23 Field trips; costs to be borne by parents or guardians ...
N.J.S.A. 18A:36-35 School Internet web sites; disclosure of certain student
 information prohibited
N.J.S.A. 18A:39-20.1 Transportation to and from related school activities in
 private vehicle with capacity of eight or less; authorization of
 qualified school personnel, state employees or parents
N.J.S.A. 18A:40-12.3
 through -12.4 Self-administration of medication by students; conditions ...
N.J.S.A. 18A:40-12.5 Policy for emergency administration of epinephrine to public
 school students
N.J.S.A. 18A:40-12.6 Administration of epinephrine; primary responsibility;
 parental consent
N.J.A.C. 6A:27-1.1 et seq. Student transportation
See particularly:
N.J.A.C. 6A:27-1.1(b),
 -7.6, -11.1, -11.2

Rhodes v. Caldwell Board of Education, 1981 S.L.D. 140

Possible

Cross References: 1210 Community organizations
 *1230 School-connected organizations
 *3450 Money in school buildings
 *3541.31 Privately owned vehicles
 *5020 Role of parents/guardians
 *5136 Fund-raising activities
 *5141.21 Administering medication
 *6145 Extracurricular activities
 *6154 Homework/makeup work

*Indicates policy is included in the Critical Policy Reference Manual.

Regulation

FIELD TRIPS

General Procedures

Educational field trips shall be planned and conducted in accordance with the following guidelines:

- A. All trips, and the arrangements for them, must have advanced approval. The superintendent shall review and approve all trips prior to submitting the request to the board of education for final approval;
- B. A parental permission slip is required for each child participating in the field trip, including walking excursions. Permission slips shall be forwarded to the school office;
- C. The teacher will provide the parents with information concerning the purpose and destination of the trip, transportation and eating arrangements, date and time of departure, estimated time of return and if the trip will extend beyond the school day, a detailed itinerary;
- D. The board of education may assume all transportation costs for the field trip. Participating students shall provide the cost of admission, fees, etc.;
- E. One or more adults in addition to the teacher will accompany each class on field trips unless otherwise approved by the superintendent. Teachers are responsible for informing accompanying adults of their duties and responsibilities;
- F. The teacher will review acceptable standards of conduct with the students in advance of the trip. The teacher has primary responsibility for the conduct of the children. Children who cannot be self-controlled or teacher controlled may be excluded from the trip;
- G. The teacher planning the trip will be responsible for arranging an appropriate educational experience and supervisions for the students who do not participate in the field trip;
- H. Students' safety will be primary consideration, with first-aid kits required on all field trips;
- I. The buddy system, or partners, is recommended to assure constant awareness of each child's whereabouts, needs and participation;
- J. Should an emergency situation occur, the teacher is responsible for notifying the superintendent or designee by telephone as soon as possible;
- K. Should an emergency situation occur, the teacher is responsible for notifying the superintendent by telephone as soon as possible;
- L. Commercial carriers such as charter buses are to be used at the discretion of the Board of Education;
- M. Arrangements for buses are to be made through the school office at least 2 weeks in advance of the trip. Should commercial carriers be used, 2 months prior notice will be required;
- N. If children return to the school from a trip after school hours, the teacher and administrator shall make arrangements for their safe departure home, taking into account the age of the students and the hour;
- O. All students who go on a trip must return to the school with the group;

FIELD TRIPS (regulation continued)

- P. Parents/Guardians who desire to take their children home before a field trip ends must submit his/her request in writing to the teacher about such arrangements in advance of the trip. The superintendent will determine if the request will be honored or denied. The board assumes no liability for students who are, for any reason, transported by parents in private cars.

Parents or adult chaperones from the staff shall be required as a condition for the superintendent approval of the trip. The number of adult chaperones shall be no fewer than one (1) to every ten (10) students. The staff member responsible for the trip shall be considered one of the chaperones.

Teachers planning trips during the school year shall send home an adult chaperone form attached at the beginning of each school year. Parents who are willing to act as chaperones shall be selected by the staff member responsible for the trip. All normal expenses associated with the trip will be borne by the board of education for all approved parent chaperones and staff. Such individuals shall complete the appropriate forms for the trip.

The board of education may designate staff members to use their private vehicles for certain student trips providing said staff members have been approved in advance by the board of education and their vehicles are covered under the appropriate insurance or insurance regulations of the board of education.

Chaperones

Persons other than parents/guardians may act as chaperones provided that the parent/guardian the prospective chaperone is replacing is an adult over the age of 18.

All chaperones are responsible for supervising and managing the behavior of students in their charge. Disciplining students for behavior in violation of the code of student conduct shall be the responsibility of the teaching staff member(s) in charge. Any misbehavior observed by a volunteer chaperone should be managed to the extent safely possible, then reported to the teacher as soon as possible.

Expenses for chaperones are not usually included in the cost of the trip, so chaperones must pay their own way. Chaperones are to provide their own lunches.

In addition, all chaperones will agree to the following guidelines:

- A. Chaperones may not bring other children who are not members of the group taking the trip;
- B. Chaperones may travel in their own cars with prior approval from the superintendent. Chaperones may not transport students in their own cars, except in the following cases:
 - 1. Where there is an emergency, i.e., sick child, doctor appointment, etc. with the approval of superintendent or his or her designee;
 - 3. When approved to do so in accordance with board policy 3541.31 Privately Owned Vehicles.
 - 4. Any vehicle used to transport students shall be properly insured as required by law;
- C. A chaperone who desires to take his/her children home before a field trip ends must submit his/her request in writing to the teacher about such arrangements in advance of the trip. The superintendent will determine if the request will be honored or denied. The board assumes no liability for students who are, for any reason, transported by parents/guardians in private cars;
- D. Chaperones shall not smoke in front of students and shall not smoke in the vehicle used to transport students during the time that the vehicle is being used for the field trip, regardless whether students are present in the vehicle or not;
- E. Alcoholic beverages and drugs are strictly forbidden;
- F. Chaperones shall stay with their assigned group of students at all times;

FIELD TRIPS (regulation continued)

- G. Chaperones shall remain at the school upon return until all students have safely departed the premises unless released by the supervising teacher;
- H. Chaperones must follow a standard of ethics regarding the confidentiality of information that might be learned while supervising children;
- I. Chaperones will not bring friends or family members on the field trip nor will they arrange to meet anyone at the destination of the field trip;
- J. Chaperones must comply with all requests and directions of the teachers and professional staff;
- K. Chaperones shall actively supervise the students and shall not use cell phones for personal business. Cell phones may be used in emergencies only.

NJSBA Review/Update: June 2022

Adopted:

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6154

Policy

☐ Monitored
☐ Mandated
☒ Other Reasons

HOMEWORK/MAKEUP WORK

The Quinton Township Board of Education believes that homework relevant to material presented in class provides an opportunity to broaden, deepen or reinforce the student's 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.

Students 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.

Students 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.

Incompletes

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

If work critical to the student's 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 student the work he/she has missed and citing the consequences mentioned above.

The board recognizes the desirability of homework assignments and encourages teachers to assign homework as an aid in students' development.

The type, frequency and quantity of homework assignments should be determined by the needs of the individual student and should not require additional instruction beyond the class period, thereby requiring parents to supplement instruction. Homework should be an application, interpretation or adaptation of classroom experience. It should be assigned for instructional purposes and not excessive in quantity.

Adopted: November 12, 1985
Revised: October 11, 1990, January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Homework, Makeup Work

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:36-14 Religious holidays; absence of students on; effect
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:32-10.1 et seq. Summer School Sessions

HOMEWORK/MAKEUP WORK (continued)

Possible

<u>Cross References:</u>	1320	Participation in out of school community activities
	*1322	Contests for students
	*5020	Role of parents/guardians
	*5113	Attendance, absences and excuses
	*5124	Reporting to parents/guardians
	*6145	Extracurricular activities
	*6153	Field trips
	6174	Summer school

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

INSTRUCTIONAL PLANNING/SCHEDULING

The superintendent and staff shall keep abreast of developing technologies and teaching methodologies, investigating those likely to be of benefit to district students, and recommending them for board consideration.

The Quinton Township Board of Education recognizes that district students vary in learning styles and in ability. Therefore, the superintendent shall ensure that teaching staff adapt their instructional methods and arrangements to meet identified student needs and encourage maximum individual progress.

The superintendent shall ensure that district personnel, time and facilities are used in such a way as to provide the most favorable learning environment for all students, thus fostering achievement of district goals, objectives and standards.

Because the board believes that students can learn better and faster when the skills learned in one discipline are integrated into another, programs, projects and units of study shall be encouraged that require the use of reading, writing and mathematics skills in conjunction with other areas of study, such as music, art, science, etc. The board also encourages programs that call on various skill levels of several grades in one discipline, such as musical presentations, science fairs, and other similar efforts.

Every effort should be made to further district affirmative action/equity goals in developing instructional arrangements.

The board directs that instruction be planned and scheduled in such a way that there is minimum disruption of the school day, including movement between classes and conflicting activities.

Nonpublic School Students

Required instructional services shall be delivered to nonpublic school students in facilities that are acceptable and convenient to staff and students.

Adopted: January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Instructional Planning, Instructional Scheduling, Scheduling

Legal References:	<u>N.J.S.A. 18A:33-1</u>	District to furnish suitable facilities; adoption of courses of study
	<u>N.J.S.A. 18A:46-19.5</u>	Services to students in nonpublic schools
	<u>N.J.S.A. 18A:46A-5</u>	Consent of parent or guardian; location
	<u>N.J.A.C. 6A:8-1.1 et seq.</u>	Standards and Assessments
	<u>N.J.A.C. 6A:14-1.1 et seq.</u>	Special Education
	<u>N.J.A.C. 6A:15-1.1 et seq.</u>	Bilingual Education
	<u>N.J.A.C. 6A:26-12.1 et seq.</u>	Operation and Maintenance of Facilities

Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402 (1985)

Possible

INSTRUCTIONAL PLANNING/SCHEDULING (continued)

<u>Cross References:</u>	*2224	Nondiscrimination/affirmative action
	*4113/4213	Assignment; transfer
	*5145.4	Equal educational opportunity
	*5200	Nonpublic school students
	*6010	Goals and objectives
	6130	Organizational plan
	6141.4	Independent study
	*6142.2	English as a second language; bilingual/bicultural
	*6151	Class size
	6152	Grouping
	*6171.2	Gifted and talented
	*6171.4	Special education

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

INSTRUCTIONAL ASSIGNMENTS PRIOR TO
THE BEGINNING OF THE SCHOOL YEAR

The Quinton Township Board of Education recognizes that there is a benefit to the education of the students of this district when teachers assign or recommend certain reading materials or other projects over the summer in preparation for the school year.

When such assignments or recommendations are made, parents/guardians are urged to cooperate and support the efforts of the teachers making the assignment or recommendation, as these assignments or recommendations are made for the benefit of the students of the district.

In all cases, when students do complete any assignments given prior to the beginning of the school year, the student may be given academic credit or extra credit for any work completed. The superintendent/designee shall be responsible for reviewing any assignments made prior to the school year and ensuring that proper academic credit is given to students who complete them.

Adopted: January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Instructional Planning, Instructional Scheduling, Summer Projects

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:33-1	District to furnish suitable facilities; adoption of courses of study
	<u>N.J.S.A.</u> 18A:46-19.5	Services to students in nonpublic schools
	<u>N.J.S.A.</u> 18A:46A-5	Consent of parent or guardian; location
	<u>N.J.A.C.</u> 6A:8-1.1 <u>et seq.</u>	Standards and Assessments
	<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
	<u>N.J.A.C.</u> 6A:15-1.1 <u>et seq.</u>	Bilingual Education
	<u>N.J.A.C.</u> 6A:26-12.1 <u>et seq.</u>	Operation and Maintenance of Facilities

Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402 (1985)

Possible

<u>Cross References:</u>	*2224	Nondiscrimination/affirmative action
	*4113/4213	Assignment; transfer
	*5145.4	Equal educational opportunity
	*5200	Nonpublic school students
	*6010	Goals and objectives
	*6142.2	English as a second language; bilingual/bicultural
	*6171.2	Gifted and talented
	*6171.4	Special education

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6160

<u>X</u>	Monitored
<u>X</u>	Mandated
_____	Other Reasons

Policy

INSTRUCTIONAL SERVICES AND RESOURCES

The Quinton Township Board of Education believes that personnel and materials appropriate to the needs of the school program must be available to each student 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 school in such a way that equivalence of such materials is ensured. 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 students 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.

Adopted: January 22, 2009, June 30, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Instructional Services, Instructional Resources

<u>Legal References:</u>	<u>N.J.S.A. 18A:34-1</u>	Textbooks; selection; furnish free with supplies; appropriations
	<u>N.J.A.C. 6A:7-1.4 et seq.</u>	Responsibilities of the district board of education
	<u>N.J.A.C. 6A:8-2.1</u>	Authority for educational goals and standards
	<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts

Every Student Succeeds Act, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

Possible

<u>Cross References:</u>	*3220/3230	State funds; federal funds
	*4113/4213	Assignment; transfer
	*5145.4	Equal educational opportunity
	*6121	Nondiscrimination/affirmative action
	*6141	Curriculum design/development
	*6142.2	English as a second language; bilingual/bicultural
	*6161.1	Guidelines for evaluation and selection of instructional materials
	*6171.3	At-risk and Title 1
	*6171.4	Special education

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

COPYRIGHT MATERIALS

The Quinton Township 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 use of school equipment for the illegal reproduction of copyrighted materials is prohibited.

In order to define the "fair and reasonable" standard 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 superintendent oversee the development of guidelines 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.

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

Adopted: September 25, 2008
NJSBA Review/Update: June 2022
Adopted:

Key Words

Copyrights, Use of Copyrighted materials, Copyright Infringement

Legal References: 17 U.S.C. 101 et seq.

Possible

Cross References: *6141 Curriculum design/development
*6142.10 Internet safety and technology
*6161.1 Guidelines for evaluation and selection of instructional materials

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6161.1

☐ Monitored

☐ Mandated

☒ Other Reasons

Policy

GUIDELINES FOR EVALUATION AND SELECTION OF INSTRUCTIONAL MATERIALS

The Quinton Township Board of Education believes that textbooks should support and enrich the curriculum and make possible the achievement of the district's 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 district's 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 students develop abilities in critical reading and thinking?
- C. Does it provide effective basic or advanced education for the students 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.

When adopting instructional materials for use in the schools, the board shall adopt inclusive instructional materials that portray the cultural and economic diversity of society including the political, economic, and social contributions of persons with disabilities and lesbian, gay, bisexual, and transgender people, where appropriate.

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 student 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 board policy 6161.2 Complaints Regarding Instructional Materials.

Animal Dissection

Animal dissection is not required and alternative education to be provided:

The board, by law, will allow students to refuse to participate in animal dissection.

- A. The board will offer an alternate education program for a course or portion of a course involving dissection of animals;

**GUIDELINES FOR EVALUATION AND SELECTION
OF INSTRUCTIONAL MATERIALS** (continued)

- B. A public school student from kindergarten through grade 12 may refuse to dissect, vivisection, incubate, capture or otherwise harm or destroy animals or any parts thereof as part of a course of instruction:
1. "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.
 2. "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.
- C. The school shall notify students and their parents or guardians at the beginning of each school year of the right to decline to participate in the activities enumerated in "A" of this section and shall authorize parents or 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 students, parents or guardians shall notify the school if the right to decline participation in the enumerated activities will be exercised;
- D. Any student 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 student with the factual knowledge, information or experience required by the course of study. A student may refuse to participate in an alternative education project which involves or necessitates any harmful use of an animal, or animal parts;
- E. A student 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.

Adopted: December 10, 1985, January 22, 2009
 Revised: August 6, 1991, November 21, 2002
 NJSBA Review/Update: June 2022
 Readopted

Key Words

Evaluation, Instructional Materials, Selection of Instructional Materials, Evaluation of Instructional Materials

<u>Legal References:</u> <u>N.J.S.A.</u> 18A:4-25	Prescribing minimum courses of study for public schools; approval of courses of study
<u>N.J.S.A.</u> 18A:33-1	District to furnish suitable facilities; adoption of courses of study
<u>N.J.S.A.</u> 18A:34-1	Textbooks; selection; furnished free with supplies; appropriations
<u>N.J.S.A.</u> 18A:35-1 <u>et seq.</u>	Curriculum and Courses
<u>N.J.S.A.</u> 18A:35-4.25	Districts to provide an alternate to dissection
<u>N.J.S.A.</u> 18A:35-4.35	History of disabled and LGBT persons included in middle and high school curriculum
<u>N.J.S.A.</u> 18A:35-4.36	Policies, procedures pertaining to inclusive instructional materials
<u>N.J.A.C.</u> 6A:7-1.4	Responsibilities of the district board of education
<u>N.J.A.C.</u> 6A:23A-20.4 <u>et seq.</u>	Ownership and storage of textbooks
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts

Comprehensive Equity Plan, State Department of Education

GUIDELINES FOR EVALUATION AND SELECTION
OF INSTRUCTIONAL MATERIALS (continued)

Possible

<u>Cross References:</u>	*1312	Community complaints and inquiries
	*2224	Nondiscrimination/affirmative action
	*5145.4	Equal educational opportunity
	6000	Concepts and roles in instruction
	*6010	Goals and objectives
	*6121	Nondiscrimination/affirmative action
	*6140	Curriculum adoption
	*6141	Curriculum design/development
	*6142.1	Family life education
	*6144	Controversial issues
	*6161.2	Complaints regarding instructional materials
	*6163.1	Media center/library

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6161.2

☐ Monitored

☐ Mandated

☒ Other Reasons

Policy

COMPLAINTS REGARDING INSTRUCTIONAL MATERIALS

The Quinton Township Board of Education recognizes that opinions may differ on the appropriateness of any given instructional materials and equipment. Occasionally an individual or group may find instructional materials used in the schools that conflict with their views. Any resident of this district shall have the right to present a request, suggestion or complaint in reference to the physical plant, playgrounds, subject matter or instructional materials.

The superintendent shall develop procedures to give careful consideration to such requests, suggestions or complaints. These procedures shall provide that:

- A. All such requests, suggestions or complaints shall be submitted in writing;
- B. Whenever possible the process be initiated and solved at the lowest effective level;
- C. District response is courteous and prompt;
- D. Successive steps of appeal and mechanisms for review are available when necessary.

The use of challenged materials or equipment by class or school shall not be restricted until a final decision has been reached.

The final decision on controversial reading matter shall rest with the board after careful examination and discussion of the book or reading matter with school officials or others the board may wish to involve.

Procedures

The mechanism for the review, appeal and repeal of decisions of the instructional council, the administration and the board will be as follows: Any person who questions the presence of any instructional materials being used in the district shall first discuss the challenged material with the superintendent. The challenged material shall remain in use unless and until the superintendent directs its removal. If the complainant is not satisfied with the results of the discussion, the complainant must be advised to the following procedures:

- A. All questions regarding materials shall be submitted to the superintendent in writing. the superintendent shall send copies of the statement to the business administrator, who will forward copies to the president of the board of education;
- B. The author, title and publisher, if known, of the challenged material shall be stated in the complaint. The complainant must state whether he/she objects to only part of the material or all of the material. He/she must also state why he/she objects to the indicated inclusions;
- C. The complainant's signature and local address and telephone number must appear on the communication. If the complainant is representing an organization, the entire name of the organization along with the local address and telephone number of the organization must be listed.

The superintendent and other designated staff members shall constitute a committee of review. The challenged material shall immediately be objectively reviewed. After a thorough consideration, the committee of review shall submit a recommendation to the board of education. This recommendation should include a solution and supporting information. The board will then consider the material, the committee's report and any other factors they deem pertinent and reach a decision on the challenge. That decision shall be made in

COMPLAINTS REGARDING INSTRUCTIONAL MATERIALS (continued)

writing and will be communicated to the complainant and made a part of the board's minutes.

Adopted: December 10, 1985
Revised: January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Instructional Materials, Complaints Regarding Instructional Materials, Complaints, Censorship

Legal Reference: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

Board of Education Island Trees U.F.S.D. v. Pico, 457 U.S. 853 (1982)

Possible

Cross References: *1312 Community complaints and inquiries
2220 Representative and deliberative groups
*6144 Controversial issues
*6161.1 Guidelines for evaluation and selection of instructional materials

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6162.4

 X Monitored
 X Mandated
 X Other Reasons

Policy

COMMUNITY RESOURCES

The Quinton Township Board of Education will draw on the knowledge and opinions of the community in developing mandated policies and programs in compliance with statute and administrative code, and to aid in meeting the district's identified needs.

The board of education encourages local businesses and individual residents who are especially qualified because of training, experience or interest to take an active part in the district's educational programs. Those persons and representatives of businesses identified by the superintendent and the staff and approved by the board may be invited to act as advisors in groups or individually in appropriate circumstances and situations.

The district shall also take advantage of the physical and financial resources of the community and of organizations including businesses when such facilities or locations provide learning and enrichment opportunities not otherwise available to our students. Student safety shall be a primary concern in making use of such resources.

In accordance with law, the administration shall identify and establish working relationships with licensed community agencies that are involved in evaluation and treatment of drug/alcohol problems.

Adopted: September 10, 1985
Revised: January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Community Resources, Resources, Volunteers

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:16-1.1 et seq. Programs to support student development
See particularly:
N.J.A.C. 6A:16-4.1, -4.2
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the performance of school districts

Possible

Cross References: *1000/1010 Concepts and roles in community relations; goals and objectives
1210 Community organizations
*1220 Ad hoc advisory committees
*1410 Local units
*1600 Relations between other entities and the district
*3280 Gifts, grants and bequests
*4222 Noninstructional aides
*5131.6 Drugs, alcohol, tobacco (substance abuse)
*6142.1 Family life education
*6142.2 English as a second language; bilingual/bicultural
*6142.13 HIV prevention education
*6153 Field trips
6164.6 Tutoring
*6171.2 Gifted and talented

COMMUNITY RESOURCES (continued)

*6171.3	At-risk and Title 1
*6171.4	Special education
9420	Recognition of individuals--citizens, students, staff members or members of board

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6162.5

<u>X</u>	Monitored
<u>X</u>	Mandated
<u>X</u>	Other Reasons

Policy

RESEARCH

The Quinton Township Board of Education recognizes that educational research can be a valuable tool in identifying and applying strategies to enhance student achievement and in identifying factors that could prevent students from becoming contributing members of society. Surveys among student populations can be an important part of this research.

Students and parents/guardians retain certain rights, however, in the administration of surveys. The board shall ensure a copy of the survey is available for viewing and that prior written consent is obtained from parents/guardians or emancipated students before any survey is administered in whole or in part by any state or federal source, if the survey (analysis or evaluation) is designed to reveal information on any of the following:

- A. Political affiliations or beliefs of the student or the student's parents/guardians;
- B. Mental and psychological problems of the student or the student's family;
- C. Sex behavior or attitudes;
- D. Illegal, anti-social, self-incriminating, or demeaning behavior;
- E. Critical appraisals of other individuals with whom respondents have close family relationships;
- F. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers;
- G. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian;
- H. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or
- I. Social security number.

Parents/guardians shall be given the opportunity to inspect any survey, analysis or evaluation that solicits information in any of the above areas, including surveys funded by other than state or federal sources. If parents/guardians object to their child(ren)'s participation in a survey regarding the above matters, the child(ren) shall be allowed to opt out. The superintendent shall adopt regulation to protect the confidentiality of all survey respondents.

Prior approval of the superintendent is required for all other surveys on topics not listed. Anyone seeking approval of a proposed survey must provide the superintendent with details of the survey methodology, its specific educational purpose and a description of how results will be disseminated and applied.

The superintendent shall develop regulations to implement this policy that include reasonable timelines for parents/guardians to access and review surveys as prescribed by law, and arrangements to protect student privacy in the administration of a survey.

This policy and the regulations shall be made available to the public at least annually at the beginning of the school year, especially to parents/guardians and to district staff. The public shall be informed within a reasonable period of time if substantive change is made to policy and regulations. The public shall also be informed of specific or approximate dates, if known, when surveys may be administered.

RESEARCH (continued)**Parent/Guardian Notification**

Annual parental/guardian notice shall include an opportunity for the parent/guardian to opt the student out of the following activities:

- A. Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
- B. The administration of any third party (non-Department of Education funded) survey containing one or more of the above described nine items of information.

Adopted: January 22, 2009
 NJSBA Review/Update: June 2022
 Readopted:

Key Words

Student Privacy, Research, Surveys

Legal References: N.J.S.A. 18A:36-34 Written approval required prior to acquisition of certain survey information from students

20 U.S.C.A. 1232g – Family Educational Rights and Privacy Act

20 U.S.C.A. 1232h – Protection of Student Rights Amendment

Every Student Succeeds Act of 2015, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

In re: Application of Charles V. Reilly, Robert A. Hutton and Sean Reilly to Contest the Validity of the Enactment of Assembly Bill 3359 (P.L. 2001, c. 364), Superior Court of New Jersey, Appellate Division, Docket No. A-0163-02T2, 2003 N.J. Super. Lexis 376

Possible

<u>Cross References:</u>	*1140	Distribution of materials by students and staff
	1315	Distribution of materials to students and staff
	4132	Publications/materials
	*5020	Role of parents/guardians
	*5124	Reporting to parents/guardians
	*5125	Student records
	*5141.3	Health examinations and immunizations
	*6147.1	Evaluation of individual student performance

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6163.1

☐ Monitored

☐ Mandated

☒ Other Reasons

Policy

MEDIA CENTER/LIBRARY

The Quinton Township School District's media centers shall contain a wide range of materials on all levels of difficulty, appealing to diverse tastes, and presenting different points of view. Every student shall have access to a media collection containing materials appropriate to age level, interests and courses of study.

Library/media services connected to classroom studies shall be provided in each school. These services shall include access to computers, approved instructional software, appropriate books including novels, anthologies and other reference materials, and supplemental materials that motivate students to read in and out of school and to conduct research. Library/media services shall be provided under the direction of a certified school library media specialist.

The superintendent has final responsibility for the selection of media center materials by professionally trained personnel including media specialists, teachers, principals and supervisors. Requests from faculty and students shall be given consideration.

In selecting materials to recommend for purchase, the media specialist shall evaluate the existing collection and consult reputable, unbiased, professionally prepared selection aids, and specialists from all departments and/or all grade levels.

In addition to standard book materials, the board shall provide for the use of a wide variety of audiovisual materials and equipment to enhance the curriculum.

The media centers shall offer a continuous program of instruction in library and study skills, preparing students for independent use of learning resources and for development of reading, listening and viewing abilities and tastes.

The superintendent shall develop and present for board approval a media center/library program to provide necessary space, personnel and material to implement this policy.

Adopted: September 10, 1985
Revised: January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Library, Media Center, Audiovisual Materials

Legal References: N.J.A.C. 6A:9B-14.14 School library media specialist
N.J.A.C. 6A:9B-14.15 Associate school library media specialist
N.J.A.C. 6A:13-2.1 Standards-based instructional priorities

47 U.S.C. 254(h) Children's Internet Protection Act

Board of Education Island Trees U.F.S.D. v. Pico, 457 U.S. 853 (1982)

Possible

Cross References: *1312 Community complaints and inquiries
*6161.1 Guidelines for evaluation and selection of instructional materials

MEDIA CENTER/LIBRARY (continued)

*6161.2 Complaints regarding instructional materials

*Indicates policy is included in the Critical Policy.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6164.1

☒ **Monitored**
☐ **Mandated**
☒ **Other Reasons**

Policy

INTERVENTION AND REFERRAL SERVICES FOR GENERAL EDUCATION STUDENTS

The Quinton Township Board of Education shall provide a program of intervention and referral services for general education students who are experiencing personal, interpersonal or academic difficulties to help them function productively and develop positively in the classroom environment. The board adopts the Response to Intervention (RTI) model as the districts appropriate multidisciplinary team approach for planning and delivering the following required services:

- A. The intervention and referral services shall be provided to support students in the general education program; and
- B. The intervention and referral services may be provided for students who have been determined to need special education programs and services.
 - 1. The intervention and referral services provided for students determined to need special education programs and services shall be coordinated with the student's individualized education program team, as appropriate.
- C. Child study team members and, to the extent appropriate, specialists in the area of disability may participate on intervention and referral services teams, pursuant to N.J.A.C. 6A:14-3.1(d)6.

The superintendent shall prepare procedures to:

- A. Identify learning, behavior and health difficulties of students;
- B. Collect thorough information on the identified learning, behavior and health difficulties;
- C. Identify the roles and responsibilities of the building staff who participate in planning and providing intervention and referral plan and services;
- D. Develop and implement action plans which provide for appropriate school or community interventions or referrals to school and community resources, based on the collected data and desired outcomes for the identified learning, behavior and health difficulties;
- E. Provide support, guidance and professional development to school staff who identify learning, behavior and health difficulties and refer students to school staff who participate in planning and providing intervention and referral services;
- F. Actively involve parents/guardians in the development and implementation of intervention and referral plans;
- G. Coordinate the access to and delivery of school resources and services for achieving the outcomes identified in the intervention and referral services action plan;
- H. Coordinate the services of community-based social and health provider agencies and other community resources for achieving the outcomes identified in the intervention and referral services action plans;

**INTERVENTION AND REFERRAL SERVICES FOR GENERAL
EDUCATION STUDENTS (continued)**

- I. Maintain records of all requests for assistance and all intervention and referral services plans in accordance with federal and state law and regulation;
- J. Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan and modify each plan to achieve the outcomes as appropriate; and
- K. At a minimum, annually review the intervention and referral services action plans and the actions taken as a result of the building's system of intervention and referral services and make recommendations to the principal for improving school programs and services, as appropriate.

The board shall review and adopt these procedures, and the superintendent shall report to the board on their implementation.

Adopted: March 11, 1994
Revised: September 8, 1994, January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Student Assistance Committee, Intervention and Referral Services for General Education Students

Legal Reference: N.J.A.C. 6A:16-8.1 et seq. Intervention and Referral Services

Possible

Cross References: *6164.4 Child study team
*6172 Alternative educational programs

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6164.2

Policy

<u> </u>	Monitored
<u> X </u>	Mandated
<u> X </u>	Other Reasons

GUIDANCE SERVICES

A guidance program shall be incorporated into the Quinton Township School District's educational program to aid students in making informed and responsible decisions and in using effective decision-making processes. The guidance program shall be developed and coordinated by the superintendent in consultation with teaching staff members he/she has identified as possessing necessary skills and abilities, to help students acquire the insights and knowledge they need to become autonomous, mature members of adult society in a democratic nation.

The board of education shall ensure all students have access to adequate and appropriate counseling services. When informing students about possible careers or professional or vocational opportunities, the options presented to students shall not be restricted or limited 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. No biased or stereotyped tests or guidance or counseling materials shall be used.

The purpose of the guidance program shall be to help students in learning to make their own decisions concerning life's many choices--personal, educational, and career/vocational.

The guidance program shall provide, as fully as possible, the information needed to make the best decisions concerning the student's educational program. Such information shall include facts such as test scores, grades and educational history. Student records may also include anecdotes, but shall not carry judgments, opinions and other advice.

Students shall be encouraged to avail themselves of the help of the guidance department's personnel.

Guidance services shall include establishment of a referral system that guards the privacy of the student and monitors the efficacy of such referrals, when district resources are not sufficient, as in drug or alcohol counseling.

Adopted: September 10, 1985
Revised: January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Guidance Services

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:35-4.2	Career development program
	<u>N.J.S.A.</u> 18A:36-19	Student records; creation, maintenance and retention, security and access; regulations; nonliability
	<u>N.J.S.A.</u> 18A:36-19.1	Military recruiters; access to schools and student information directories
	<u>N.J.S.A.</u> 18A:38-36	Employment certificates to part-time students; revocation
	<u>N.J.S.A.</u> 18A:46-5.1	Basic child study team services; provision by boards of education and state operated programs
	<u>N.J.A.C.</u> 6A:7-1.7	Equality in school and classroom practices
	<u>N.J.A.C.</u> 6A:8-1.1 <u>et seq.</u>	Standards and Assessment
	<u>See particularly:</u>	

GUIDANCE SERVICES (continued)

<u>N.J.A.C.</u> 6A:8-3.2	
<u>N.J.A.C.</u> 6A:9B-14.2	Substance awareness coordinator
<u>N.J.A.C.</u> 6A:9B-14.7	Director of school counseling services
<u>N.J.A.C.</u> 6A:9B-14.8	School counselor
<u>N.J.A.C.</u> 6A:14-3.4	Evaluation
<u>N.J.A.C.</u> 6A:16-4.1	Adoption of policies and procedures for the intervention of student alcohol and other drug abuse
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 6A:32-7.1 <u>et seq.</u>	Student Records
<u>N.J.A.C.</u> 6A:32-12.2	Guidance and counseling

Possible

<u>Cross References:</u>	5000	Concepts and roles in student personnel
	5010	Personal goals and objectives for students
	*5020	Role of parents/guardians
	*5113	Absences and excuses
	*5114	Suspension and expulsion
	*5120	Assessment of individual needs
	*5124	Reporting to parents/guardians
	*5125	Student records
	*5131	Conduct/discipline
	*5131.1	Harassment, intimidation and bullying
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*6142.12	Career education
	*6145	Extracurricular activities
	*6146	Graduation requirements
	*6164.4	Child study team
	*6171.1	Remedial instruction
	*6171.2	Gifted and talented
	*6171.4	Special education
	*6172	Alternative educational programs
	*6173	Home instruction

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6164.4

☐ Monitored

☐ Mandated

☒ Other Reasons

Policy

CHILD STUDY TEAM

The Quinton Township Board of Education shall provide the services of child study team personnel in numbers sufficient to ensure implementation of pertinent law and regulation. The superintendent shall present to the board for approval job descriptions, qualifications and evaluation criteria for positions required, and shall present to the board for hiring the best qualified applicants. The child study team shall consist of a school psychologist, a learning disability teacher consultant and a school social worker, and for the purposes of evaluation and classification shall include pertinent information from certified school personnel making the referral.

When complete evaluations of students are necessary, the superintendent shall recommend for board approval qualified persons or agencies to supplement the district team. Appropriate staff members, such as the nurse and teachers assigned to the student, shall also be involved.

Students who have been identified by any professional staff member, the parents/guardians of the child, a child welfare agency or by the health services staff as possibly having an educational disability shall be considered for evaluation.

Teachers and administrators shall provide intervention resources (e.g., adaptive teaching methods and materials, schedule changes, modified workloads, corrective or remedial instruction, etc.) in order to discover whether an observed difficulty is the result of problems within the educational delivery system. Parents/guardians shall be notified of such interventions. The members of the child study team shall be available to discuss problems informally with teachers and parents/guardians.

If the problems persist despite these intervention techniques, a formal referral, requiring due process procedures, shall be initiated. The examination of each such student shall proceed promptly in strict accordance with law. The board shall review and adopt the regulations governing the referral process.

Examination of each identified child shall consist of a physical examination, a psychological examination, an educational examination, a social case study, and such other examinations as may be deemed necessary by the child study team.

Any decision by the basic child study team concerning the evaluation, classification and placement of a student shall include the full participation of that student's parents or guardian.

Students at Risk

In addition to the students with disabilities, the child study team shall consider and recommend appropriate remedies and/or programs for students at risk for school failure. Child study team members may participate as part of the multidisciplinary team in making decisions regarding a student's placement in an alternative education program:

All staff members shall be familiar with and implement the discipline policies and procedures adopted by the board (see board policy 5131 Conduct and Discipline). This implementation of the student code of conduct combined with consistent documentation shall provide data that may be used to identify students that are at risk for school failure due to emotional and behavior issues. Staff members shall report the names of students who disrupt the educational program to the appropriate administrator who shall initiate actions that will ensure the involvement of the student's family and the provision of counseling and assessment services, so as to determine the causes of the student's disruptive behavior. A request for pre-referral intervention or for referral for evaluation may be made to the child study team. Throughout this process, administrators, support staff,

CHILD STUDY TEAM (continued)

teachers, parents/guardians, and if prudent, the student shall be involved. If all strategies prove unsuccessful, referral to the appropriate outside agency may be made.

Students whose continuing attendance interrupts the educational program and/or threatens harm to themselves and others may be suspended and considered for expulsion.

Adopted: September 10, 1985
 Revised: January 22, 2009, January 5, 2017
 NJSBA Review/Update: June 2022
 Readopted:

Key Words

Child Study Team, Referrals, At-Risk, Disaffected Students, Disruptive Students,

Legal References: N.J.S.A. 18A:46-3.1 Regional consultants for hearing impaired; appointment; duties
N.J.S.A. 18A:46-5.1 Basic child study team services; provision by boards of education and state operated programs
N.J.S.A. 18A:46-5.2 Participation by parent or guardian
N.J.A.C. 6A:9B-14.5 School social worker
N.J.A.C. 6A:9B-14.6 Speech-language specialist
N.J.A.C. 6A:9B-14.7 Director of school counseling services
N.J.A.C. 6A:9B-14.8 School counselor
N.J.A.C. 6A:9B-14.9 School psychologist
N.J.A.C. 6A:9B-14.10 Learning disabilities teacher-consultant
N.J.A.C. 6A:14-1.1 et seq. Special Education
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

20 U.S.C.A. 1400 et seq. - 1990 Individuals with Disabilities Education Act, P.L. 101-476

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

Possible

Cross References: *4111 Recruitment, selection and hiring
 *5114 Suspension and expulsion
 *5120 Assessment of individual needs
 *5131 Conduct/discipline
 *5200 Nonpublic school students
 *6010 Goals and objectives
 *6146.2 Promotion/retention
 *6164.2 Guidance services
 *6171.4 Special education
 *6172 Alternative educational programs

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6171

☐ **Monitored**

☐ **Mandated**

☒ **Other Reasons**

Policy

SPECIAL INSTRUCTIONAL PROGRAMS

The regular curriculum of the Quinton Township District's school is designed to accomplish the district's educational goals and objectives for a thorough and efficient system of education for all students.

When necessary, the regular program shall be altered or supplemented or other means used to provide for the identified needs of the following students:

- A. The classifiable educationally disabled;
- B. The gifted and talented;
- C. Those requiring compensatory or remedial programs;
- D. The students at risk for school failure;
- E. Pregnant students;
- F. Students requiring home instruction;
- G. The physically disabled;
- H. Students who are English language learners;

Adopted: December 10, 1985
Revised: January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Special Instructional Programs

<u>Legal References:</u>	<u>N.J.S.A. 10:5-1 et seq.</u>	Law Against Discrimination
	<u>N.J.S.A. 18A:35-4.9</u>	Student promotion and remediation; policies and procedures
	<u>N.J.S.A. 18A:35-15</u>	
	through -26	Bilingual Education Programs
	<u>N.J.S.A. 18A:46-1 et seq.</u>	Classes and Facilities for Handicapped Children
	<u>N.J.S.A. 18A:46A-1 et seq.</u>	Auxiliary services
	<u>N.J.A.C. 6A:8-3.1 et seq.</u>	Implementation of the New Jersey Student Learning Standards
	<u>N.J.A.C. 6A:14-1.1 et seq.</u>	Special Education
	<u>N.J.A.C. 6A:15-1.1 et seq.</u>	Bilingual Education
	<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts

Every Student Succeeds Act of 2015, PL. 114-95, 20 U.S.C.A. 6301 et seq.

Possible

Cross References: *6142.2 English as a second language; bilingual/bicultural

SPECIAL INSTRUCTIONAL PROGRAMS (continued)

*6171.1	Remedial instruction
*6171.2	Gifted and talented
*6171.3	At-risk and Title 1
*6171.4	Special education
*6172	Alternative educational programs
*6173	Home instruction
6174	Summer school
*6178	Early childhood education/preschool

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

REMEDIAL INSTRUCTION

Students who perform below acceptable levels on statewide assessments of the New Jersey Student Learning Standards shall participate in remedial programs. Proficiency shall also be evaluated through multiskills assessment, standardized tests, diagnostic instruments, teacher observation and student progress reports.

The programs shall include procedures to evaluate student achievement related to the remedial program objectives and standards. Continuous communication between teaching staff members and parents/guardians of students participating in remedial educational programs shall be coordinated by the superintendent. These programs shall be supplemental to the regular program and designed to assist students who have academic, social, economic or environmental needs that prevent them from succeeding in regular school programs.

All parents/guardians shall be notified in writing of a student's need for a remedial/skill maintenance program and shall be encouraged to participate in its design.

Parents/guardians shall be notified at appropriate times during the course of remediation, of the student's progress in meeting the remediation standards. The parent/guardian shall be immediately consulted if, in the teacher's judgment, there is any indication that the student's progress may not be sufficient to meet these standards.

Board policies shall be developed with the participation of parents, teachers and students, where appropriate and reviewed and adopted by the board as required by law.

The superintendent shall evaluate the remedial education programs each school year and report to the board of education as to their effectiveness in achieving and maintaining acceptable levels of student proficiency.

The superintendent shall develop and the board shall adopt procedures for student promotion and remediation, related to district goals, objectives and student proficiency.

Adopted: September 10, 1985
Revised: January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Remedial Instruction, Compensatory Instruction, Supplemental Instruction, Remedial Education

Legal References: N.J.S.A. 18A:7C-1 et seq. High School Graduation Standards
See particularly:
N.J.S.A. 18A:7C-2,
-3, -4, -6
N.J.S.A. 18A:35-4.9 Student promotion and remediation; policies and procedures
N.J.A.C. 6A:8-4.3 Accountability
N.J.A.C. 6A:8-4.4 Annual review and evaluation of school districts
N.J.A.C. 6A:8-5.1 Graduation
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

REMEDIAL INSTRUCTION (continued)

Possible

Cross References: *4138.2 Private tutoring
*5120 Assessment of individual needs
*6141 Curriculum design/development
*6142 Subject fields
*6142.6 Basic skills
*6146 Graduation requirements
*6146.2 Promotion/retention
*6147 Standards of proficiency
*6171.3 At-risk and Title 1

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

GIFTED AND TALENTED

Definitions

"Gifted and talented student" means a student who possesses or demonstrates a high level of ability in one or more content areas when compared to their chronological peers in the school district and who requires modifications of their educational program if they are to achieve in accordance with their capabilities.

"Instructional adaptation" means an adjustment or modification to instruction enabling a student who is gifted and talented to participate in, benefit from, and demonstrate knowledge and application of the New Jersey Student Learning Standards in one or more content areas at the instructional level of the student, not just the student's grade level.

The board of education shall ensure that appropriate instructional adaptations and educational services are provided to gifted and talented students in kindergarten through grade 12 to enable them to participate in, benefit from, and demonstrate knowledge and application of the New Jersey Student Learning Standards at the instructional level of the student.

Gifted and Talented Program

The Quinton Township Board of Education directs that the superintendent and appropriately trained and qualified staff members designated by the superintendent shall:

- A. Ensure that appropriate instructional adaptations are designed for students who are gifted and talented;
- B. Make provisions for an ongoing kindergarten through grade 8 identification process for gifted and talented students that includes multiple measures in order to identify student strengths in intellectual ability, creativity, or a specific academic area. The district shall ensure equal access to a continuum of gifted and talented education services. The identification process shall include consideration of all students, including those who are English language learners and those with individualized education plans (IEPs) or 504 plans;
- C. Develop and document appropriate curricular and instructional modifications used for gifted and talented students indicating content, process, products, and learning environment, and including, but not limited to, additional education activities such as academic competitions, guest speakers, and lessons with a specialist;
- D. Take into consideration the Gifted Programming Standards, Position Statements, and White Papers of the National Association for Gifted Children in identifying and serving gifted and talented students;
- E. Provide the time and resources to develop, review, and enhance instructional tools with modifications for helping gifted and talented students acquire and demonstrate mastery of the required knowledge and skills specified by the standards at the instructional level of the student; and
- F. Actively assist and support professional development for teachers, educational services staff, and school leaders in the area of gifted and talented instruction including their efforts to meet mandatory professional development requirements (see board policy 4131/4131.1 Staff Development, Inservice Education, Visitation, Conferences and N.J.A.C. 6A:9C-3).

Gifted and Talented Curriculum and Instruction

GIFTED AND TALENTED (continued)

The board shall provide appropriate kindergarten-through-grade-8 educational services for gifted and talented students.

The superintendent shall develop and the board shall approve criteria for identifying all gifted and talented students in kindergarten through grade 8. The identification process shall include multiple measures. Gifted and talented students shall be provided with appropriate instructional adaptations and services to encourage development of their special abilities in achieving the New Jersey Student Learning Standards.

The superintendent or designee shall ensure that the curriculum and instruction are designed and delivered in such a way that all students are able to demonstrate the knowledge and skills specified by the New Jersey Student Learning Standards. The curriculum and instruction shall provide educational challenges to students identified as gifted and talented and shall be reviewed regularly.

Curriculum and instruction shall be designed with consideration for the individual learning styles of each student as well as the capacity of a gifted student to create concepts, respond to stimuli in a unique and creative manner, and develop higher levels of thinking. Appropriate accommodations, instructional adaptations, and/or modifications as determined by the IEP or 504 team shall be made for students with disabilities or 504 plans.

Because early discovery of a gift or talent is important, it is essential that the identification of these students be carried on as a continuing process, since special abilities and skills appear at different times in the development of many children.

The superintendent shall coordinate development of appropriate curricular and instructional modifications used for gifted and talented students indicating content, process, products, and learning environment. The board directs the superintendent to take into consideration the prekindergarten through grade 12 Gifted Programming Standards of the National Association for Gifted Children in developing school and district programs for gifted and talented students.

The superintendent shall devise indicators of achievement to evaluate the success of each program presented to the board for adoption.

The superintendent shall take the appropriate measures to ensure that minority and female students are not underrepresented in gifted and talented or accelerated/advanced courses.

Coordinator for Gifted and Talented Services

The state coordinator for gifted and talented services appointed by the commissioner of education, shall be responsible for reviewing the information about gifted and talented services provided by the district. The superintendent or designee shall file a report with the coordinator on a schedule that coincides with the district's New Jersey Quality Single Accountability Continuum (NJQSAC) review. The report shall include, but not be limited to:

- A. The gifted and talented continuum of services, policies, and procedures implemented in the school district;
- B. The total number of students receiving gifted and talented services in each grade level kindergarten through grade 8 disaggregated by race, gender, special education designation, and English language learner designation;
- C. The professional development opportunities provided for teachers, educational services staff, and school leaders about gifted and talented students, their needs, and educational development; and

GIFTED AND TALENTED (continued)

- D. The number of staff employed by the school district whose job responsibilities include identification of and providing services to gifted and talented students.

Complaint Process

Any individual who believes that the district has not complied with the provisions in the law or administrative code related to gifted and talented services may file a complaint with the board of education. The complaint shall be submitted in writing to the board office. The superintendent or designee shall take the necessary actions to correct or remediate the complaint and report such actions to the board. The board shall issue a decision, in writing, to affirm, reject, or modify the district's action in the matter.

If the complaint is not resolved to the individual's satisfaction or the individual is not satisfied by the written decision of the board, the individual may then file a petition of appeal of the board's written decision to the Commissioner of Education through the Office of Controversies and Disputes in accordance with law (N.J.S.A. 18A:6-9) and the procedures set forth in State Board of Education regulations.

This complaint policy shall be linked to the homepage of the board's website.

Information Available on Website

Detailed information shall be available on the district website regarding the policies and procedures used to identify students as gifted and talented and the continuum of services offered to gifted and talented students. The information shall include the criteria used for consideration for eligibility for the gifted and talented services, including the multiple measures used in the identification process to match a student's needs with services, and any applicable timelines in the identification process.

Adopted: December 10, 1985
 Revised: September 11, 1990, January 22, 2009
 NJSBA Review/Update: June 2022
 Readopted:

Key Words

Gifted, Talented

Legal References: N.J.S.A. 18A:35-4.15
 through -4.16

N.J.S.A. 18A:35-34

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

N.J.S.A. 18A:35-36

N.J.S.A. 18A:35-37

N.J.S.A. 18A:35-38

N.J.S.A. 18A:35-39

N.J.S.A. 18A:61C-10

N.J.S.A. 18A:61C-11

N.J.S.A. 18A:61C-15

N.J.S.A. 18A:61C-16

Legislative findings and declarations; chess instruction for second-grade students in gifted and talented and special education programs ...

Short Title: Strengthening Gifted and Talented Education Act

Definitions relative to gifted and talented students
 Instructional adaptations, educational services for gifted and talented students

Coordinator for gifted and talented services

Complaint for noncompliance

Information available on the website

Dual enrollment agreement
 increased availability of college-level instruction; scope

Acceptance of course credit

Eligibility to receive college credit

Awarding college credit

GIFTED AND TALENTED (continued)

<u>N.J.A.C.</u> 6A:8-1.3	Definitions
<u>N.J.A.C.</u> 6A:8-3.1	Curriculum and instruction
<u>N.J.A.C.</u> 6A:8-3.3	Enrollment in college courses
<u>N.J.A.C.</u> 6A:13-2.3	Standards-based instruction
<u>N.J.A.C.</u> 6A:30-1.4	Evaluation process for the annual review

P.L. 2019, c. 338, Strengthening Gifted and Talented Education Act

National Association for Gifted and Talented, www.nagc.org

Pre-K-Grade 12 Gifted Programming Standards, <http://www.nagc.org/resources-publications/resources/national-standards-gifted-and-talented-education/pre-k-grade-12>

Possible

Cross References: *1600 Relations between other entities and the district
*6010 Goals and objectives
*6121 Nondiscrimination/affirmative action
*6171 Special instructional programs

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6171.3

<u> </u>	Monitored
<u> X </u>	Mandated
<u> X </u>	Other Reasons

Policy

TITLE I
IMPROVING ACADEMIC ACHIEVEMENT AND PARENT AND FAMILY ENGAGEMENT

The Quinton Township School District shall comply with all state and federal requirements in developing, implementing, administering and evaluating funded compensatory education programs and in particular programs and activities provided with Title I funds.

The purpose of Title I funding is to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.

Definitions

A Title I targeted assistance program provides supplemental Title I services to eligible students who are identified failing or most at risk of failing to meet the New Jersey Student Learning Standards and have the "greatest need" for academic assistance. Categorizing students with "the greatest need" is based entirely on academic need (low achievement) and poverty is not a factor. Title I, Part A funds may only be used to upgrade the educational program for the targeted group identified as academically at risk. Schools with targeted assistance programs do not meet the 40% poverty threshold required for a school-wide program.

A Title I school-wide program permits a school to use Title I, Part A funds to upgrade the entire educational program of the school in order to raise academic achievement for all students. A school is eligible to have a school-wide program when the school meets the 40% or greater poverty threshold and has as a goal upgrading the entire educational program with Title I, Part A funds.

(Note: the 40% or greater poverty threshold is waived for propriety and focus schools under the approved New Jersey ESEA flexibility waiver.)

District Educational Plan

The district educational plan shall be developed with timely and meaningful consultation with teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders, administrators, other appropriate school personnel, and with parents of children in schools receiving Title I funds. As appropriate, the district educational plan shall be coordinated with other federal programs as detailed in the Every Student Succeeds Act of 2015, the Individuals with Disabilities Education Act (20 U.S.C.A. 1400 et seq.), the Rehabilitation Act of 1973 (20 U.S.C.A. 701 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C.A. 2301 et seq.), the Workforce Innovation and Opportunity Act (29 U.S.C.A. 3101 et seq.), the Head Start Act (42 U.S.C.A. 9831 et seq.), the McKinney-Vento Homeless Assistance Act (42 U.S.C.A. 11301 et seq.), the Adult Education and Family Literacy Act (29 U.S.C.A. 3271 et seq.), and other Acts as appropriate.

The district educational plan shall describe:

- A. How student progress in meeting the New Jersey Student Learning Standards shall be monitored. To ensure that students are successful in achieving the New Jersey Student Learning Standards the district shall:
1. Develop and implement a well-rounded program of instruction that meets the academic needs of all students;
 2. Identify students who may be at risk for academic failure;
 3. Provide additional educational assistance to individual students determined to need help in meeting the New Jersey Student Learning Standards; and
 4. Identify and implement instructional and other strategies intended to strengthen academic programs and improve school conditions for student learning;

TITLE I (continued)

- B. How the district shall identify and address any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers;
- C. How the district shall carry out its responsibilities when the district is identified as needing comprehensive support and improvement and targeted support and improvement;
- D. The poverty criteria that will be used to select school attendance areas under the federal law (section 1113);
- E. The nature of the programs to be conducted by the district schools including school-wide and targeted assistance programs (sections 1114 and 1115) and, where appropriate, educational services provided outside the schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs;
- F. The services the district will provide homeless children and youths, including services to support the enrollment, attendance, and success of homeless children and youths, in coordination with the services the district is providing under the McKinney-Vento Homeless Assistance Act (42 U.S.C.A. 11301 et seq.);
- G. The strategy the district will use to implement effective parent and family engagement;
- H. If applicable, how the district will support, coordinate, and integrate Title I services with early childhood education programs, including plans for the transition of participants in preschool programs to elementary school programs;
- I. How teachers and school leaders, in consultation with parents/guardians, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program, will identify the eligible children most in need of services;
- J. How the district will implement strategies to facilitate effective transitions for students from middle grades to high school and from high school to postsecondary education including, if applicable coordination with institutions of higher education, employers, and other local partners; and increase student access to early college high school or dual or concurrent enrollment opportunities, or career counseling to identify student interests and skills;
- K. How the district will support efforts to reduce the overuse of discipline practices that remove students from the classroom;
- L. As appropriate, how the district will support programs that coordinate and integrate academic and career and technical education content through coordinated instructional strategies; and
- M. Any other information on how the district proposes to use funds to meet the purposes of the federal Title I program including identifying and serving gifted and talented students; and developing effective school library programs to provide students an opportunity to develop digital literacy skills and improve academic achievement.

If the district educational plan is not satisfactory to the parents/guardians of participating children, the district shall submit the parent/guardian comments with the plan to the New Jersey Department of Education.

Parent and Family Engagement

The superintendent or his or her designees shall ensure that parents/guardians and family members are involved in developing the district Title I educational plan. The district shall provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within district in planning and implementing effective parent and family involvement activities to improve student

TITLE I (continued)

academic achievement and school performance. In providing coordination, technical assistance, and other support, the superintendent or his or her designee may obtain meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education. To the extent feasible and appropriate, parent and family engagement strategies shall be coordinated and integrated with other relevant Federal, State, and local laws and programs. The superintendent shall ensure that an annual evaluation of the content and effectiveness of the parent and family engagement policy is conducted annually.

Parents/guardians shall be involved in the activities of the schools. These activities may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members of the district schools to adequately represent the needs of the district population for the purposes of developing, revising, and reviewing the board parent and family engagement policy.

School Level Parent and Family Engagement

Each district school served by Title I funds shall convene an annual meeting at a convenient time, to which all parents/guardians of participating children shall be invited and encouraged to attend. The purpose of this meeting shall be to inform parents/guardians of programs and activities provided with Title I funds, to explain the federal requirements for participation in the federal Title I program, and inform parents/guardians of their right to be involved.

The building principal or his or her designee shall ensure that parents/guardians are involved, in an organized, ongoing and timely way, in the planning, review, and improvement of Title I programs. Parents/guardians shall be included in the planning, review, and improvement of the school parent and family engagement effort consistent with board policy for targeted assistance programs and/or the joint development of the school-wide program plan.

A flexible number of meetings shall be offered, such as meetings in the morning or evening. Transportation, child care, or home visits, as such services relate to parental involvement may be provided with Title I funds.

The parents/guardians and family members of all participating children shall be invited to attend and participate in district Title 1 programs. The principal or his or her designee shall ensure opportunities are provided for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports required by law in a format and, to the extent practicable, in a language parents/guardians understand.

Specifically, parents/guardians of participating children shall:

- A. Receive timely information about programs and activities provided with Title I funds;
- B. Receive a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the New Jersey Student Learning Standards; and
- C. If requested by parents/guardians, be provided opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible.

If the school-wide program plan is not satisfactory to the parents/guardians of participating children, the principal or his or her designee shall submit any parent/guardian comments with the school-wide plan to the superintendent and the board.

This parent and family engagement policy shall be distributed to parents and family members of participating children.

TITLE I (continued)Building Capacity for Parent and Family Engagement

The superintendent shall ensure effective involvement of parents/guardians and implement appropriate measures to support a partnership among the schools, parents/guardians, and the community to improve student academic achievement. The superintendent or his or her designee shall ensure that each of the district schools shall at a minimum:

- A. Provide assistance to parents/guardians in understanding New Jersey Student Learning Standards, the New Jersey Department of Education approved statewide proficiency assessments, school administered assessments, the requirements under federal law, and how to monitor a child's progress and work with educators to improve the achievement of their children;
- B. Provide materials and training to help parents to work with their children to improve their children's achievement;
- C. Educate teachers, specialized instructional support personnel, principals, and other school leaders, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;
- D. Coordinate and integrate parent involvement programs and activities to the extent feasible, with other Federal, State, and local programs, including public preschool programs, and conduct other activities, that support involvement;
- E. Ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand; and
- F. Provide such reasonable support as requested by parents/guardians.

School-Parent Compact

High student achievement is a shared responsibility. Each school receiving Title I funds shall jointly develop a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards. Such compact shall:

- A. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the children to meet the challenging State academic standards;
- B. Describe the ways in which each parent will be responsible for supporting their children's learning; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and
- C. Address the importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
 - 1. Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual child's achievement;
 - 2. Frequent reports to parents on their children's progress;
 - 3. Reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities; and
 - 4. Ensuring regular two-way, meaningful communication between family members and school staff, and,

TITLE I (continued)

to the extent practicable, in a language that family members can understand.

Annual Evaluation

An annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all schools shall be conducted with the meaningful involvement of parents and family members. The annual evaluation shall identify:

- A. Barriers to greater participation by parents in activities authorized 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;
- B. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and
- C. Strategies to support successful school and family interactions.

The findings of the evaluation shall be used to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policy.

Supplement not Supplant

The Quinton Township School District shall use Title I funds only to supplement and to the extent practical increase the level of funds that would, in the absence of Title I funds, be made available for the education of students participating in Title I or state compensatory education projects. In no case shall Title I funds be used to supplant those non-Title I or non-state compensatory education funds.

Maintenance of Effort

The board of education will maintain a combined fiscal effort per student or aggregate expenditures of state and local funds with respect to the provision of the public education for the preceding fiscal year that is not less than 90% of the required amount of the combined fiscal effort per student or the aggregate expenditures for the second preceding fiscal year.

Eligibility for State and Federal Funds

The superintendent shall ensure that all requirements for receiving state and federal funds shall be fulfilled in an accurate and timely manner.

Control over such funds and title to all equipment and supplies purchased with such funds shall remain with the board of education. Procurement, control, use and disposition of equipment and supplies purchased with state/federal funds shall be in full compliance with the law.

General

The superintendent shall direct appropriate administrative personnel to pursue vigorously all possible sources of funding, either state or federal, that support such compensatory services, and shall keep abreast of all changes in the law which restrict or expand the district's use of state or federal funds.

Programs especially designed for migrant children shall be provided as necessary.

Adopted: January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

TITLE I (continued)**Key Words**

State/Federal Funds, Federal Funds, Compensatory Instruction, Basic Skills, Maintenance of Effort, Supplement not Supplant, Comparability, At-Risk Students

Legal References: N.J.S.A. 18A:35-4.9 Student promotion and remediation; policies and procedures
N.J.S.A. 18A:59-1 through -3 Apportionment and distribution of federal funds; exceptions
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

42 U.S.C.A. 2000d - 2000d4 - Title VI of the Civil Rights Act of 1964

Hawkins-Stafford Elementary and Secondary School Improvement Act of 1988, (Pub. L. No. 100-297) amending Elementary and Secondary Education Act of 1965.

Every Student Succeeds Act of 2015, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

Resources: New Jersey Department of Education Every Student Succeeds (ESSA) Guidance Document located at:
<http://www.state.nj.us/education/ESSA/guidance/njdoe/DistrictGuide.pdf> (Last accessed 1/2/2018.)

New Jersey Department Of Education Webinar: *An Introduction To Title I Targeted Assistance Programs*. Located at: <http://www.state.nj.us/education/title1/grants/> (Last accessed 1/2/2018.)

New Jersey Department Of Education Webinar: *Transition from a Targeted Assistance Title I Program of Schoolwide Program*. Located at:
<http://www.state.nj.us/education/title1/grants/> (Last accessed 1/2/2018.)

Possible

Cross References: *3220/3230 State funds; federal funds
 *3514 Equipment
 *5120 Assessment of individual needs
 *5200 Nonpublic school students
 *6122 Articulation
 *6141 Curriculum design/development
 *6142.2 English as a second language; bilingual/bicultural
 *6142.6 Basic skills
 *6171.1 Remedial instruction
 *6171.4 Special education

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6171.4

<u>X</u>	Monitored
<u>X</u>	Mandated
<u>X</u>	Other Reasons

Policy

SPECIAL EDUCATION

In compliance with State Department of Education interpretation of the administrative code on special education, the board adopts the following policies on providing educational and related services to students identified as having educationally disabling conditions as defined in federal and state law.

Full Educational Opportunity for Students with Disabilities

The Quinton Township Board of Education is responsible for providing a free and appropriate public education for all children resident in the district including children ages three through 21 identified as having disabilities and students with disabilities who have been suspended or expelled. All reasonable efforts will be made to resolve an enrolled child's learning and adjustment difficulties prior to his/her referral to the child study team for screening and/or evaluation. When a student is found eligible for special education and related services and the board of education cannot provide required instruction and related services from its own resources and facilities, the board will seek appropriate placement outside the district, and will assume such costs of that placement as are required by law.

The board shall ensure that:

- A. Free, appropriate public education is made available to each eligible student begins no later than the student's third birthday and that an individualized education program 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 to receive a free and appropriate education needed by each student with a disability 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 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.

The goal of the board's special education program is to provide full educational opportunity to all resident students ages three through 21 with disabilities, as those terms are defined in federal and state law. The board will make available to parents/guardians of students with disabilities below the age of three information regarding services available through other state, county and local agencies.

The superintendent shall ensure that the district's special education programs comply with the law in every respect, including fiscal regulations and reports.

The superintendent shall also ensure that the district plan for special education is in compliance with administrative code and the approved state plan for special education, according to N.J.A.C. 6A:14-4.1 which sets for the requirements for programs and instruction. This plan shall consist of policies, procedures, assurances, a comprehensive system of personnel development, data collection and an application that describes the use of IDEA Part B funds.

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The superintendent shall ensure that the plan is implemented in this district and shall supervise its operation so that it will accomplish its stated goals and objectives.

Participation of and Consultation with the Parents/Guardians

In order to achieve the district's goal of providing full educational opportunity to all students with disabilities in accordance with the administrative code, parent/guardian participation shall be sought in every successive stage of the special education decisional process, pursuant to N.J.A.C. 6A:14-2.3 and 2.4. All notifications shall be made and all necessary conferences conducted in the language used for communication by the parent/guardian and the student unless it is not feasible to do so, in which case the provisions of administrative code shall be followed (see section below: Parental Consent, Notice, Participation, and Meetings). After parental consent for initial evaluation of a preschool age or school age student has been received, the evaluation, determination of eligibility for services, and, if eligible, development and implementation of the IEP for the student shall be completed within 90 calendar days.

Surrogate Parent (N.J.A.C 6A:14-2.2)

Procedures set out in the administrative code shall be followed when parent/guardian cooperation and/or participation cannot be obtained. When necessary, a surrogate parent shall be appointed to ensure the protection of a student's rights when the parents/guardians cannot be identified or located or the child is a ward of the State of New Jersey. The district shall select and train such surrogate parents in compliance with the administrative code. A surrogate shall be provided to a student in accordance with N.J.A.C. 6A:14-2.2 when:

- A. The parent of the student cannot be identified or located;
- B. An agency of the State has guardianship of the student and that agency has not taken steps to appoint a surrogate parent for the student;
- C. The student is a ward of the state and no State agency has taken steps to appoint a surrogate parent for the student;
- D. 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;
- E. The student is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the student.
 1. The district will make reasonable efforts to appoint a surrogate parent within 30 days of its determination that a surrogate parent is required for a student;
 2. The district will appoint a person who will be responsible for appointing surrogate parents and overseeing the process. The responsible person will:
 - a. Determine whether there is a need for a surrogate parent for a student;
 - b. Contact any State agency that is involved with the student to determine whether the State has had a surrogate parent appointed for the student; and
 - c. Make reasonable efforts to select and appoint a surrogate parent for the student within 30 days of determining that there is a need for a surrogate parent for the student.
 3. The district will establish a method for training surrogate parents that includes provision of information with respect to parental rights and procedural safeguards available to parents and students in

SPECIAL EDUCATION (continued)

accordance with N.J.A.C. 6A:14:

- a. The district will appoint a person that will be responsible for training surrogate parents;
 - b. The training of surrogate parents will ensure that surrogate parents have knowledge and skills that ensure adequate representation of the child with a disability;
 - c. The training will be designed to make surrogate parents familiar with State and federal requirements for assessment, individualized education 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;
 - d. Surrogate parents will be provided with copies of: the Parental Rights in Special Education booklet; N.J.A.C. 6A:14; the Special Education Process; Code Training Materials from the Department of Education Website; and other relevant materials; and
 - e. Surrogate parents will be provided information to enable them to become familiar with the nature of the child's disability.
4. The district will ensure that:
- a. All persons serving as surrogate parents have no interest that conflicts with those of the student he or she represents;
 - b. All persons serving as surrogate parents possess knowledge and skills that ensure adequate representation of the student;
 - c. All persons serving as surrogate parents are at least 18 years of age;
 - d. If the school district compensates the surrogate parent for providing such services, a criminal history review of the person in accordance with N.J.S.A. 18A:6-7.1 is completed prior to his or her serving as the surrogate parent; and
 - e. No person appointed as a surrogate parent will be an employee of the New Jersey Department of Education, the district board of education or a public or nonpublic agency that is involved in the education or case of the child.

Parental Consent, Notice, Participation, and Meetings (N.J.A.C. 6A:14-2.3)

A. Consent shall be obtained:

1. Prior to conducting any assessment as part of an initial evaluation;
2. Prior to implementation of the initial IEP ;
3. Prior to conducting any assessment as part of a reevaluation, except when the board can demonstrate that reasonable measures were taken to obtain such consent and the parent failed to respond;
4. Prior to the release of student records;
5. Each time a district board of education seeks to access private insurance covering a student with a disability;
6. Prior to the first time a district board of education seeks to access a child's or parent's public benefits or insurance covering the student;
7. Whenever a member of the IEP team is excused from participating in a meeting;
8. Whenever an IEP is amended without a meeting;
9. Whenever a parent/guardian and the board agree to waive a reevaluation;

Written consent may be revoked by the parent, in writing, at any time. Upon receipt of consent, the board ensure that the action for which consent was shall be implemented without delay.

The board shall make reasonable efforts to obtain parental consent for an initial evaluation for any ward of the state. If, after reasonable efforts, the parent cannot be found, or parental rights have been terminated, or subrogated for purposes of consenting to eligibility by the court and consent has been given by an

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individual the court has appointed, parental consent need not be obtained for an initial evaluation.

- B. When electronic mail is utilized, parents shall be informed as to whether they may use electronic mail to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. Parents shall be informed of the procedures to access the electronic mail system and that they may not utilize electronic mail to provide written consent when the district provides written notice and seeks parental consent.
- C. Written notice shall be in language understandable to the general public, and shall be provided in the native language of the parent, unless it is clearly not feasible to do so according to N.J.A.C. 6A:14-2.4. Written notice shall include:
1. A description of the action proposed or denied by the board;
 2. An explanation of why the action is being taken;
 3. A description of any options that were considered and the reasons why those options were rejected;
 4. A description of the procedures, tests, records or reports and factors used in determining whether to propose or deny an action;
 5. A description of any other factors that are relevant to the proposal or refusal of the action;
 6. A statement that the parents/guardians of a student with a disability have protection under the procedural safeguards, the means by which a copy of a description of the procedural safeguards can be obtained and sources for parents to contact to obtain assistance in understanding the provisions of the law; and
 7. In addition, a copy of the procedural safeguards statement published by the New Jersey Department of Education which contains a full explanation of the procedural safeguards available to parents shall be provided only one time per year, except that a copy shall also be provided:
 - a. Upon referral for an initial evaluation;
 - b. Upon request by a parent;
 - c. When a request for a due process hearing is submitted to the Department of Education;
 - d. When a request for a complaint investigation is submitted to the Department; and
 - e. When a student is removed for disciplinary reasons and the removal constitutes a change in placement.
 8. The annual written notice of the procedural safeguards to parents/guardians and/or adult students shall be provided as follows:
 - a. The board shall provide written notice no later than 15 calendar days after making a determination;
 - b. The board shall provide written notice at least 15 calendar days prior to the implementation of a proposed action so that the parents/guardians and/or adult student may consider the proposal;
 - c. The district board of education shall implement the proposed action after the opportunity for consideration (in 2 above) unless parent/guardian disagrees with the proposed action and the district takes action in an attempt to resolve the disagreement; or mediation or a due process hearing is requested.
- D. The parent/guardian shall be given the opportunity to participate in meetings regarding the identification, evaluation, classification, educational placement of, or the provision of a free, appropriate public education to the student.

Location, Referral and Identification (N.J.A.C 6A:14-3.3)

The board directs the superintendent to prepare written procedures for identifying those students ages three through 21, including students attending nonpublic schools located within the district regardless of where they

SPECIAL EDUCATION (continued)

reside, who reside within the district with respect to the location and referral of students who may have a disability due to physical, sensory, emotional, communication, cognitive or social difficulties. In order to ensure preschoolers with disabilities have their initial IEPs implemented no later than age three, a written request for initial evaluation shall be forwarded to the district at least 120 days prior to the preschooler attaining age three.

The requirements of law and board policy for identification, location and evaluation shall apply to highly mobile students with disabilities, such as migrant and homeless students, and to students who may have a disability even though they are advancing from grade to grade.

Activities undertaken to locate nonpublic school students with disabilities shall be comparable to activities undertaken to locate public school students with disabilities. In addition, the board shall consult with appropriate representatives of nonpublic students on how to carry out these activities.

When a preschool age or school age student is referred for an initial evaluation to determine eligibility for special education programs and services, a meeting of the child study team, the parent and the regular education teacher of the student who is knowledgeable about the student's educational performance or, if there is no teacher of the student, a teacher who is knowledgeable about the district's programs, shall be convened within 20 calendar days (excluding school holidays, but not summer vacation) of receipt of the written request. The child study team shall determine whether an evaluation is warranted and, if warranted, shall determine the nature and scope of the evaluation. When the child study team determines that an evaluation is not warranted then other appropriate action may be determined. The parent shall be provided written notice of the determination(s), which includes a request for consent to evaluate, if an evaluation will be conducted.

The board shall ensure that all preschool students with disabilities shall have their IEPs implemented no later than their third birthdays. To provide a smooth transition between a child's preschool program and his/her school age program (public or private), particular attention shall be paid to articulation between those programs.

These procedures and arrangements shall be adopted by the board after review and possible revision. The procedures shall include:

1. Utilizing strategies identified through intervention and referral services (N.J.A.C. 6A:16-8) as well as other general education strategies;
2. Criteria for instructional, administrative and other professional staff, parents/guardians and state agencies to refer students for evaluation;
3. Evaluation criteria for the determination of eligibility for special education and related services; and
4. Other educational actions as appropriate.

Case Manager (N.J.A.C. 6A:14-3.2)

A case manager shall be assigned to a student when it is determined that an initial evaluation shall be conducted. Child study team members or speech-language specialists when they act as members of the child study team shall be designated and serve as the case manager for each student with a disability. The case manager shall coordinate the development, monitoring and evaluation of the effectiveness of the individualized education program (IEP). The case manager shall facilitate communication between home and school and shall coordinate the annual review and reevaluation process.

Evaluation and Determination of Eligibility (N.J.A.C. 6A:14-3.5 through N.J.A.C. 6A:14-3.6)

- A. The evaluation process to determine a student's eligibility for educational and related services beyond those available within the regular public school program shall be conducted in strict compliance with the provisions of N.J.A.C. 6A:14-2.3, 2.5, 3.4, 3.5, 3.6 and 3.7 dealing with:

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1. Parental notice, notification, consent and involvement, including determination of the parents/guardians' dominant language and necessary accommodations if the language is other than English or if the parents/guardians are deaf;
- B. The child study team, the parent and the regular education teacher of the student who has knowledge of the student's educational performance or if there is no teacher of the student, a teacher who is knowledgeable about the district's programs shall:
1. Review existing evaluation data on the student including evaluations and information provided by the parents, current classroom-based assessments and observations, and the observations of teachers and related services providers, and consider the need for any health appraisal or specialized medical evaluation;
 2. Identify what additional data, if any are needed to determine whether the student has a disability;
 3. Determine which child study team members and/or specialists shall conduct each assessment that is part of the evaluation.
- C. Prior to conducting any assessment as part of an initial evaluation, the district shall request and obtain consent to evaluate;
- D. If the parent refuses to provide consent to conduct the initial evaluation, the district may file for a due process hearing according to N.J.A.C. 6A:14-2.7 to compel consent to evaluate;
- E. The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services;
- F. After parental consent for initial evaluation of a preschool age or school age student has been received, the evaluation, determination of eligibility for services under this chapter, and, if eligible, development and implementation of the IEP for the student shall be completed within 90 calendar days. This time frame shall not apply if the parent/guardians fails or refuses to produce the child for the evaluation;
- G. An initial evaluation consisting of a multi-disciplinary assessment in all areas of suspected disability shall be conducted. Such evaluation shall include at least two assessments and shall be conducted by at least two members of the child study team in those areas in which they have appropriate training or are qualified through their professional licensure or educational certification and other specialists in the area of disability as required or as determined necessary;
- H. When the suspected disability is a disorder of articulation, voice or fluency, the speech-language specialist shall meet with the parent/guardian and the student's general education teacher about the student's educational performance to review existing data on the student including evaluations and information provided by the parents, current classroom-based assessments and observations, and the observations of teachers and related services providers;
- I. A comprehensive written report of the results of each assessment shall be prepared according to the specifications in law (N.J.A.C. 6A:3.4(h));
- J. When conducting an initial evaluation or reevaluation, the reports and assessments of child study team members or related services providers may be submitted by the parents/guardians to the child study team for consideration. Each report and assessment shall be reviewed and considered by the child study team member or related services provider with relevant knowledge or expertise. A report or component thereof may be utilized as a required assessment, if the assessment has been conducted within one year of the evaluation and the child study team determines the report and assessment meet the state (see N.J.A.C.

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6A:14-3.4,h) and district requirements;

- K. Upon receipt of a written referral to the child study team, the school nurse shall review and summarize available health and medical information regarding the student and shall transmit the summary to the child study team for the meeting to consider the need for a health appraisal or specialized medical evaluation.

An audiometric screening according to N.J.A.C. 6A:16-2.2(k)3 shall be conducted for every student referred to the child study team for a special education evaluation.

A vision screening shall be conducted by the school nurse for every student referred to the child study team for a special education evaluation.

The board shall ensure that a variety of assessment tools and strategies shall be applied to gather information to develop and monitor the IEP, including cooperation and input from the parents/guardians. Relevant information shall also be related to enabling the student to be involved in and progress in the general education curriculum or, for preschool children with disabilities to participate in appropriate activities.

Independent Educational Evaluation (N.J.A.C. 6A:14-2.5)

Upon completion of an initial evaluation or reevaluation, a parent may request an independent evaluation if there is disagreement with the initial evaluation or a reevaluation provided the board. A parent shall be entitled to only one independent evaluation at public expense each time an initial evaluation or reevaluation is conducted with which the parent disagrees. The request for an independent evaluation shall specify the assessment(s) the parent is seeking as part of the independent evaluation request. The independent evaluation shall be provided at no cost to the parent unless the school district initiates a due process hearing to show that its evaluation is appropriate and a final determination to that effect is made following the hearing.

Any independent evaluation submitted to the district, including an independent evaluation obtained by the parent/guardian at private expense, shall be considered in making decisions regarding special education and related services.

Individualized Education Program IEP (N.J.A.C. 6A:14-2.3 (k)1 and 3.5 through -3.6)

Eligibility for special education and related services shall be determined collaboratively by the parents/guardians; a teacher who is knowledgeable about the student's educational performance or district's programs; the student, where appropriate; at least one child study team member who participated in the evaluation; the case manager; other appropriate individuals at the discretion of the parent or district; and for an initial eligibility meeting, certified school personnel referring the student as potentially disabled, or the school principal or designee if they choose to participate.

A student shall be determined eligible and classified for special education and related services when it is determined that the student has one or more of the disabilities defined in the administrative code. A student shall be determined eligible for speech-language services when he/she exhibits a speech or language disorder as outlined in the administrative code.

The individualized education program for each student with a disability shall be developed in accordance with the provisions of the administrative code, at N.J.A.C. 6A:14-2.3(k) regarding eligibility meetings for students who are classified and N.J.A.C. 6A:14-3.7 regarding the requirements of individualized education program (IEP).

A meeting to develop the IEP shall be held within 30 calendar days of a determination that a student is eligible for special education and related services or eligible for speech-language services. An IEP shall be in effect before special education and related services are provided to a student with a disability and such IEP shall be

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implemented as soon as possible following the IEP meeting.

At the beginning of each school year, the board shall have in effect an IEP for every student in the district who is receiving special education and related services. Every student's IEP shall be accessible to each regular education teacher, special education teacher, related services provider, and other service provider who is responsible for its implementation. Each teacher shall be informed of the specific responsibilities related to implementing the student's IEP and the specific accommodations, modifications, and supports to be provided for the student in accordance with the IEP. Teacher aides and the appropriate general or special education teaching staff time shall be provided for consultation on a regular basis as specified in each student's IEP (N.J.A.C. 6A:14-4.5(d)).

The board directs the superintendent or his or her designee to maintain documentation that the teacher and provider, as applicable, has been informed of his or her specific responsibilities related to implementing the student's IEP. The board shall ensure that there is no delay in implementing a student's IEP including any case in which the payment source for providing or paying for special education and related services is being determined.

A written individualized education program shall be developed and implemented for each classified student and, in accordance with New Jersey law (see N.J.A.C. 6A:14-3.7), a review shall be conducted by the appropriate staff members annually or more often, if necessary, to evaluate the disabled student's progress and to revise the individualized education program.

Meetings shall be conducted to determine eligibility and to develop, review and revise a student's individualized education program. Such meetings shall be scheduled at a mutually agreed upon time and place, and notice of the meetings shall indicate the purpose, time, location and participants. If the parents/guardians cannot attend the meetings, the superintendent/designee shall attempt to ensure parental participation, including the use of individual or conference telephone calls. Documentation shall be maintained of all attempts to secure parent/guardian participation.

Parents/guardians shall receive a copy of the student's IEP and of any revisions made to it.

All communication with parents/guardians, including written notice, notifications and required meetings, shall be conducted in the language used for communication by the parent/guardian and student unless it is not feasible to do so. This shall include providing foreign language interpreters or translators and sign language interpreters for the deaf at no cost to the parents.

The IEP shall be developed and monitored with the cooperation and input of parents/guardians. In addition to educational programming, the IEP shall provide for necessary disciplinary action and specify graduation requirements when appropriate. Any accommodations and/or modifications for the administration of statewide assessments shall be specified in the IEP.

The board of education will provide the kind and quality of those special education-related services prescribed in the IEP to enable students with disabilities to participate in regular educational programs to the maximum extent appropriate. Such education-related services shall include transportation, ensuring that hearing aids worn by deaf and/or hard of hearing children in school are functioning properly, etc.

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).

Participation in Regular Educational Programs to the Maximum Extent Appropriate/Least Restrictive Environment (N.J.A.C. 6A:14-4.2)

Educational placement decisions made for each disabled student shall always be, insofar as possible, in the

SPECIAL EDUCATION (continued)

least restrictive environment commensurate with the student's educational needs. This means that to the maximum extent appropriate, educationally disabled students shall be educated with children who are not educationally disabled. These decisions should be designed to produce a positive effect on the student and to ensure the quality of services which he/she requires.

The board of education will provide the kind and quality of those special education-related services prescribed in the IEP to enable students with disabilities to participate in regular educational programs to the maximum extent appropriate. Special classes, separate schooling or other removal of a student with a disability from the student's general education class occurs only when the nature or severity of the educational disability is such that education in the student's general education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily. All students shall be considered for placement in the general education class with supplementary aids and services including, but not limited to curricular or instructional modifications or specialized instructional strategies: Assistive technology devices and services; teacher aides; related services; integrated therapies; consultation services; and in-class resource programs.

When instruction in general education subjects or content areas is provided to groups consisting solely of students with disabilities, the size of the groups and age range shall conform to the requirements for special class programs. An exception to the age range and group size requirements of law (N.J.A.C. 6A:14-4) may be requested by writing to the Department of Education through the county office.

When students with disabilities participate in physical education, intramural and interscholastic sports, non-academic and extracurricular activities in groups consisting solely of students with disabilities, the age range and group size shall be based on the nature of the activity, needs of the students participating in the activity and the level of supervision required.

The evaluation process to determine a student's eligibility for educational and related services beyond those available within the regular public school program shall be conducted in strict compliance with the provisions of the administrative code.

In order to ensure a continuum of alternative placements, when the board cannot provide required instruction and related services from its own resources and facilities, it will seek appropriate placement outside the district and will assume such costs of that placement as are required by law.

Placement of a disabled student in the least restrictive environment shall be determined annually and, for a student in a separate setting, activities necessary to transition the student to a less restrictive placement are considered at least annually.

Placement is based on the student's individualized education program. Placement shall be provided in appropriate educational settings as close to home as possible. When the IEP does not describe specific restrictions, the student shall be educated in the school he/she would attend if not a student with a disability.

In determining the least restrictive setting consideration shall be given to whether the student can be satisfactorily educated in the regular classroom with supplemental aids and services; a comparison of the benefits provided in a regular class and the benefits provided in a special education class; and the potential beneficial or harmful effects which a placement may have on the student with disabilities or the other students in the class.

A student with a disability is not removed from the age-appropriate general education classroom solely based on needed modifications to the general education curriculum.

Placement in a program option shall be based on the individual needs of the student.

When determining the restrictiveness of a program option, the determination shall be based solely on the

SPECIAL EDUCATION (continued)

amount of time a student with disabilities is educated outside the general education setting.

The board shall provide nonacademic and extracurricular services and activities in the manner necessary to afford students with disabilities an equal opportunity for participation in those services and activities; and that each student with a disability participates with nondisabled students to the maximum extent possible.

Reevaluation (N.J.A.C. 6A:14-3.8)

Within three years of the previous classification, a multi-disciplinary reevaluation shall be completed to determine whether the student continues to be a student with a disability. Reevaluation shall be conducted sooner if conditions warrant or if the student's parent or teacher requests the reevaluation. However, a reevaluation shall not be conducted prior to the expiration of one year from the date the parent is provided written notice of the determination with respect to eligibility in the most recent evaluation or reevaluation, unless the parent and district both agree that a reevaluation prior to the expiration of one year as set forth above is warranted. When a reevaluation is conducted sooner than three years from the previous evaluation, the reevaluation shall be completed within 60 days of the date the parent provides consent for the assessments to be conducted as part of the reevaluation or by the expiration of the three year timeframe from completion of the prior evaluation or reevaluation, whichever occurs sooner.

If a parent provides written consent and the district board of education agrees that a reevaluation is unnecessary, the reevaluation may be waived. If a reevaluation is waived, the date of the parent's written consent shall constitute the date upon which the next three-year period for conducting a reevaluation shall commence.

Prior to conducting any assessment as part of a reevaluation of a student with a disability, the district board of education shall obtain consent from the parent.

Reevaluation shall be conducted when a change in eligibility is being considered, except that a reevaluation shall not be required before the termination of a student's eligibility under this chapter due to graduation or exceeding age 21.

Unless the parent and the board agree to waive a reevaluation, all requirements shall be completed within 60 days of the date the parent provides consent for the assessments to be conducted as part of the reevaluation or by the expiration of the three year timeframe from completion of the prior evaluation or reevaluation, whichever occurs sooner.

When a reevaluation is completed:

- A. A meeting of the student's IEP team shall be conducted to determine whether the student continues to be a student with a disability. A copy of the evaluation report(s) and documentation of the eligibility shall be given to the parent at least 10 days prior to the meeting;
- B. If the student remains eligible, an IEP team meeting shall be conducted to review and revise the student's IEP;
- C. By June 30 of a student's last year of eligibility for a program for preschoolers with disabilities, a reevaluation shall be conducted and, if the student continues to be a student with a disability, the student shall be classified according to N.J.A.C. 6A:14-3.5(c) or 3.6(a).

Required Materials and Services

Instructional materials will be provided to blind or print-disabled students in a timely manner, consistent with a plan developed by the district.

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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.

Related Services (N.J.A.C. 6A:14-3.4)

Related services including, but not limited to, counseling, occupational therapy, physical therapy, school nurse services, recreation, social work services, medical services and speech-language services shall be provided to a student with a disability when required for the student to benefit from the educational program. Related services shall be provided by appropriately certified and/or licensed professionals as specified in the student's IEP.

Protection of Students Rights: Evaluation and Reevaluation Procedures (N.J.A.C. 6A:14-3.4 and 3.8)

A due process hearing is an administrative hearing conducted by an administrative law judge. For students age three through 21 years, a due process hearing may be requested when there is a disagreement regarding identification, evaluation, reevaluation, classification, educational placement, the provision of a free, appropriate public education, or disciplinary action. For students above the age of 21, a due process hearing may be requested while the student is receiving compensatory educational or related services.

In addition, the district board of education or public agency responsible for the development of the student's IEP may request a due process hearing when it is unable to obtain required consent to conduct an initial evaluation or a reevaluation, or to release student records. The district board of education shall request a due process hearing when it denies a written parental request for an independent evaluation in accordance with N.J.A.C. 6A:14-2.5(c).

Procedures shall provide all due process protection for the rights of the student and his/her parents/guardians whether the student is already enrolled in the schools or has been located through the process for identification as described above.

In order to achieve the district's goal of providing full educational opportunity to all students with disabilities in accordance with the administrative code, parent/guardian participation shall be sought in every successive stage of the special education decisional process. All notifications shall be made and all necessary conferences conducted in the language used for communication by the parent/guardian and the student unless it is not feasible to do so, in which case the provisions of administrative code shall be followed. The superintendent shall develop and present to the board for review and adoption procedures for:

- A. Giving notice to parents/guardians and adult students in accordance with N.J.A.C. 6A:14-2.3 when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the student, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians and adult students of their right to review all educational records with respect to the identification, evaluation and educational placement of the student; to appeal these by requesting a due process hearing; and their rights in regard to free and low cost legal services and legal fees;
- B. An independent evaluation at the request of the parent/guardian or adult student in accordance with N.J.A.C. 6A:14-2.5(c). Such independent evaluation shall be at no cost to the parent/guardian if it is conducted in compliance with administrative code. The IEP team shall consider any independent evaluation submitted to it when making decisions regarding special education and/or related services;

SPECIAL EDUCATION (continued)

- C. Mediation, a voluntary process that is available to resolve disputes, when disputes arise during any stage of the special education process which cannot be settled between the original parties. A request for mediation shall not be used to deny or delay the right to request a due process hearing. A due process hearing may be initiated by the board of education, a parent/guardian or adult student;
- D. Ensuring that all evaluation procedures, including but not limited to observations, tests and interviews used to determine eligibility and placement of students with disabilities, shall comply with the requirements of N.J.A.C. 6A:14-3.4, 3.5 and 3.7.

Graduation Requirements (N.J.A.C. 6A:14-4.11)

The IEP of a student with a disability who enters a high school program shall specifically address the graduation requirements. A disabled student must meet all state and local high school graduation requirements according to N.J.A.C. 6A:8-5.1(c) in order to receive a state-endorsed high school diploma except as specified in his/her IEP. When a student has been exempted from any graduation requirement, his/her IEP shall specify which requirements would qualify the student with a disability for the State endorsed diploma issued by the district.

Graduation with a State endorsed diploma is a change of placement that requires written notice in language understandable to the general public, and shall be provided in the native language of the parent/guardian (according to law N.J.A.C. 6A:14-2.3 and as described below). The parent/guardian shall be provided with a copy of the procedural safeguards statement published by the Department of Education (see 6171.4 Exhibit). The parent may resolve a disagreement with the proposal to graduate the student by requesting mediation or a due process hearing prior to graduation. A reevaluation shall not be required.

Beginning at age 14, the individualized education program (IEP) shall include a statement of the state and local graduation requirements that the student shall be expected to meet. The statement shall be reviewed annually. If a student with a disability is exempted from, or there is a modification to, local or state high school graduation requirements, the statement shall include the rationale for the exemption or modification based on the student's educational needs; and a description of the alternate proficiencies to be achieved by the student to qualify for a State endorsed diploma.

The annual review of the IEP for an elementary school student with disabilities shall be completed by June 30 of the student's last year in the elementary school program. The annual review shall include input from the staff of the secondary school. The IEP shall include a statement of the student's transition from an elementary program to the secondary program which shall be determined by factors including number of years in school; social, academic and vocational development; and chronological age.

If a district board of education grants an elementary school diploma, a student with a disability who fulfills the requirements of his or her IEP shall qualify for and receive a diploma.

Students with disabilities who meet the standards for graduation shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.

Assessment (N.J.A.C. 14-4.10)

The board shall ensure that all students with disabilities participate in statewide assessments in each content area of the general statewide assessment for their grade. Accommodations or modifications approved by the Department of Education shall be provided when determined necessary by the IEP team. Students with disabilities shall participate in the alternate proficiency assessment in each content area where the nature of the student's disability is so severe that the student is not receiving instruction in any of the knowledge and skills measured by the general statewide assessment and the student cannot complete any of the types of questions on the assessment in the content area(s) even with accommodations and modifications.

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A statement of any individual modifications in the administration of statewide or districtwide assessments of student achievement needed for the student to participate in such assessment shall be included in the student's IEP. If the IEP team determines that the student shall not participate in a particular general statewide or districtwide assessment of student achievement (or part of such an assessment), a statement of why that assessment is not appropriate for the student according to N.J.A.C. 6A:14-4.10 and a statement of how that student shall be assessed and which assessment methodology is appropriate for the student shall be included in the student's IEP.

Following the 11th grade, students with disabilities who are required to pass a Department of Education approved high school proficiency assessment for graduation and have not done so shall participate in the dynamic learning map (DLM; formerly SRA and APA) in accordance with N.J.A.C. 6A:8. If a student is participating in a Department of Education alternative proficiency assessment determined by the IEP team, the student shall not be required to again participate in the high school proficiency assessment and pass that assessment.

Compilation, Maintenance, Access to and Confidentiality of Student Records (see board policy 5125 Student Records, N.J.A.C. 6A:32-7.4 through -7.6).

The board directs that the names and other personally identifiable data concerning students with disabilities shall be kept confidential and shall not be included in the public acts and public records of this district. Such names and data shall be reduced to code for inclusion in the public record. A special confidential file shall be maintained listing the names of students with disabilities on whose behalf the board of education must take public action. Motions concerning disabled students made at public meetings shall be anonymous and referred to this confidential file. This file shall be maintained in accordance with N.J.A.C. 6A:32-7.1.

The superintendent or his or her designee shall be responsible for the security of student records maintained in the school district and shall devise procedures for assuring that access to such records is limited to authorized persons.

The student records shall be maintained according to N.J.A.C. 6A:32-7 and board policy 5125 Student Records.

- A. The parent/guardian, adult student or their designated representative shall be permitted to inspect and review the contents of the student's records maintained by the district board of education under N.J.A.C. 6A:32 without unnecessary delay and before any meeting regarding the IEP.

Any consent required for students with disabilities under N.J.A.C. 6A:32-7 shall be obtained according to N.J.A.C. 6A:14-1.3 "consent" and 2.3(a) and (b) as follows:

1. The board shall make reasonable efforts to obtain parental consent for an initial evaluation for any ward of the state. If, after reasonable efforts, the parent cannot be found, or parental rights have been terminated, or subrogated for purposes of consenting to eligibility by the court and consent has been given by an individual the court has appointed, parental consent need not be obtained for an initial evaluation.
2. When a parent refuses to provide consent for implementation of the initial IEP, no IEP shall be finalized and the board may not seek to compel consent through a due process hearing. However, if a parent refuses special education and related services on behalf of a student, the board shall not be determined to have denied the student a free, appropriate public education because the student failed to receive necessary special education and related services nor shall the board be determined in violation of its child-find obligation solely because it failed to provide special education or related services to a student whose parents refused to provide consent for implementation of the initial IEP. If a parent refuses to provide consent and the district and the parent have not agreed to other action,

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prior to conducting any assessment as part of an initial evaluation or reevaluation and prior to the release of student records the district may request a due process hearing according to N.J.A.C. 6A:14-2.7(b) to obtain consent.

- B. Records may be released with the consent of the parent/guardian or adult student having legal responsibility for educational decision making. Consent shall be agreed to in writing. The board shall ensure that the parent/guardian or adult student having legal responsibility for educational decision making:
1. Has been fully informed of all information relevant to the activity for which consent is being sought, in his or her native language or other mode of communication;
 2. Understands and agrees in writing to the implementation of the activity for which consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom;
 3. Understands that the granting of consent is voluntary and may be revoked at any time; and
 4. If the parent/guardian or adult student having legal responsibility for educational decision making revokes consent, that revocation is not retroactive (that is, it does not negate an action that has occurred after the consent was given and before the consent was revoked).
- C. To ensure proper accessibility and confidentiality, the records of students with disabilities shall be gathered, updated, maintained, stored, transferred, made accessible and finally disposed of in accordance with the district policy 5125 Student Records in general. To assure the security of special education records:
1. Provision shall be made for access and security of electronic records of students with disabilities;
 2. Clerical and secretarial tasks related to such records shall be performed only under the supervision of appropriately certified staff.

As with all student records, access shall be guaranteed to persons authorized according to N.J.A.C. 6A:32-7.5 within 10 days of the request, but prior to any review or hearing conducted in accordance with State Board of Education regulations.

For the district's general policy and regulation on student records see 5125, which deals with all requirements common to students with disabilities and general student records including enumeration and description of records, provisions for access, notice to parents/guardians of their rights in regard to the child's records, etc.

Procedural Safeguards (N.J.A.C. 6A:14-2.3 through -2.4):

The board of education directs the superintendent to establish and implement the required procedural safeguards.

Procedural safeguards shall include:

- A. Ensuring that 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 when a parent cannot be identified, located, and agency of the State has guardianship of the student, or the student is an unaccompanied homeless youth;
- B. Giving notice to parents/guardians per N.J.A.C. 6A:14-2.3 when an initial request is being made for consent prior to conducting any assessment as part of the initial evaluation; prior to the implementation of the initial IEP; prior to conducting any assessment as a part of a reevaluation; prior to the release of student records; each time the board seeks access to private insurance; when a member of the IEP team is excused from participating in a meeting; when the IEP is amended; and when a parent or the board

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agree to waive a reevaluation. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians of their right to appeal and their rights in regard to legal fees;

- C. Seeking consent of parents/guardians; when such consent is required by law and this policy;
- D. Seeking parent/guardian participation in conferences and determinations as required by law and this policy, and in evaluation of the success of the educational plan for their child. When necessary, conference schedules shall be altered to accommodate working parents/guardians;
- E. Protection in the evaluation procedures including the use a variety of assessment tools and strategies to gather relevant functional and developmental information; valid measures that are not racially or culturally discriminatory; assessments that are administered in the language and form most likely to yield accurate information; assessment all areas of suspected disability; and other provisions of N.J.A.C. 6A:14-2.5;
- F. Ensuring that a parent shall be entitled to only one independent evaluation at public expense each time the board conducts an initial evaluation or reevaluation with which the parent disagrees;
- G. Ensuring mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties;
- H. Providing for a due process hearing conducted by an administrative law judge. For students age three through 21 years, a due process hearing may be requested when there is a disagreement regarding identification, evaluation, reevaluation, classification, educational placement, the provision of a free, appropriate public education, or disciplinary action. For students above the age of 21, a due process hearing may be requested while the student is receiving compensatory educational or related services;
- I. Discipline, suspension and expulsion procedures for up to 10 consecutive or cumulative school day that are subject to the same board procedures as nondisabled students. However, at the time of removal, the principal shall forward written notification and a description of the reasons for such action to the case manager and the student's parent(s);
- J. Protection of student information and the maintenance of student records according to board policy 5125 Student records and law (N.J.A.C. 6A:32-7);
- K. Except as provided in N.J.A.C. 6A:14-6.1(a) and required by an administrative law judge when the district failed to provide a free and appropriate education, the board shall not be required to pay for the cost of education, including special education and related services, of a student with a disability if the district made available a free, appropriate public education and the parents elected to enroll the student in a nonpublic school, an early childhood program, or an approved private school for students with disabilities;
- L. Related services including, but not limited to, counseling, occupational therapy, physical therapy, school nurse services, recreation, social work services, medical services and speech-language services shall be provided to a student with a disability when required for the student to benefit from the educational program. Related services shall be provided by appropriately certified and/or licensed professionals as specified in the student's IEP;
- M. The superintendent shall ensure that the district's special education programs comply with the law in every respect, including fiscal regulations and reports;
- N. These procedures shall provide all due process protection for the rights of the student and his/her parents/guardians. Procedures shall be conducted in strict compliance with the provisions of the administrative code dealing with parental notification, consent and involvement, including determination of

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the parents/guardians' dominant language and necessary accommodations if the language is other than English or if the parents/guardians are deaf;

- O. To implement achievement of the board's goal for provision of special education, the superintendent shall oversee development of a written plan for special education conforming to the state plan for the educationally disabled. The plan shall consist of policies, procedures, assurances; a comprehensive system of personnel development; data collection and an application that describes the use of IDEA Part B funds;
- P. Complying with other aspects of the district program for special education and/or requirements of N.J.A.C. 6A:14.

Written Plan

To implement achievement of the board's goal for provision of special education, the superintendent shall oversee development of a written plan for special education conforming to the state plan for the educationally disabled. After the plan has been approved by the board of education and the executive county superintendent, the superintendent shall implement it in this district and supervise its operation so that it will accomplish its stated goals and objectives. The plan, any alterations to it, and an evaluation of its effectiveness will be shared annually with the community.

Discipline

In general, students with disabilities are subject to the same disciplinary constraints and sanctions as nondisabled students. However, before disciplinary action is taken against an educationally disabled student, consideration must be given to whether the behavior is caused by the disabling condition, whether the program that is being provided meets the student's needs, whether a component of the student's IEP covers the behavior, or whether the student is an immediate danger to himself/herself or others.

A disabled student may be removed for disciplinary reasons from his/her current educational placement to an interim alternative educational setting, another setting, or a suspension without the provision of educational services for up to 10 consecutive or cumulative school days in a school year. The building principal/designee must forward a written notice and description of the reasons for the student's removal to the case manager and the student's parents:

- A. In imposing a removal of ten days or less on a classified student, the building principal may, on a case-by-case basis, consider any unique circumstances pertaining to the violation of the student code of conduct. Any such unique circumstance shall be included in the above written description of the reasons for removal;
- B. Special education students are entitled to receive general educational services on or before the fifth day of suspension. A building principal who imposes a suspension of five days or more on a special education student must contact the case manager to ensure that appropriate services are provided.

Preschool students with disabilities shall not be suspended or expelled.

Procedures for imposing and implementing disciplinary sanctions on students with disabilities, including removal to an interim alternative educational setting, suspension for more than 10 school days in a school year, or expulsion, shall be in strict compliance with the provisions of state and federal law and the administrative code. (See N.J.A.C. 6A:14-2.8, 3.7 and Appendix A)

(See board policy 5114 Suspension and Expulsion)

SPECIAL EDUCATION (continued)Disabilities Services Resource (all school districts with grades nine through 12) N.J.S.A. 18A:46-7.3

The board shall designate at least one staff member to serve as a disability services resource for parents. The designated staff member shall be able to demonstrate competency in the various services available through State agencies that serve persons with disabilities, and shall provide information to parents about how to access the services and assistance to parents in contacting the appropriate State agency. The district shall conduct outreach activities to ensure that the parents of children who receive special education services in the district, and local community disability organizations and service providers, are made aware of the name and contact information of the designated staff member.

Early Intervention

When an IEP is developed for a child age three who has been enrolled in an early intervention program and it is determined that the district shall provide a free, appropriate public education for that student by continuing the program in the early intervention program for the balance of that school year the board shall be responsible to ensure:

- A. That a free, appropriate special education and related services to students with disabilities is provided in accordance with N.J.A.C. 6A:14-1.1(d);
- B. A contractual agreement shall be provided between the board and the early intervention program;
- C. Personnel shall be appropriately certified and, if required, licensed; and
- D. Applications for exceptions to program and instruction requirements according to N.J.A.C. 6A:14-4.9 shall be made whenever necessary.

When a child who has been enrolled in the early intervention program requires an extended year program, the district may contract with the early intervention program for the provision of that program.

Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs will experience a smooth transition and have an individualized education program developed and implemented.

Preschool Disabled Program

The superintendent shall develop and propose for board adoption programs and related services for students ages three through five who have been identified and classified as preschool disabled. Such programs and services shall be in strict accordance with New Jersey administrative code.

Nonpublic Schools (N.J.A.C. 6A:14-6.1, -6.2)

The board shall provide a genuine opportunity for the equitable participation of students with disabilities who have been enrolled in nonpublic schools by their parents/guardians, in accordance with federal law and regulations. All special education programs and services shall be provided with the consent of parents/guardians.

The board 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 and 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, after timely and meaningful consultation with representatives of nonpublic schools, shall

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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 board of education 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.

Students identified as having disabilities attending nonpublic schools located in this district shall receive programs and services as specified in N.J.A.C. 6A:14- 6.2.

Placement Private Schools (N.J.A.C. 6A:14-7.5)

When the board places a student with a disability in an approved residential private school inside or outside the district or state in order to provide the student a free, appropriate public education, such placement shall be at no cost to the parent. The board shall be responsible for special education costs, room and board.

Native Language

Students who do not speak English; speak English but reside in a home where English is not the primary language spoken, and need instruction toward mastery of the English language; or speak some English but are more capable of performing school work in their native language, may have educationally disabling conditions that must be addressed in order to provide them the full educational opportunity that is the goal of the district for every child. Evaluation procedures shall be selected so that the student's cultural background and language abilities are taken into consideration unless it is clearly unfeasible to do so; and shall accurately reflect the student's ability rather than the impairment. All actions regarding parent/guardian notification, consent and participation shall be provided in the native language of the parent, unless that is clearly impossible. In that case, care shall be taken that the facts and procedures are made intelligible to the parents/guardians.

Staff Qualifications and Staff Development (N.J.A.C. 6A:14-1.2(b)13, 14)

All personnel serving students with disabilities shall be appropriately certified and licensed according to the State certification standards N.J.A.C. 6A:9B-11.4, where a license is required, in accordance with State and Federal law.

The superintendent shall ensure that the in-service training need for professional and paraprofessional staff who provide special education, general education or related services are identified. Appropriate in-service training shall be provided. The board directs the superintendent to maintain information to demonstrate district efforts to:

- A. Prepare general and special education personnel with the 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. Insure that the in-service training is integrated to the maximum extent possible with other professional development activities; and

SPECIAL EDUCATION (continued)

- E. Provide for joint training activities of parents and special education, related services and general education personnel.

Cooperation with Other Agencies

The superintendent shall investigate the possibilities of working with organizations and agencies providing services for students with disabilities, and shall present feasible programs and relationships to the board for consideration.

Parent Advisory Council (N.J.A.C. 6A:14-1.2(h))

The board shall ensure that a special education parent advisory group is in place in the district to provide input to the district on issues concerning students with disabilities.

Annual Reports

Annually, the board shall submit to the Department of Education a report describing the special education programs and services provided. The end of the year report shall include the numbers of nonpublic school students provided each program or service and such other information as may be required by the Department of Education.

Eligibility for State and Federal Funds

The superintendent shall ensure that all requirements for receiving, using and accounting for state and federal funds shall be fulfilled in an accurate and timely manner.

Procurement, control, use and disposition of equipment and supplies purchased with state/federal funds shall be in full compliance with law.

Access

In addition to educational programs, the board directs that the superintendent take into consideration physical access to district facilities for students, staff and the community with disabilities in determining location of programs or planning new facilities per state and federal law.

Adopted:	January 22, 2009
Revised:	April 2, 2009, October 25, 2012, March 16, 2017
NJSBA Review/Update:	June 2022
Readopted:	

Key Words

Special Education, Disabled, Graduation Requirements, Records, Student Records, Student Records, Special Education Student Records, Parent Advisory Group

SPECIAL EDUCATION (continued)**6171.4 Special Education Policy Crosswalk**

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SPECIAL EDUCATION (continued)

ADDENDUM: TO 6171.4 SPECIAL EDUCATION POLICY

**NEW JERSEY DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION PROGRAMS**

**BOARD OF EDUCATION POLICIES AND PROCEDURES
FOR ELIGIBILITY UNDER PART B OF THE IDEA
FOR 2016-2017**

PART I - POLICIES

COUNTY CODE: 33 COUNTY NAME: Salem

DISTRICT CODE: 4280 DISTRICT NAME: Quinton

In accordance with Part B of the IDEA and N.J.A.C. 6A:14-1.1, N.J.A.C. 6A:14-1.2(b) and (c), the district board of education shall adopt and assure compliance with the following policies:

Policy #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.

Policy #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.

Policy #3:

Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.

Policy #4:

An individualized education program is developed, reviewed, and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.

Policy #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.

Policy #6:

Students with disabilities are included in statewide and districtwide assessment programs, with appropriate accommodations, where necessary, according to N.J.A.C. 6A:14- 4.10. All students with disabilities will participate in statewide assessments or the applicable alternate assessment, in grades 3, 4, 5, 6, 7, 8, and high school in the applicable courses.

Policy #7:

SPECIAL EDUCATION (continued)

Students with disabilities are afforded the procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent as set forth at N.J.A.C. 6A:14-2.2, when appropriate.

Policy #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 21, including students with disabilities who have been suspended or expelled from school:

1. 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 is in effect for the student by that date;
2. 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;
3. 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;
4. 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
5. 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.

Policy #9:

Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under this chapter will experience a smooth transition and have an individualized education program developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

Policy #10:

Full educational opportunity to all students with disabilities is provided.

Policy #11:

The compilation, maintenance, access to and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.

Policy #12:

Provision is made for the participation of students with disabilities who are placed by their parents in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.

Policy #13:

Students with disabilities who are placed in private schools by the district board of education, are provided special education and related services at no cost to their parents according to N.J.A.C. 6A:14-1.1 and N.J.A.C. 6A:14-7.5(b)3.

Policy #14:

SPECIAL EDUCATION (continued)

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.

Policy #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 of education shall 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, 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;
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.

Policy #16:

Instructional materials will be provided to blind or print-disabled students in a timely manner, consistent with a plan developed by the district.

Policy #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.

Policy #18:

When the school district utilizes electronic mail, parents are informed as to whether they may use electronic mail to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. If this is permitted, parents shall be informed of the procedures to access the electronic mail system and that they 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.

Policy #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).

***Policy #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.

SPECIAL EDUCATION (continued)***Policy #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.

PART II – PROCEDURES

In accordance with Part B of the IDEA and N.J.A.C. 6A:14-1.1, N.J.A.C. 6A:14-1.2(b) and (c), the district board of education shall assure compliance with the following policies and related procedures below:

Policy #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.

AND

Policy #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.

AND

Policy #7:

Students with disabilities are afforded the procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq. including appointment of a surrogate parent as set forth at N.J.A.C. 6A:14-2.2, when appropriate.

Pursuant to 20 U.S.C. §1412(a)(3), procedures to locate students with disabilities (child find) must ensure that:

1. Person(s) responsible to conduct child find activities are identified.
2. Child find activities are conducted for all children ages three through 21, who reside within the district or attend nonpublic schools within the district.
3. Child find activities are conducted at least annually.
4. Child find activities (meetings, printed materials and/or public service announcements) are conducted in the native language of the population, as appropriate.
5. Child find activities address public and nonpublic students, including highly mobile students such as migrant and homeless students.
6. Child find activities for nonpublic school students are comparable to activities conducted for public school students.
 - a. Child find activities for nonpublic school children provide for consultation with appropriate representatives of the nonpublic school and parents on how to carry out these activities.
7. Child find activities include outreach to a variety of public and private agencies and individuals concerned with the welfare of students, such as clinics, hospitals, physicians, social service agencies and welfare agencies.

SPECIAL EDUCATION (continued)**For charter schools, renaissance schools or state agencies, procedures must ensure that:**

1. Child find activities are limited to the population of students enrolled in the charter or renaissance school or served by the state agency.
2. Person(s) to conduct child find activities are identified.
3. Child find activities are conducted at least annually.
4. Child find activities (meetings, printed materials and/or public service announcements) are conducted in the native language of the population, as appropriate.

Procedures for interventions in the general education program must ensure that:

1. Criteria/steps for initiating interventions in the general education program are identified.
2. Parents, teachers and other school professionals, as appropriate, are informed of the procedures to initiate interventions in the general education program.
3. Activities are in place to determine whether the interventions are effective.
4. School personnel who are responsible for the implementation/evaluation of the interventions are identified; and
5. The type, frequency, duration and effectiveness of the interventions are documented.

Procedures for referral must ensure that:

1. Steps are in place to refer students after it has been determined that interventions in the general education program are not effective in alleviating the educational difficulties.
2. Steps are in place to refer students directly to the child study team when warranted.
3. Steps are in place to refer students who may have a disability but are advancing from grade to grade.
4. Steps for initiating a referral to the child study team by school personnel identify:
 - a. The information/documentation of student performance required in the referral;
 - b. Forms, if any, that are to be submitted by school personnel;
 - c. School personnel who are responsible to process referrals; and
 - d. Timelines for processing referrals including the date that initiates the 20-day timeline for conducting the referral/identification meeting.
5. Steps for processing written referrals received from parents identify:
 - a. School personnel who are responsible to process referrals from parents; and
 - b. Timelines for processing referrals including the date that initiates the 20-day timeline for conducting the referral/identification meeting.
 - c. School personnel, parents and agencies are informed of referral procedures.

For students with disabilities potentially in need of a surrogate parent, procedures must ensure that:

1. A surrogate parent is provided to a student in accordance with N.J.A.C. 6A:14-2.2 when:
 - a. The parent of the student cannot be identified or located.
 - b. An agency of the State has guardianship of the student and that agency has not taken steps to appoint a surrogate parent for the student.
 - c. The student is a ward of the state and no State agency has taken steps to appoint a surrogate parent for the student.
 - d. 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.
 - e. The student is an unaccompanied homeless youth and no State agency has taken steps to appoint a

SPECIAL EDUCATION (continued)

surrogate parent for the student.

2. The district will make reasonable efforts to appoint a surrogate parent within 30 days of its determination that a surrogate parent is required for a student.
3. The district will appoint a person who will be responsible for appointing surrogate parents and overseeing the process. The responsible person will:
 - a. Determine whether there is a need for a surrogate parent for a student;
 - b. Contact any State agency that is involved with the student to determine whether the State has had a surrogate parent appointed for the student; and
 - c. Make reasonable efforts to select and appoint a surrogate parent for the student within 30 days of determining that there is a need for a surrogate parent for the student.
4. The district will establish a method for training surrogate parents that includes provision of information with respect to parental rights and procedural safeguards available to parents and students in accordance with N.J.A.C. 6A:14.
 - a. The district will appoint a person that will be responsible for training surrogate parents;
 - b. The training of surrogate parents will ensure that surrogate parents have knowledge and skills that ensure adequate representation of the child with a disability;
 - c. The training will be designed to make surrogate parents familiar with State and federal requirements for assessment, individualized education 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;
 - d. Surrogate parents will be provided with copies of: the Parental Rights in Special Education booklet; N.J.A.C. 6A:14; the Special Education Process; Code Training Materials from the Department of Education Website; and other relevant materials; and
 - e. Surrogate parents will be provided information to enable them to become familiar with the nature of the child's disability.
5. The district will ensure that:
 - a. All persons serving as surrogate parents have no interest that conflicts with those of the student he or she represents;
 - b. All persons serving as surrogate parents possess knowledge and skills that ensure adequate representation of the student;
 - c. All persons serving as surrogate parents are at least 18 years of age;
 - d. If the school district compensates the surrogate parent for providing such services, a criminal history review of the person in accordance with N.J.S.A. 18A:6-7.1 is completed prior to his or her serving as the surrogate parent; and
 - e. No person appointed as a surrogate parent will be an employee of the New Jersey Department of Education, the district board of education or a public or nonpublic agency that is involved in the education or case of the child.

Policy #3:

Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-2.5 and 3.4, no additional written procedures are required.

SPECIAL EDUCATION (continued)

Policy #4:

An individualized education program is developed, reviewed and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-2.6 and 3.7, no additional written procedures are required.

Policy #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.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-4.2, no additional written procedures are required.

Policy #6:

Students with disabilities are included in statewide and districtwide assessment programs, with appropriate accommodations, where necessary, according to N.J.A.C. 6A:14-4.10. All students with disabilities will participate in statewide assessments or the applicable alternate assessment, in grades 3, 4, 5, 6, 7, 8, and high school in the applicable courses.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-4.10, no additional written procedures are required.

Policy #8:

A free, appropriate public education is available to all students with disabilities between the ages of three and 21, including students with disabilities who have been suspended or expelled from school.

Procedures regarding the provision of a free, appropriate public education to students with disabilities who are suspended or expelled must ensure that:

1. School officials responsible for implementing suspensions/expulsions in the district are identified.
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.
3. A system is in place to track the number of days a student with disabilities has been removed for disciplinary reasons.
4. Suspension from transportation is counted as a day of removal if the student does not attend school.
 - a. 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.
5. Removal for at least half of the school day is reported via the Student Safety Data System (SSDS).

SPECIAL EDUCATION (continued)

6. If the district has an in-school suspension program, participation in the program is **not** considered a 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.
7. When a series of short-term removals will accumulate to more than 10 school days in the year:
 - a. School officials and the case manager consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(c)2;
 - b. Written documentation of the consultation between school officials and the case manager is maintained;
 - c. If it is determined that there is no change in placement, school officials, the case manager and special education teacher 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; and
 3. Written documentation of the consultation and services provided is maintained.
8. Steps are in place to convene a meeting of the IEP team and, as necessary or required, conduct a functional behavioral 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 et seq.

Procedures regarding the provision of a free, appropriate public education to preschool age students with disabilities must ensure that:

Eligible preschool age children who are not participating in an early intervention program have an IEP in effect by their third birthday. Steps include:

1. Responding to referrals according to N.J.A.C. 6A:14-3.3(e)
2. Having a program in place no later than 90 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 must ensure that:

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:

1. As part of a reevaluation, the IEP team determines that the student continues to require specially designed services to progress in the general education curriculum; and
2. The use of functional assessment information supports the IEP team's determination.

Policy #9:

Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under this chapter will experience a smooth transition and have an individualized education program developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.3

SPECIAL EDUCATION (continued)

1. A child study team member of the district will participate in the preschool transition planning conference arranged by the designated service coordinator from the early intervention system and will:
 - a. Review the Part C Individualized Family Service Plan for the child;
 - b. Provide the parent(s) written district registration requirements;
 - c. Provide the parents 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 Part C service coordinator will be invited to the initial IEP meeting for a student transitioning from Part C to Part B.

Policy #10:

Full educational opportunity to all students with disabilities is provided.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.1, no additional written procedures are required.

Policy #11:

The compilation, maintenance, access to and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:32-7, no additional written procedures are required.

Policy #12:

Provision is made for the participation of students with disabilities who are placed by their parents in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-6.1 and 6.2, no additional written procedures are required.

Policy #13:

Students with disabilities who are placed in private schools by the district board of education, are provided special education and related services at no cost to their parents according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.1 and 7.5(b)3, no additional written procedures are required.

Policy #14:

SPECIAL EDUCATION (continued)

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.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)13, no additional written procedures are required.

Policy #15:

The in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified and that appropriate in-service training is provided. The district board of education shall 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, 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;
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.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)14, no additional written procedures are required.

Policy #16:

Instructional materials will be provided to blind or print-disabled students in a timely manner.

Instructional materials will be provided to blind or print-disabled students in accordance with a plan developed by the district. The plan will be the Individualized Education Program of each student with a disability, which will set forth the instructional materials needed, how they will be provided, and address any assistive technology needed to permit the student to utilize the materials.

Policy #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 Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., the necessary materials to the parent to apply for such services.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)17, no additional written procedures are required.

Policy #18:

SPECIAL EDUCATION (continued)

When the school district utilizes electronic mail, parents are informed as to whether they may use electronic mail to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. If this is permitted, parents shall be informed of the procedures to access the electronic mail system and that they 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.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)18, no additional written procedures are required.

Policy #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.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-4.5(d), no additional written procedures are required.

***Policy #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.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-3.7(c)4, no additional written procedures are required.

***Policy #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. The district board of education shall maintain information to demonstrate its efforts to:

1. Select and implement age-appropriate screening instruments for the early diagnosis of dyslexia and other reading disabilities;
2. Ensure that each student enrolled in the district who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia and other reading disabilities using the selected screening tool no later than the student's completion of the first semester of second grade;
3. Develops a procedure to screen eligible newly-enrolled students in accordance with the legislation;
4. Ensures the screening is administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities; and
5. Ensures that students who are diagnosed with dyslexia or other reading disability receive appropriate evidence-based interventions.

Legal References: N.J.S.A. 10:5-1 et seq.
N.J.S.A. 18A:46-1 et seq.
See particularly:
N.J.S.A. 18A:46-13

Law Against Discrimination
 Classes and Facilities for Handicapped Children

SPECIAL EDUCATION (continued)

<u>N.J.S.A.</u> 18A:46A-1 <u>et seq.</u>	Auxiliary Services
<u>N.J.A.C.</u> 5:23-1 <u>et seq.</u>	Uniform construction code
<u>N.J.A.C.</u> 6A:7-1.7	Equality in school and classroom practices
<u>N.J.A.C.</u> 6A:8-1.2	Scope
<u>N.J.A.C.</u> 6A:8-1.3	Definitions
<u>N.J.A.C.</u> 6A:8-3.1	Curriculum and instruction
<u>N.J.A.C.</u> 6A:8-4.1 <u>et seq.</u>	Implementation of the Statewide Assessment System
<u>N.J.A.C.</u> 6A:8-5.1 <u>et seq.</u>	Implementation of Graduation Requirements
<u>N.J.A.C.</u> 6A:9B-1.1 <u>et seq.</u>	State board of examiners and certification
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:9B-11.4	Teacher of students with disabilities
<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
<u>N.J.A.C.</u> 6A:15-1.4	Bilingual programs for limited English proficient students
<u>N.J.A.C.</u> 6A:23A-1.1 <u>et seq.</u>	Fiscal accountability, efficiency and budgeting procedures
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:23A-17.4 to -17.7, -18.1 <u>et seq.</u>	
<u>N.J.A.C.</u> 6A:26-6.1 <u>et seq.</u>	Planning and Construction Standards for School Facilities
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 6A:32-7.1 <u>et seq.</u>	Student Records
<u>N.J.A.C.</u> 6A:32-8.3	School attendance
<u>N.J.A.C.</u> 6A:33-1.1 <u>et seq.</u>	School attendance

Every Student Succeeds Act, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

20 U.S.C.A. 1400 et seq. - 1990 Individuals With Disabilities Education Act, P.L. 101-476 (formerly Education for All Handicapped Children Act--Part B)

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

34 CFR 76.1 et seq. - General Administrative Regulation EDGAR

34 CFR 77.1 et seq. - General Administrative Regulation EDGAR

34 CFR 300 - Assistance to States for the Education of Children with Disabilities (IDEA Regulations)

International Building Code 2015, New Jersey Edition; First Printing: September 2015; ISBN: 978-1-60983-156-1; Copyright 2015, International Code Council, Inc.

Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402 (1985)

Honig v. Doe, 484 U.S. 305 (1988)

Oberti v. Board of Education of Clementon School District, 995 F.2d 1204, 1216-17 (C. A.3 1993)

Cedar Rapids Community School District v. Garrett F., 526 U.S. 66 (1999)

Possible

Cross References: *1120

Board of education meetings

SPECIAL EDUCATION (continued)

*4112.2	Certification
*4131/4131.1	Staff development; inservice education/visitations/conferences
*5114	Suspension and expulsion
*5120	Assessment of individual needs
*5125	Student records
*5131	Conduct/discipline
*5200	Nonpublic school students
*6121	Nondiscrimination/affirmative action
*6145	Extracurricular activities
*6151	Class size
*6164.2	Guidance services
*6164.4	Child study team
*9322	Public and executive sessions

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6171.4

<u>X</u>	Monitored
<u>X</u>	Mandated
<u>X</u>	Other Reasons

Exhibit

NEW JERSEY DEPARTMENT OF EDUCATION

PARENTAL RIGHTS IN SPECIAL EDUCATION/PROCEDURAL SAFEGUARD STATEMENT

New Jersey Administrative Code for special education (N.J.A.C. 6A:14) and the federal Individuals with Disabilities Education Act of 2004 (IDEA 2004) are laws that ensure children with disabilities a free, appropriate public education in the least restrictive environment. An important part of these laws provides parents with the right to participate in their children's education.

You and representatives of your school district are team members who are responsible for developing an appropriate educational program for your child. This document will describe the state and federal laws affecting the provision of special education to help you understand your rights in the special education process. With this knowledge, you will be prepared to take an active role in your child's education.

This document has been developed for you by the Department of Education, Office of Special Education Programs, in an effort to provide the most comprehensive and up-to-date information. The document is periodically revised to reflect changes in the law, provide additional information that would be of use to you, and to provide the information in a more clear and concise manner.

If you need additional help in understanding your rights, contact information for the Statewide Parent Advocacy Network (SPAN), Disability Rights New Jersey (DRNJ), the County Offices of the New Jersey Department of Education and your local school district is listed on page 42 of the New Jersey Department of Education publication, Parental Rights in Special Education (revised August 2016).

This is the procedural safeguards statement required in accordance with New Jersey Administrative Code (N.J.A.C.) 6A:14-2.3(g)7.

Reference:

New Jersey Department of Education, Parental Rights in Special Education, Revised August 2016).
<http://www.state.nj.us/education/specialed/form/prise/prise.pdf>

Policy

INDEPENDENT EDUCATIONAL EVALUATION

An independent educational evaluation (IEE) for a potential educational disability is an assessment conducted by a skilled and qualified examiner who is not employed by the Quinton Township School District.

An independent educational evaluation shall be conducted at no cost to the parent/guardian and funded by the district when:

- A. The qualifications of the evaluator are at a minimum, the same as the qualifications the district uses when conducting of the evaluation;
- B. The cost of the IEE is reasonable and/or comparable to other similar service providers in the geographical area;
- C. The evaluator is chosen from the district list of qualified evaluators.

A parent/guardian is entitled to only one IEE at the district's expense. The IEE, however, may include multiple assessments.

The board directs that the superintendent or his or her designee shall provide parents/guardians and adult students requesting an IEE, a choice (no less than three options) of skilled and qualified evaluation service providers within the district geographical area so that a fair and accurate independent educational evaluation may be acquired. Skilled and qualified evaluation service providers may include another public school district, educational services commission, jointure commission, a clinic or agency, or a private practitioner. The superintendent or his or her designee shall ensure that district recommended service providers are adequately qualified according to law and this board policy and procedure to conduct the evaluation and the assessments requested by the parent/guardian requesting the IEE.

A copy of the district policy, procedures, service provider list and criteria for independent educational evaluations will be provided to parents/guardians who requests an independent educational evaluation.

The board believes that it is in the best interest of the student that the district and the parents/guardians cooperate in the evaluation process. Therefore, parents/guardians are encouraged to notify the district if they disagree with the outcome(s) of the evaluation or reevaluation and request an IEE. A parent/guardian or adult student, however, is not required to notify the district of his/her disagreement with the evaluation or reevaluation prior to obtaining an IEE.

Cost Containment Criteria

The district may establish maximum allowable charges that it allows for an IEE to ensure that the cost of an IEE is reasonable. The maximum fee shall be established so that it allows parents to choose from among the qualified professionals in the area and only eliminates unreasonably excessive fees.

If an evaluator selected by the parent exceeds the maximum allowable charges, the parent/guardian or adult student shall be given an opportunity to demonstrate that unique circumstances justify going above the fee criteria. If the parent/guardian or adult student does demonstrate unique circumstances, the district shall fund the IEE.

If the district finds that there is no justification for the excess cost, the district shall fund the evaluation to the extent of the maximum allowable charge. Additionally, if the requested IEE exceeds the district's maximum allowable costs and the district does not support the justification for the excess cost, the district shall, without

INDEPENDENT EDUCATIONAL EVALUATION (continued)

unnecessary delay, initiate a due process hearing to demonstrate that the evaluation obtained by the parent did not meet the district's cost criteria.

Selection of the Independent Evaluator

- A. This district may require a parent/guardian or adult student to choose an evaluator from the district list when:
1. The child's needs can be appropriately evaluated by an evaluator on the list; and
 2. All the qualified examiners in the geographic location are included on the list;
- B. If the district fails to list all qualified evaluators the parent/guardian or adult student may select an evaluator as long as they meet the minimum district criteria for qualifications of the evaluator;
- C. A parent who selects an evaluator who is not on the district's list and/or fails to meet the district's criteria for the minimum qualifications of the evaluator shall be given the opportunity to demonstrate the unique circumstances that justify the selection of the evaluator. If the district accepts the justification and the cost is within the reasonable criteria the district shall fund the IEE.

Due Process

- A. The district may file for due process when the unique circumstances do not justify the selection of the evaluator and/or meet the reasonable cost criteria. The district may file for due process rather than pay for the IEE, for one or more of the following reasons including:
1. The child's needs cannot be appropriately evaluated by the independent evaluator;
 2. The evaluator selected does not possess the minimum qualifications required by the district;
 3. The IEE exceeds the reasonable cost containment;
- B. The parent/guardian or adult student may challenge the district's decision to deny funding by filing for due process and appeal through the administrative law judge if he/she does not agree with the district's determination that:
1. The child's needs cannot be appropriately evaluated by the independent evaluator;
 2. The evaluator selected does not possess the minimum qualifications required by the district;
 3. The IEE exceeds the reasonable cost containment.

Adopted: January 6, 2015
 NJSBA Review/Update: May 2022
 Readopted:

Key Words

IEE, Independent Educational Evaluation, Reasonable Cost, Cost Containment

Legal References: <u>N.J.S.A. 10:5-1 et seq.</u> <u>N.J.S.A. 18A:46-1 et seq.</u> <u>See particularly:</u> <u>N.J.S.A. 18A:46-13</u> <u>N.J.S.A. 18A:46A-1 et seq.</u> <u>N.J.A.C. 6A:7-1.7</u> <u>N.J.A.C. 6A:8-1.2</u> <u>N.J.A.C. 6A:8-1.3</u> <u>N.J.A.C. 6A:8-3.1</u> <u>N.J.A.C. 6A:14-1.1 et seq.</u> <u>See particularly:</u> <u>N.J.A.C. 6A:14-2.5(c)</u>	Law Against Discrimination Classes and Facilities for Handicapped Children Auxiliary Services Equality in school and classroom practices Scope Definitions Curriculum and instruction Special Education procedures Independent evaluation
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INDEPENDENT EDUCATIONAL EVALUATION (continued)

<u>N.J.A.C. 6A:14-3.4</u>	Evaluation
<u>N.J.A.C. 6A:14-5.1</u>	General requirements
<u>N.J.A.C. 6A:15-1.4</u> students	Bilingual programs for limited English proficient
<u>N.J.A.C. 6A:23A-1.1 et seq.</u> <u>See particularly:</u> <u>N.J.A.C. 6A:23A-17.4 to -17.7,</u> <u>-18.1 et seq.</u>	Fiscal accountability, efficiency and budgeting procedures
<u>N.J.A.C. 6A:26-6.1 et seq.</u> Facilities	Planning and Construction Standards for School
<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C. 6A:32-7.1 et seq.</u>	Student Records
<u>N.J.A.C. 6A:32-8.3</u>	School attendance

Every Student Succeeds Act, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

20 U.S.C.A. 1400 et seq. - 1990 Individuals With Disabilities Education Act,
P.L. 101-476 (formerly Education for All Handicapped Children Act--Part B)

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

34 CFR 76.1 et seq. - General Administrative Regulation EDGAR

34 CFR 77.1 et seq. - General Administrative Regulation EDGAR

34 CFR 300 - Assistance to States for the Education of Children with Disabilities
(IDEA Regulations)

34 CFR 300.502 - Independent Educational Evaluation

Possible

<u>Cross References:</u>	*1120	Board of education meetings
	*4112.2	Certification
	*4131/4131.1	Staff development; inservice education/visitations/conferences
	*5114	Suspension and expulsion
	*5120	Assessment of individual needs
	*5125	Pupil records
	*5131	Conduct/discipline
	*5200	Nonpublic school pupils
	*6121	Nondiscrimination/affirmative action
	*6145	Extracurricular activities
	*6151	Class size
	*6164.2	Guidance services
	*6164.4	Child study team
	*9322	Public and executive sessions

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6172

Policy

<u> X </u>	Monitored
<u> </u>	Mandated
<u> X </u>	Other Reasons

ALTERNATIVE EDUCATION PROGRAMS

The Quinton Township Board of Education endeavors to provide an education program adjusted to the needs of the individual child within the financial means of the district. Grouping enables a more efficient use of staff in meeting these needs. Program adaptations provide another means of using staff efficiently and effectively to meet the needs of many children.

The board of education recognizes that the active engagement of each student is a primary requisite for sound teaching and learning to take place. When a child is unable to benefit from the educational program the board shall make a determination of the student's risk for school failure and a decision regarding the student's placement in an alternative education program. For general education students the determination shall be based on the following, including but not limited to:

- A. The student's academic, health and behavioral records, including the student's IPP, if one has been developed and the results of available testing, assessment or evaluation of the student;
- B. Consultation with and notice to the student's parent/guardian; and
- C. Information provided by the school-based multidisciplinary team responsible to provide intervention and referral services (see board policy 6164.1 Intervention and Referral Services).

Decisions regarding the placement of a student with a disability in an alternative education program, shall be based on the recommendation of the child study team and consistent with the student's individualized education program (IEP).

Alternative Education Programs

Alternative education programs shall be approved by the Commissioner of Education. Each alternative education program shall fulfill the program criteria that are specified in N.J.A.C. 6A:16-9.2 including but not limited to:

- A. A maximum student-teacher ratio of 10:1 for middle school programs;
- B. An Individualized Program Plan (IPP) shall be developed for each general education student enrolled in the program; and
- C. For students with disabilities the alternate education program shall be consistent with the student's Individualized Education Program (IEP).

Individualized Program Plan (IPP)

The IPP shall be developed in consultation with the student's parent and the receiving school district, or an alternative education program within a State agency, public college operated program or department-approved school approved by the Commissioner of Education. as appropriate. The IPP shall:

- A. Be developed by a multidisciplinary team of professionals with knowledge of the student's educational, behavioral, emotional, social and health needs;
- B. Identify the appropriate instructional and support services for addressing the student's identified needs;
- C. Be developed in accordance with the format prescribed by the Commissioner of Education and implemented within 30 calendar days of the student's placement in the alternative education program but

ALTERNATIVE EDUCATION PROGRAMS (continued)

need not, be developed prior to the student's placement.

The multidisciplinary team that reviews the IPP shall include district staff and staff from the alternative education program who have knowledge of the student's educational, behavioral, emotional, social and health needs.

The multidisciplinary team shall review and, as appropriate, revise the IPP prior to the completion of the student's anticipated enrollment in the alternative education program or prior to the end of the school year, whichever occurs first. Additionally the multidisciplinary team may review and revise the IPP, as needed, at any time during the student's enrollment in the alternative education program.

The student's parent shall be advised of revisions to the IPP.

Home Schooling

The board acknowledges the right of parents/guardians to educate their children at home. The board is not required by law to allow a resident child educated elsewhere than at school to participate in the regular school curriculum or in extracurricular or sports activities. The board may:

- A. Allow a child educated elsewhere than at school to participate in curricular and extracurricular activities or sports activities;
- B. Loan books or materials to a child educated elsewhere than at school.

Required Services to Home Schooled Students

When a student of this district is home schooled, the district shall:

- A. Provide payment for tuition when a student is enrolled in a shared-time vocational school program. Once a resident student is enrolled in a shared-time vocational school program the student becomes a public school student;
- B. Review any written request for a special education evaluation and if warranted conduct an evaluation as described in board policy 6171.4 Special Education and in accordance with the federal special education law, Individuals with Disabilities Education Act (P.L. 108-446 §612).

If the child is eligible for special education and related services, the district shall make a free, appropriate public education available only if the child enrolls in the district. If the child does not enroll in the district, but the district chooses to provide services, the district will develop a plan for the services to be provided.

Removal for Weapons Offenses or Assault

Any student who is convicted or found to be delinquent for the following offenses shall be immediately removed by the principal from the district's regular education program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the board of education to remove the student:

- A. Possessing a firearm on any school property, on a school bus, or at a school-sponsored function; or
- B. Committing a crime while possessing a firearm.

The superintendent shall determine at the end of the year whether the student is to return to the district's regular education program, in accordance with procedures established by the Commissioner of Education.

ALTERNATIVE EDUCATION PROGRAMS (continued)

Any student who assaults a student, teacher, administrator, board member, or other district employee with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program and placed in an alternative school or program, pending a hearing before the board. The superintendent shall determine when the child shall return to the regular education program.

Adopted: September 10, 1985
 Revised: January 15, 1991, February 10, 1992, April 8, 1993,
 April 8, 1993, January 22, 2009, February 28, 2013
 NJSBA Review/Update: June 2022
 Readopted:

Key Words

Alternative Educational Programs, Home Schooling, At-Risk Students

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:37-1 et seq. Discipline of students
See particularly:
N.J.S.A. 18A:37-2.2
N.J.S.A. 18A:38-1, -25, -31 Attendance at school free of charge
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:8-5.1 Graduation requirements
N.J.A.C. 6A:8-5.2 High school diplomas
N.J.A.C. 6A:14-1.1 et seq. Special Education
N.J.A.C. 6A:16-1.3 Alternative education programs
N.J.A.C. 6A:16-5.5 Removal of students from general education for firearms offense
N.J.A.C. 6A:16-5.6 Removal of students from general education for assaults with weapons
N.J.A.C. 6A:16-9.1 et seq. Alternative education programs
N.J.A.C. 6A:16-10.1 et seq. Home or out-of-school instruction for general education students
N.J.A.C. 6A:30-3.2 District performance review
N.J.A.C. 6A:32-12.1 et seq. Student Behavior
See particularly:
N.J.A.C. 6A:32-12.2
 20 U.S.C.A. 1400 et seq. - 1990 Individuals With Disabilities Education Act, P.L. 108-446 §612
State v. Vaughn, 44 N.J. 142, 1965
State v. Massa, 95 N.J. Super. 382, 1967
 20 USCA Section 8921 Gun Free Schools Act

Possible

Cross References: *5113 Absences and excuses
 *5114 Suspension and expulsion
 5119 Transfers
 *5131 Conduct/discipline

ALTERNATIVE EDUCATION PROGRAMS (continued)

*5131.7	Weapons and dangerous instruments
*5134	Married/pregnant students
*6142.2	English as a second language; bilingual programs
*6142.12	Career education
*6164.2	Guidance services
*6164.4	Child study team
*6171.4	Special education
*6173	Home instruction

*Indicates policy is included in the Critical Policy Reference Manual.

HOME INSTRUCTION

To provide uninterrupted education for students unable to attend their regular classes because of illness, disability, court order or administrative action, the Quinton Township Board of Education shall provide away-from-school instruction, when proper application has been made and subject to the following restrictions:

- A. The period of absence must be expected to be longer than two weeks except in special circumstances;
- B. A parent/guardian or appropriate adult authority must be within call during the period of instruction; and
- C. In cases of illness or disability, medical certification is required both of the necessity for the student's absence and his/her fitness to benefit from the instruction.

Each case must be approved by board action; all requirements for receipt of state aid must be fulfilled. Home instruction shall be available to all qualifying students regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, English proficiency, housing status or socioeconomic status.

Temporary or Chronic Health Condition

The board shall provide instructional services to an enrolled student 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.

The parent/guardian shall submit a request for home instruction in writing. The request 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 10 consecutive school days or 20 cumulative school days during the school year.

The principal or his or her designee shall forward the request with 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 the board with the reasons for denial. The parent/guardian 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 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. Instructional services shall at a minimum include:

- A. A written plan for delivery of instruction shall be established to continue the student's academic progress and to maintain a record of delivery of instructional services and student progress;
- B. Teachers providing home instruction shall be a certified teacher;
- C. The teacher shall provide one-on-one 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;

HOME INSTRUCTION (continued)

- D. 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 New Jersey Student Learning Standards. When the provision of home instruction will exceed 30 consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the student's IEP;
- E. For a student without disability, the home instruction shall meet the New Jersey Student Learning Standards, and the requirements of the board for promotion to the next grade level. When the provision of home instruction will exceed 60 calendar days, the school physician shall refer the student to the child study team for evaluation;
- F. The 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. Students who are eligible to receive home instruction as needed at the district's expense are as follows:
 - 1. A student who resides within the area served by the board and is enrolled in a public school program; or
 - 2. A student who is enrolled in a nonpublic school that is located within the area served by board.

Reasons Other Than a Temporary or Chronic Health Condition

- A. The district shall provide home or out-of-school instruction for a general education student for reasons other than a temporary or chronic health condition no later than five school days after the student has left the general education program when:
 - 1. The student is mandated by State law and rule for placement in an alternative education program for firearms offenses and/or assault with weapons offenses but placement is not immediately available;
 - 2. The student is placed on short-term or long-term suspension;
 - 3. A court order requires that the student receive instructional services in the home or other out-of-school setting.

The 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 board of education, educational services commission, jointure commission, or approved clinic or agency for resident students.

- B. The home or out-of-school instructional services for reasons other than a temporary or chronic health condition shall meet the minimum standards that are specified in N.J.A.C. 6A:16-10.2(d) including but not limited to:
 - 1. The district shall establish a written plan for delivery of instruction and maintain a record 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 10 hours per week on three separate days of the week and no fewer than 10 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 New Jersey Student Learning Standards and the board's requirements for promotion and graduation;
 - 5. If instruction is delivered in the student's home, a parent or other adult 21 years of age or older who has been designated by the parent shall be present during all periods of home instruction.

HOME INSTRUCTION (continued)

Any student receiving home instruction is not considered absent.

Adopted: September 10, 1985
 Revised: January 22, 2009, June 30, 2009
 NJSBA Review/Update: June 2022
 Readopted:

Key Words

Bedside Instruction, Home Instruction

Legal References: N.J.A.C. 6A:7-1.7 Equity in school and classroom practices
N.J.A.C. 6A:14-1.1 et seq. Special education
See particularly:
N.J.A.C. 6A:14-4.8, 4.9
N.J.A.C. 6A:16-4.3 Reporting, notification and examination procedures for students suspected of being under the influence of alcohol or other drugs
N.J.A.C. 6A:16-5.5 Removal of students from general education for firearms offenses
N.J.A.C. 6A:16-5.6 Removal of students from general education for assaults with weapons offenses
N.J.A.C. 6A:16-10.1 et seq. Home or out-of-school instruction
N.J.A.C. 8:61-1.1 Attendance at school by students or adults infected by Human Immunodeficiency Virus (HIV)

H.A. v. Board of Education Warren Hills Regional, 1976 S.L.D. 336

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

Somerset County Educational Services Commission v. North Plainfield Board of Education 1999 S.L.D. September 7 State in re G.S. 330 N.J. Super. 338 (Ch. Div. 2000)

The Comprehensive Equity Plan, New Jersey Department of Education

Possible

Cross References: *4112.2 Certification
 *5113 Absences and excuses
 *5114 Suspension and expulsion
 *5131 Conduct/discipline
 *5131.6 Drugs, alcohol, tobacco (substance abuse)
 *5131.7 Weapons and dangerous instruments
 *5134 Married/pregnant students
 *5141.2 Illness
 *6146 Graduation requirements
 *6164.2 Guidance services
 *6164.4 Child study team
 *6171.4 Special education
 *6172 Alternative educational programs

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

EARLY CHILDHOOD EDUCATION/PRESCHOOL

The Quinton Township Board of Education believes that preschool educational experiences contribute to later academic success for all children. Therefore, within the limits of the budget and as required by law, the superintendent shall recommend to the board for approval programs designed for district children under the age required for regular admission. Programs shall address the needs of children who have been identified as requiring special education, as well as of those who have not been so identified.

The preschool curriculum shall consist of developmentally appropriate experiences that provide each child with individual opportunities to develop positive self-esteem, social/emotional growth, language skills, motor development and conceptual skill development.

All preschool programs sponsored by the board shall be consistent with the overall philosophy of the school district and aligned with the New Jersey Student Learning Standards. They shall be coordinated with other relevant district programs such as special education and Title I and articulated with the K-8 curriculum.

Proof of immunizations against communicable diseases and examinations shall be in accord with requirements for kindergarten and first grade admission (see policy file code 5111 *Admission*).

The board of education shall ensure that the preschool program:

- A. Maintains classroom enrollments of no more than 18 children with one certified teacher and one appropriately qualified assistant;
- B. Is developmentally appropriate to the age and skill level of the young child;
- C. Is designed to meet the New Jersey Preschool Teaching and Learning Standards of Quality, the New Jersey Preschool Program Implementation Guidelines and the New Jersey Student Learning Standards;
- D. Includes transition activities, programs, and services between preschool programs and kindergarten programs;
- E. Coordinates with all other relevant school district programs, for example, special education and bilingual education; and
- F. Includes an annual program evaluation.

The preschool programs and curricula shall be based on student needs, strengths and interests that focus on all aspects of development: cognitive, social, emotional and physical. Curriculum and assessment strategies and/or resources shall be developmentally appropriate and include performance-based assessment measures.

The board shall ensure that instructional methods and/or strategies are congruent with the cognitive, social, emotional and physical skills of the young child. Instruction shall balance teacher-directed and child-initiated experiences.

The board shall provide professional development and training specific to preschool education for all early childhood education administrators, teachers and teacher assistants.

The preschool program may be offered within a mixed delivery system that includes in-district, private provider and local Head Start agency settings provided that the private provider and/or local Head Start agency program(s) with which the district board of education contracts comply with the school district's

EARLY CHILDHOOD EDUCATION/PRESCHOOL (continued)

program requirements, including the employment of appropriately licensed and qualified teaching staff.

The preschool program shall include parent education activities in the preschool program with specific strategies identified that assist parents in remaining actively involved in their child's education throughout their school years.

Community health and social service agencies shall be included in the planning, operations and, if appropriate, the fiscal support of the preschool program.

The board shall designate an administrator to oversee the preschool program. He/she shall ensure adherence to all applicable laws and regulations in pursuing funding at the federal and state levels, as well as from private sources.

Adopted: January 22, 2009
 NJSBA Review/Update: June 2022
 Readopted:

Key Words

Developmentally Appropriate Curriculum, Early Childhood Education, Preschool

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:7F-54	Access to full day preschool; calculation of preschool education aid
	<u>N.J.S.A.</u> 18A:44-4	Funding of Preschool programs
	<u>N.J.A.C.</u> 6A:8-2.1	Authority for educational goals and standards
	<u>N.J.A.C.</u> 6A:8-3.4	Requirements for early childhood education programs
	<u>N.J.A.C.</u> 6A:9B-6.1	Standard certificate
	<u>N.J.A.C.</u> 6A:9B-8.1	Requirements for certificates of eligibility
	<u>N.J.A.C.</u> 6A:9B-9.2	Endorsements and authorizations
	<u>N.J.A.C.</u> 6A:13A-1.1 <u>et seq.</u>	Elements of high quality preschool programs
	<u>N.J.A.C.</u> 6A:23A-8.7	Tuition rate adjustment by districts receiving preschool expansion aid or educational opportunity aid
	<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
	<u>N.J.A.C.</u> 6A:26-6.4	Educational facility planning standards for school facilities housing preschool students
	<u>N.J.A.C.</u> 6A:32-8.3	School attendance

Possible

<u>Cross References:</u>	*1410	Local units
	*1600	Relations between other entities and the district
	*3220/3230	State funds/federal funds
	*3541.1	Transportation routes and services
	*5020	Role of parents/guardians
	*5111	Admission
	*5141.3	Health examinations and immunizations
	*6010	Goals and objectives
	*6122	Articulation
	*6141	Curriculum design/development
	*6151	Class size
	*6171.3	At-risk and Title 1
	*6171.4	Special education
	*7110	Long-range facilities planning

*Indicates policy is included in the Critical Policy Reference Manual.

QUINTON TOWNSHIP BOARD OF EDUCATION
Quinton, New Jersey

FILE CODE: 6300
 X **Monitored**
 Mandated
 X **Other Reasons**

Policy

EVALUATION OF THE INSTRUCTIONAL PROGRAM

The Quinton Township Board of Education directs the superintendent to develop and implement a systematic short-range and long-range plan for the continuing assessment of the progress of the educational program toward the goals established by the district. To this end, he/she shall recommend tests and methods indicated by his/her best professional judgment.

The board reserves the right to review each test and to approve those that serve a legitimate purpose without infringing upon the personal rights of the students or their parents/guardians. The results of any evaluation may be released by the superintendent using districtwide data. Parents/guardians may obtain an explanation of the results of their child's test from qualified school personnel.

The superintendent shall annually recommend improvements in the program and staff based upon the evaluation of the district's program. He/she will ensure that all required data is submitted to the Commissioner for inclusion in the school report card.

The board will cooperate with the Commissioner in the conduct of such state-wide assessment programs as are required by the State Board of Education and shall use the data gained thereby toward the improvement of the school.

Adopted: September 10, 1985
Revised: January 22, 2009
NJSBA Review/Update: June 2022
Readopted:

Key Words

Evaluation, Evaluation of the Instructional Program, Instructional Program

Legal References: N.J.S.A. 18A:7A-10 Evaluation of performance of each school
N.J.S.A. 18A:7E-2
through -5 School report card program
N.J.A.C. 6A:7-1.4 Responsibilities of the district board of education
N.J.A.C. 6A:8-1.1 et seq. Standards and Assessment
N.J.A.C. 6A:14-4.1(i) General requirements
N.J.A.C. 6A:23A-9.5 Commissioner to ensure achievement of the New Jersey
Student Learning Standards
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Every Student Succeeds Act, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

Possible

Cross References: *1000/1010 Concepts and roles in community relations; goals and objectives
*1120 Board of education meetings
*5120 Assessment of individual needs
*5145.4 Equal educational opportunity
6000 Concepts and roles in instruction
*6010 Goals and objectives
6011 Thorough and efficient/QEA
*6141 Curriculum design/development

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

*6147 Standards of proficiency
*6171.4 Special education

*Indicates policy is included in the Critical Policy Reference Manual.