

**Hamilton Township  
Board of Education**



**Agenda for  
Regular Meeting**

**February 27, 2017**

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<https://goo.gl/OuUCkv>

**HAMILTON TOWNSHIP SCHOOL DISTRICT  
DISTRICT GOALS  
2016-2017**

**1. “Student Growth”**

Using all Available district resources and data points, each child will demonstrate measureable growth for the 2016-2017 school year.

**2. “Safety and Security”**

- A. Continue to improve the safety and security of all students and staff.
- B. Implement a research based mental health initiative district-wide.

**3. “Communication and Community”**

- A. Establish effective models of communication between staff, parents/guardians, community and administration.
- B. Engage in a Strategic Planning initiative.

**Hamilton Township Public Schools  
Mays Landing, New Jersey**

**Agenda for Regular Meeting  
February 27, 2017**

**Location: Davies School Library**

**Time: 5:00 p.m. (Executive Session) 7:00 p.m. (Regular Session)**

- I. Call to Order – Anne-Marie Fala, Business Administrator Page**
- II. Roll Call**
- III. Executive Session**

**Resolved that pursuant to Sections 7 and 8 of the Open Public Meetings Act, the public shall be excluded from that portion of the meeting involving discussion of:**

- Discipline Hearings  
5:15pm and 5:45pm**
- Residency Hearing – 6:15pm**
- HIB – 6:35pm**

**Further resolved that the discussion of such subject matter in executive session can be disclosed to the public when formal action is taken on such subject matter or at any other appropriate time.**

**Further resolved the Board may take action on items discussed in executive session. Further resolved that the Board will be in executive session for approximately \_\_\_\_\_ minutes.**

**Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_**

- IV. Flag Salute**

**V. Notice of Advertisement of Meeting**

**This meeting is being held in compliance with the Sunshine Law, having been advertised in the Press of Atlantic City, the Atlantic County Record, The Current of Mays Landing and notices posted at the Township Clerk's Office, Mays Landing Post Office, Atlantic County Library, as well as all the schools of the district. A mechanical device is being used to record this meeting and this meeting is also being video-taped.**

**There are two opportunities to address the members of the Board. The Board values and welcomes comments and opinions from residents as long as remarks are not personal or discourteous. The public comment portion of the meeting allows the Board to listen to community members and to hear their opinions on school policy and operations.**

**The first public portion is reserved for persons wishing to speak about agenda items only. The second opportunity, following the action items, is when residents may address the Board on any school-related issue. Each speaker is asked to limit their comments to three minutes and you are not permitted to yield your time to another. The public comments portion of the meeting, during both sessions, will not exceed 30 minutes. Upon being recognized, persons wishing to speak should stand and identify themselves by name and address.**

**VI. Moment of silence for private reflection**

**VII. Approval of Minutes**

<b>Action</b>	<b>1. Motion to approve the executive session minutes of the meeting of November 14, 2016 (attachment Minutes-1). Motion_____Second_____Vote_____</b>	<b>14</b>
<b>Action</b>	<b>2. Motion to approve the regular and executive session minutes of the meeting of January 23, 2017 (attachment Minutes-2). Motion_____Second_____Vote_____</b>	<b>15</b>
<b>Action</b>	<b>3. Motion to approve the regular session minutes of the Special meeting of February 6, 2017 (attachment Minutes-3). Motion_____Second_____Vote_____</b>	<b>34</b>

**VIII. Correspondence**



**XI. Receive comments from the public on tonight's agenda items in accordance with the Board's policy on participation at Board meeting**

**X. Board Member Comments**

**XI. Superintendent/Staff Reports**

**A. Information Items**

**1. Dates to Remember**

- **March 18, 2017 – Budget Workshop – Davies School - 10:00 a.m.**
- **March 20, 2017 – Board of Education Meeting - 6:00 p.m. (Executive Session) – 7:00 p.m. (Public Session)**
- **April 13-18, 2017 – Schools Closed – Spring Break**
- **April 24, 2017 – Board of Education Meeting and Public Hearing on the Budget - 6:00 p.m. (Executive Session) – 7:00 p.m. (Public Session)**

<b>FYI</b>	<b>B. Registration/Transfer Statistics for the Month of January, 2017 (attachment XI-B).</b>	<b>35</b>
<b>FYI</b>	<b>C. Enrollment for the month of January, 2017 (attachment XI-C)</b>	<b>36</b>
<b>FYI</b>	<b>D. Harassment, Intimidation and Bullying Incident Log (attachment XI-D)</b>	<b>37</b>
<b>FYI</b>	<b>E. Student Discipline Reports for the month of January, 2017 (attachment XI-E)</b>	<b>39</b>
<b>FYI</b>	<b>F. Superintendent's/Principal's List for the 2<sup>nd</sup> Marking Period (attachment XI-F)</b>	<b>55</b>
<b>FYI</b>	<b>G. Grant Awards to Schools from PTA Fundraising:</b>	

*Given by: Nicole Benowitz  
PTA President*

**XII. Committees and Recommendations**

**A. Instruction Committee (Curriculum and Policy):  
Chairperson: Mrs. Melton**

<b>Action</b>	<p><b>1. Motion to approve grant funded extra-curricular activities stipends for the 2016-2017 school year (attachment Instruction-1).</b>  <b>Motion_____Second_____Vote_____</b></p>	<b>63</b>
<b>Action</b>	<p><b>2. Motion to approve Policy and Regulation #1510 – Americans with Disabilities Act on first reading (attachment Instruction-2).</b>  <b>Motion_____Second_____Vote_____</b></p>	<b>64</b>
<b>Action</b>	<p><b>3. Motion to approve Policy and Regulation #2418 – Section 504 of the Rehabilitation Act of 1973-Students on first reading (attachment Instruction-3).</b>  <b>Motion_____Second_____Vote_____</b></p>	<b>92</b>
<b>Action</b>	<p><b>4. Motion to approve Policy and Regulation #5116 – Education of Homeless Children on first reading (attachment Instruction-4).</b>  <b>Motion_____Second_____Vote_____</b></p>	<b>110</b>
<b>Action</b>	<p><b>5. Motion to approve Policy #5330.04 – Administering an Opioid Antidote on first reading (attachment Instruction-5).</b>  <b>Motion_____Second_____Vote_____</b></p>	<b>126</b>
<b>Action</b>	<p><b>6. Motion to approve Policy and Regulation #8330 – Student Records on first reading (attachment Instruction-6).</b>  <b>Motion_____Second_____Vote_____</b></p>	<b>129</b>
<b>Action</b>	<p><b>7. Motion to approve Policy and Regulation #2460 Special Education on first reading (attachment Instruction-7).</b>  <b>Motion_____Second_____Vote_____</b></p>	<b>157</b>
<b>Action</b>	<p><b>8. Motion to approve Regulation #2460.1 – Special Education – Location, Identification, and Referral on first reading (attachment Instruction-8).</b>  <b>Motion_____Second_____Vote_____</b></p>	<b>163</b>

- |               |   |            |
|---------------|---|------------|
| <b>Action</b> | <p><b>9. Motion to approve Regulation #2460.8 – Special Education – Free and Appropriate Public Education on first reading (attachment Instruction-9).<br/>Motion_____Second_____Vote_____</b></p>  | <b>173</b> |
| <b>Action</b> | <p><b>10. Motion to approve Regulation #2460.9 – Special Education – Transition from Early Intervention Programs to Preschool Programs on first reading (attachment Instruction-10).<br/>Motion_____Second_____Vote_____</b></p>                                      | <b>178</b> |
| <b>Action</b> | <p><b>11. Motion to approve Regulation #2460.15 – Special Education – In-Service Training needs for Professional and Paraprofessional Staff on first reading (attachment Instruction-11).<br/>Motion_____Second_____Vote_____</b></p>                                 | <b>180</b> |
| <b>Action</b> | <p><b>12. Motion to approve Regulation #2467 – Surrogate Parents and Foster Parents on first reading (attachment Instruction-12).<br/>Motion_____Second_____Vote_____</b></p>   | <b>181</b> |
| <b>Action</b> | <p><b>13. Motion to approve the submission of a Child Assault Prevention (CAP) Bullying Prevention Grant for the 2017-2018 school year for the William Davies Middle School Grades 7 &amp; 8 (attachment Instruction-13).<br/>Motion_____Second_____Vote_____</b></p> | <b>185</b> |

**B. Finance Committee - Chairperson: Mr. Hays**

- |               |  |            |
|---------------|--|------------|
| <b>Action</b> | <p><b>1. Motion to approve the Report of Receipts and Expenditures in accordance with 18A:17-8 and 18A:17-9 for the month of January, 2017. The Report of Receipts and Expenditures and the Secretary’s Report are in agreement for the month of January, 2017 (attachment Finance-1).<br/>Motion_____Second_____Vote_____</b></p> | <b>193</b> |
|---------------|--|------------|

Action	2. Board Secretary's Report for the period ending January 31, 2017. Pursuant to N.J.A.C. 6A:23A-16.10(c)3, the Hamilton Township Board of Education certifies that as of January 31, 2017, and after review of the Secretary's Monthly Financial appropriations section as presented and upon consultation with the appropriate district officials, to the best of the Board's knowledge, no major account or fund has been over-expended in violation of N.J.A.C. 6A:23A-16.10(c)4 and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year (attachment Finance-2).	208
FYI	3. Interest Income for the month of January, 2017 (attachment Finance-3)	240
FYI	4. Receipts for the month of January, 2017 (attachment Finance-4)	241
FYI	5. Refunds for the month of January, 2017 (attachment Finance-5)	248
FYI	6. Capital Reserve Interest for the month of January, 2017 (attachment Finance-6)	249
FYI	7. Rental Income for the month of January, 2017 (attachment Finance-7)	250
FYI	8. Miscellaneous Revenue for the month of January, 2017 (attachment Finance-8)	251
FYI	9. The monthly Budget Summary Report for January, 2017, has been filed by the Board Secretary with the Hamilton Township Board of Education (attachment Finance-9).	252
Action	10. Motion to approve budget transfers in the amount of \$360,103.70 (attachment Finance-10). Motion_____Second_____Vote_____	283

- Action**                      11. Motion to accept the Superintendent's and Board Secretary's certification that they have reviewed all bills and purchase orders which are listed on the bill list, and hereby certify to the Board of Education that all purchase orders are sufficiently encumbered to cover the submitted bills, and further that all goods and services have been previously received.  
 Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_
- FYI**                              12. Purchase orders issued for services, supplies and equipment in the amount of \$945,846.56 (attachment Finance-12)                      285
- Action**                      13. Motion to approve the following bills and payroll in the total amount of \$4,539,958.00 (attachment Finance-13):                      291
- | <u>Fund</u> | <u>Title</u>            | <u>Amount</u> |
|-------------|-------------------------|---------------|
| 10          | General Fund            | \$22,510.00   |
| 10          | General Fund/Payroll    | 200,636.52    |
| 11          | Current Expense         | 1,367,890.48  |
| 11          | Current Expense/Payroll | 2,224,808.95  |
| 12          | Capital Outlay          | 53,981.00     |
| 20          | Special Revenue         | 130,015.01    |
| 20          | Special Revenue/Payroll | 88,877.88     |
| 40          | Debt Service            | 341,461.25    |
| 50          | Cafeteria               | 79,222.70     |
| 50          | Kids' Corner            | 18,819.36     |
| 50          | Community Education     | 7,289.48      |
| 50          | Camp Blue Star          | 4,445.37      |
- Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_
- Action**                      14. Motion to approve staff attendance at seminars, workshops and conferences, including costs related to applicable reimbursable expenses, during the 2016-2017 school year (attachment Finance -14).                      330  
 Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_
- Action**                      15. Motion to approve a tuition contract between the Hamilton Township Board of Education (sending District) and Cape May County Special Services Board of Education (receiving District) for one (1) student for the 2016-2017 extended school year at a total cost of \$2,550.00, plus an additional \$1,850.00 for a one-on-one Aide.  
 Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

- Action**                      **16. Motion to approve a tuition contract between the Long Branch Board of Education (sending District) and the Hamilton Township Board of Education (receiving District) for one multiply disabled homeless student for the 2016-2017 school year for the period January 4, 2017 through June 30, 2017, for a total cost of \$17,022.51, pro-rated.**  
**Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_**
- Action**                      **17. Motion to approve a Professional Services Agreement, AIA Document G802-2007 with Fraytak Veisz Hopkins Duthie, P.C. for Pre-Referendum Professional Services for District Wide Capital Projects at the Hess Educational Complex, William Davies Middle School and the Joseph C. Shaner Elementary School, Project FVHD #4937 in the amount of \$14,750.00 (attachment Finance-17).**                      **332**  
**Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_**
- Action**                      **18. Motion to approve an interlocal shared services Agreement between the Hamilton Township School district and the Township of Hamilton for the period March 1, 2017 through February 28, 2018 to provide bulk road salt purchase, storage of salt and loading of the product (attachment Finance-18).**                      **334**
- Action**                      **19. Motion to approve Resolution #109 authorizing McManimon, Scotland and Baumann, L.L.C. to provide certain legal services to the district (attachment Finance-19).**                      **337**
- The Firm of McManimon, Scotland & Baumann, L.L.C. were previously appointed as Bond Counsel at the district's Re-organization Meeting on May 9, 2017.**
- Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_**
- Action**                      **19. Motion to approve the application to apply for a Grant with Project Fit America with the Hess School teachers and Administration in partnership with the Hamilton Township PTA.**  
**Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_**

Action 20. Motion to accept Hamilton Township PTA funds for the 2016-2017 first and second trimesters in the amount of \$911.07 (attachment Finance-20). 338  
Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_

C. Administration Committee (Personnel and Discipline):  
Chairperson: Mrs. Hassa  
All personnel actions are being taken by the recommendation of the Superintendent.

Action 1. Motion to approve district substitutes for the 2016-2017 school year (attachment Administration-1). 340  
Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_

Action 2. Motion to approve homebound instruction for the 2016-2017 school year (attachment Administration-2). 341  
Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_

Action 3. Motion to approve the creation of the following new positions for 2016-2017 school year as follows:

- Full-time Grade 2-3 SPED SC Teacher – Hess – 20.04.30 BNI
- Part-time Grade 2-3 SPED Paraprofessional – Hess – 24.04.04 BNH

Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_

Action 4. Motion to approve an unpaid Leave of Absence for School Resource Officer Art Faden for the period January 30, 2017 through January 31, 2017. 351  
Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_

Action 5. Motion to approve an intermittent New Jersey Family Leave of Absence for Dawn McCoy, Hess School Paraprofessional for the 2016-2017 school year starting on February 17, 2017 (attachment Administration-5). 351  
Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_

Action 6. Motion to approve a Federal Family Medical Leave of Absence for Marla Kanevsky, Davies School Paraprofessional for the period March 28, 2017 through the end of the school year (attachment Administration-6). 352  
Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_

- Action**                                 **7. Motion to approve an intermittent Federal Family Medical Leave of Absence for Kelly Petrucci, Shaner School teacher for the 2016-2017 school year beginning March 24, 2017 (attachment Administration-7).**                                 **353**  
**Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_**
- Action**                                 **8. Motion to approve a maternity leave of absence for Jacqueline Radice, Davies School teacher. Mrs. Radice is requesting to use her sick time for the period May 1, 2017 through the end of the 2016-2017 school year, New Jersey Family Leave for ten (10) weeks beginning September 1, 2017 with a return to work date to be determined (attachment Administration-8).**                                 **354**  
**Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_**
- Action**                                 **9. Motion to approve a maternity leave of Absence for Alexandra DePamphilis, Shaner School teacher. Mrs. DePamphilis is requesting to use sick time from May 30, 2017 to the end of the school year and NJ Family Leave for twelve (12) weeks beginning on September 1, 2017, with a return to work date TBD (attachment Administration-9).**                                 **355**  
**Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_**
- Action**                                 **10. Motion to approve and intermittent NJ Family Leave of Absence for Tina Bannon, Davies School Nurse, for the 2016-2017 school year effective February 6, 2017 (attachment Administration-10).**                                 **356**  
**Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_**
- Action**                                 **11. Motion to change the start date of Christina Baierski, Hess School part-time Paraprofessional from February 10, 2017 to February 1, 2017.**
- Ms. Baierski was originally approved on January 23, 2017 Board meeting.**
- Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_**



Action

12. Motion to change the last day of employment for Ericka LaSure, par-time Hess School Paraprofessional from February 10, 2017 to February 3, 2017.

Ms. LaSure's resignation was previously approved on January 23, 2017.

Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_

D. Operations Committee (Facilities and Transportation):  
Chairperson: Mr. Higbee

Action

1. Motion to approve club/activity trips for the 2016-2017 school year (attachment Operations-1). 357

Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_

XIII. Resolutions

XIV. Solicitor's Report

XV. Unfinished Business

XVI. New Business (consideration of additional items that may be properly presented to the Board of Education at this time)

XVII. Receive comments from the public in accordance with the Board's policy on participation at Board meeting

XVIII. Executive Session

Resolved that pursuant to Sections 7 and 8 of the Open Public Meetings Act, the public shall be excluded from that portion of the meeting involving discussion of:

- Negotiations

Further resolved that the discussion of such subject matter in executive session can be disclosed to the public when formal action is taken on such subject matter or at any other appropriate time.

Further resolved the Board may take action on items discussed in executive session. Further resolved that the Board will be in executive session for approximately \_\_\_\_\_ minutes.

Motion\_\_\_\_\_Second\_\_\_\_\_Vote\_\_\_\_\_

XIX. Adjournment

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF EDUCATION  
HELD ON JANUARY 23, 2017**

HAMILTON TOWNSHIP PUBLIC SCHOOLS  
Mays Landing, New Jersey  
William Davies Middle School Library

The Regular Meeting of the Hamilton Township Board of Education was called to order at 6:00 p.m. in the Michael H. Duberson Memorial Library at the Davies Middle School by Mr. Eric Aiken, Board President.

**Call  
To  
Order**

**ROLL CALL**

The following members answered roll call: Mrs. Nanci Barr, Mr. Greg Ciambrone, Ms. Margaret Erickson, Mrs. Amy Hassa (arrived at 6:04 p.m.), Mr. Derek Hays (arrived at 6:07 p.m.), Mr. James Higbee, Mrs. Barbara Kupp, and Mr. Eric Aiken.

**Roll  
Call**

Absent: Mrs. Kim Melton

Also present were: Mr. Frank Vogel, Superintendent  
Mrs. Anne-Marie Fala, School Business Administrator/Board Secretary  
Mr. Eric Goldstein, Solicitor

**EXECUTIVE SESSION**

Motion by Mr. Aiken, seconded by Mrs. Kupp, to enter into executive session.

Resolved that pursuant to Sections 7 and 8 of the Open Public Meetings Act, the public shall be excluded from that portion of the meeting involving discussion of:

- HIB Reports
- HTEA Negotiations
- Contracts
- Potential Litigation

Further resolved that the discussion of such subject matter in executive session can be disclosed to the public when formal action is taken on such subject matter or at any other appropriate time.

Further resolved the Board may take action on items discussed in executive session. Further resolved that the Board will be in executive session for approximately 35 minutes.

Mays Landing, NJ  
January 23, 2017

Voice Vote: All in favor: (6-0-0)

The Board entered into Executive session at 6:00 p.m.

The Board resumed the Regular meeting at 7:05 p.m.

Eric Aiken led the Pledge of Allegiance.

This meeting is being held in compliance with the Sunshine Law, having been advertised in the Press of Atlantic City and the Atlantic County Record and a notice posted with the Township Clerk on the Bulletin Board at the following locations: Mizpah Post Office, Mays Landing Post Office, Atlantic County Library, as well as all the schools of the district. A mechanical device is being used to record this meeting and this meeting is also being video-taped.

There are two opportunities to address the members of the Board. The Board values and welcomes comments and opinions from residents as long as remarks are not personal or discourteous. The public comment portion of the meeting allows the Board to listen to community members and to hear their opinions on school policy and operations.

The first public portion is reserved for persons wishing to speak about agenda items only. The second opportunity, following the action items, is when residents may address the Board on any school-related issue. Each speaker is asked to limit their comments to three minutes and you are not permitted to yield your time to another. The public comments portion of the meeting, during both sessions, will not exceed 30 minutes. Upon being recognized, persons wishing to speak should stand and identify themselves by name and address.

Moment of silence for private reflection.

#### **APPROVAL OF MINUTES**

Motion by Mr. Aiken, seconded by Mr. Higbee, to approve the regular session minutes of the meeting of December 12, 2016, as per attachment Minutes-1;

Roll Call Vote: All in favor: Six in favor: Mr. Ciambrone, Ms. Erickson, Mrs. Hassa, Mr. Hays, Mr. Higbee, and Mr. Aiken. Abstain: Mrs. Barr and Mrs. Kupp. (6-0-2)

Motion by Mr. Aiken, seconded by Mrs. Kupp, to approve the regular session minutes of the meeting of January 9, 2017, as per attachment Minutes-2.

Roll Call Vote: Eight in favor: Mrs. Barr, Mr. Ciambrone, Ms. Erickson, Mrs. Hassa, Mr. Hays, Mr. Higbee, Mrs. Kupp, and Mr. Aiken. (8-0-0)

#### **COMMITTEE ASSIGNMENTS**

Administrative Committee:

Mays Landing, NJ  
January 23, 2017

- Personnel
- Discipline

Chairperson: Amy Hassa  
Member: Barbara Kupp

Operations Committee:

- Facilities
- Transportation

Chairperson: James Higbee  
Member: Greg Ciambrone  
Member: Derek Haye

Instruction Committee:

- Curriculum
- Policy

Chairperson: Kim Melton  
Member: Nanci Barr  
Member: Margaret Erickson

Finance Committee:

Chairperson: Derek Haye  
Member: Barbara Kupp  
Member: James Higbee

Negotiations:

Chairperson: Barbara Kupp  
Member: Kim Melton

Delegate and Alternate to the New Jersey School Boards Association (NJSBA):

Delegate: Amy Hassa  
Alternate: Margaret Erickson

Delegate and Alternate to the Atlantic County School Boards Association: (ACSBA):

Delegate: Barbara Kupp  
Alternate: Derek Haye

Legislative Chairperson and Alternate:

Delegate: Eric Aiken  
Alternate: Kim Melton

President: Eric Aiken  
Vice President: Kim Melton

**CORRESPONDENCE**

None

**PUBLIC COMMENTS**

None

**BOARD MEMBER COMMENTS**

Ms. Erickson noted that there was a good turnout for the first Strategic Planning

Mays Landing, NJ  
January 23, 2017

meeting, but she would like to see more for the next meeting.

Mrs. Kupp pointed out the article in the Atlantic City Press regarding the Cozy in the Cold project recently conducted by two of the teachers at the Hess School. Hats, gloves and scarves were donated and left in the park for anyone in need to take.

Mrs. Kupp also mentioned the Dinner and Discussion held last week for the Preschool Program. She noted that there was an excellent turnout and gave kudos to Mrs. Bretones, Laurie Derringer and Gail Luderitz for the excellent job they do.

She also noted that Suzette Charles, a former Miss America will be coming to the Books in Our Backyard event.

Mrs. Hassa noted that one of the Davies School students, Juliana Moss had the opportunity to meet former President Barrack Obama while she was in Hawaii.

Mrs. Hassa is happy to hear that the Mental Health Initiative is being recognized throughout the community. She credited the staff who are making this happen.

Mr. Aiken thanked all of those who attended the Strategic Planning Meeting which was recently held.

Mr. Aiken also noted the excellent job done by the wrestling team and basketball team this season.

### **SUPERINTENDENT/STAFF REPORTS**

Mr. Vogel recognized the new School Business Administrator, Mrs. Fala for maintaining the A+ rating of our financial standards given by Standard and Poors. This rating allowed the district to obtain a good interest rate for future bonds.

Mr. Vogel also noted the next Strategic Planning Meeting to be held on February 6. He encouraged everyone to attend.

He also noted that he had the opportunity to participate in the Mental Health training. He pointed out that the presentation was awesome. He feels it is important to get as many staff members as possible involved with mental health first aid. He thanked Mrs. Hassa for her efforts in this program.

#### **(A) Information Items**

##### **1. Dates to Remember**

- a. February 20, 2017 – Schools Closed – President's Day
- b. February 27, 2017 – Board of Education Meeting – 6:00 p.m. (Executive Session) – 7:00 p.m. (Public Session)

Mays Landing, NJ  
January 23, 2017

- (B) Strategic Planning:
- Monday, February 6, 2017
  - Tuesday, March 14, 2017

Meetings will take place at 6:00 p.m. in the Davies School Cafeteria.

- (C) Shaner Winter Concerts:

- Wednesday, February 1, 2017 – Team B
- Thursday, February 2, 2017 – Team C
- Friday, February 3, 2017 – Team A

All will take place in the Multipurpose Room at 10:00 a.m.

- (D) Registration/Transfer Statistics for the Month of December, 2016, as per attachment XII-D.
- (E) Enrollment for the month of December, 2016, as per attachment XII-E.
- (F) Harassment, Intimidation and Bullying Incident Log, as per attachment XII-F.
- (G) Student Discipline Reports for the month of December, 2016, as per attachment XII-G.
- (H) Presentation: Report on Violence, Vandalism, Harassment, Intimidation, Bullying, Alcohol and Other Drug Abuse, as per attachment XII-H.  
Given by: Russell Clark, Affirmative Action Officer and Anti-Bullying Coordinator
- (I) Presentation: CrisisGo, as per attachment XII-I  
Given by: Scott Scott, Technology Coordinator
- (J) Presenttion: Board Recognition Month  
A special presentation will be given to the Board Members in honor of their service to our schools.
- (K) Mr. Vogel thanked the Board for all they do for the district.

### **COMMITTEES AND RECOMMENDATIONS**

- A. Instruction Committee (Curriculum and Policy):  
Chairperson: Mrs. Melton

Motion by Ms. Erickson, seconded by Mrs. Kupp, to approve the following motion as presented:

Mays Landing, NJ  
January 23, 2017

1. To approve the local and grant funded extra-curricular activities and staff stipends for the 2016-2017 school year, as per attachment Instruction-1:

Stipend amount subject to change at the completion of the H.T.E.A. Contract negotiations.

This position was not filled previously.

2. To approve to pay Laura Aleszczyk for providing five hours of Professional Development (Mindfulness Training) to district para-professionals on 11/21/16, 12/15/16 and 12/16/16 at the rate of \$26.00/hour, as provided for in the 2015-2016 Agreement between the Hamilton Township Board of Education and the Hamilton Township Education Association. This is funded through Local Funds.

Hourly rate subject to change at the completion of the H.T.E.A. Contract negotiations.

Roll Call Vote: All in favor: Mrs. Barr, Mr. Ciambrone, Ms. Erickson, Mrs. Hassa, Mr. Haye, Mr. Higbee, Mrs. Kupp and Mr. Aiken.  
(8-0-0)

Motion by Ms. Erickson, seconded by Mrs. Kupp, to approve the following motions as presented:

3. To approve the William Davies Middle School ESEA Accountability Action Plan – 2016 Secondary Measures and Assurances, as per attachment 3.
4. To approve payment to the following basic skills improvement program staff members to participate in the Parent Engagement Workshop on Wednesday, 1/25/17 at the rate of \$31.15/hour, (not to exceed 2 hours), as provided for in the 2015-2016 Agreement between the Hamilton Township Board of

Mays Landing, NJ  
January 23, 2017

Education and the Hamilton Township  
Education Association. This is funded  
through ESEA Title One Funds.

<u>Staff Member</u>	<u>School</u>
Lea Pickering	Davies
Tara Yard	Davies
Rachel Scott	Davies
Rachel Fifer	Davies
Beth Connor	Shaner
Tara Sutton	Shaner
Kelly Petrucci	Shaner
Clintona Richardson	Shaner
Cory Meisenhelter	Hess
Nancy Barrall	Hess
Maureen Bruner	Hess
Lisa Goodwin	Hess
Stephanie Wilson	Hess
Michael Draper	Hess
MaryLou Higbee	Hess
Diane Brunetti	Hess

The following motion has been presented as an informational item.:

Hamilton Township School District has been afforded the opportunity via Stockton University to participate in the Math and Science Partnership Grant (the funding period is July 1, 2016 through June 30, 2018) to Support K-8 Schools in the Implementation of Next Gen Science Standards (NGSS). Edits made to the participating teachers are as follows:

Grade 7            Meghan Hooper-Jackson (replacing  
                                 Lauren Baglivo who is on a LOA

6. To approve Policy #0155 – Board Committees on second reading.

Roll Call Vote: All in favor: #3 & #6: Mrs. Barr,  
Mr. Ciambone, Ms. Erickson, Mrs. Hassa, Mr.  
Haye, Mr. Higbee, Mrs. Kupp and Mr. Aiken.  
(8-0-0)



Mays Landing, NJ  
January 23, 2017

Seven in favor #4: Mrs. Barr, Mr. Ciambrone,  
Ms. Erickson, Mrs. Hassa, Mr. Haye, Mrs. Kupp  
and Mr. Aiken. Abstained: Mr. Higbee. (7-0-1)

**FINANCE COMMITTEE - Chairperson: Mr. Haye**

Motion by Mr. Haye, seconded by Mrs. Kupp, to approve the following motions, as presented:

1. To approve the Report of Receipts and Expenditures in accordance with 18A:17-8 and 18A:17-9 for the months of November and December, 2016. The Report of Receipts and Expenditures and the Secretary's Report are in agreement for the months of November and December, 2016, as per attachment Finance-1.
2. Board Secretary's Reports for periods ending November 30, 2016 and December 31, 2016. Pursuant to N.J.A.C. 6A:23A-16.10(c)3, the Hamilton Township Board of Education certifies that as of November 30, 2016 and December 31, 2016 and after review of the Secretary's Monthly Financial appropriations section as presented and upon consultation with the appropriate district officials, to the best of the Board's knowledge, no major account or fund has been over-expended in violation of N.J.A.C. 6A:23A-16.10(c)4 and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year, as per attachment Finance-2.

Roll Call Vote: All in favor: Mrs. Barr, Mr. Ciambrone, Ms. Erickson, Mrs. Hassa, Mr. Haye, Mr. Higbee, Mrs. Kupp and Mr. Aiken. (8-0-0)

The following items have been presented as informational items:

3. Interest Income for the months of November and December, 2016, as per attachment Finance-3.
4. Receipts for the months of November and December, 2016, as per attachment Finance-4.
5. Refunds for the months of November and

22

Mays Landing, NJ  
January 23, 2017

December, 2016, as per attachment Finance-5.

6. Capital Reserve Interest for the months of November and December, 2016, as per attachment Finance-6.
7. Rental Income for the month of November and December, 2016, as per attachment Finance-7.
8. Miscellaneous Revenue for the months of November and December, 2016, as per attachment Finance-8.
9. The monthly Budget Summary Reports for November and December, 2016, have been filed by the Board Secretary with the Hamilton Township Board of Education, as per attachment Finance-9.

Motion by Mr. Haye, seconded by Mrs. Kupp, to approve the following motions, as presented:

10. To approve budget transfers as follows, as per attachment Finance-10:

December 31, 2016 - in the amount of  
\$180,934.00

January 23, 2017 - in the amount of  
\$72,969.30

11. To accept the Superintendent's and Board Secretary's certification that they have reviewed all bills and purchase orders which are listed on the bill list, and hereby certify to the Board of Education that all purchase orders are sufficiently encumbered to cover the submitted bills, and further that all goods and services have been previously received.

Roll Call Vote: All in favor: Mrs. Barr, Mr. Ciabrone, Ms. Erickson, Mrs. Hassa, Mr. Haye, Mr. Higbee, Mrs. Kupp, and Mr. Aiken.  
(8-0-0)

The following item has been presented as an informational item:

Mays Landing, NJ  
January 23, 2017

12. Purchase orders issued for services, supplies and equipment in the amount of \$1,059,874.91, as per attachment Finance-12.

Motion by Mr. Haye, seconded by Mrs. Hassa, to approve the following motions, as presented:

13. To approve the following bills and payroll in the total amount of \$5,183,547.66, as per attachment Finance-13:

<u>Fund</u>	<u>Title</u>	<u>Amount</u>
10	General Fund	\$20,014.00
10	General Fund/Payroll	207,326.13
11	Current Expense	2,221,971.34
11	Current Expense/Payroll	2,141,435.80
20	Special Revenue	211,730.71
20	Special Revenue/Payroll	87,718.56
40	Debt Service	109,709.38
50	Cafeteria	121,909.61
50	Kids' Corner	41,772.13
50	Community Education	9,759.50
50	Camp Blue Star	10,200.50

Roll Call Vote: All in favor: Mrs. Barr, Mr. Ciambrone, Ms. Erickson, Mrs. Hassa, Mr. Haye, Mr. Higbee, Mrs. Kupp, and Mr. Aiken.  
(8-0-0)

Motion by Mr. Haye, seconded by Mrs. Kupp, to approve the following motions, as presented:

14. To approve staff attendance at seminars, workshops and conferences, including costs related to applicable reimbursable expenses, during the 2016-2017 school year, as per attachment Finance-14.
15. To approve the submission of the Preschool Education Aid (PEA) Carryover Application to carryover funds from the 15/16 school year into the 16/17 school year, as per attachment Finance-15.
16. To approve the purchase of CrisisGo a Crisis Management software program at a cost of \$3,950.00 for the first year and an annual

renewal cost of \$3,450.00 after the first year, as per attachment Finance-16.

17. To approve two tuition contracts between the Atlantic City Board of Education (sending district) and the Hamilton Township Board of Education (receiving district) for two homeless students for the 2016-2017 school year beginning December 6, 2016 through June 30, 2017 for a total tuition cost of \$6,371.32, pro-rated for one student and \$19,249.76, pro-rated for the other student (multiply disabled).
18. To approve a tuition contract between the Buena Regional Board of Education (receiving district) and the Hamilton Township Board of Education (sending district) for one homeless student for the 2016-2017 school year at a rate of \$71.34/per diem for 139 days for a total cost of \$9,916.26.
19. To approve the FY2017 revised NCLB Application to include FY2016 Carryover Funds and FY 2017 transfers to date, as per attachment Finance-19:

<u>Title</u>	<u>Original Funds</u>	<u>Carryover</u>	<u>Total</u>
Title I	\$645,222	\$4,680	\$649,902
Title IIA	63,545	0	63,545
Title III	16,434	3,231	19,665
Title III-Immigrant	<u>1,968</u>	<u>402</u>	<u>2,370</u>
	\$727,169	\$8,313	\$735,482

20. To accept five (5) Medication Lock Boxes or Lockable Medicine Cabinets on a mini-grant from "Join Together Atlantic County", as per attachment Finance-20.
21. To approve the FY2017 (School Year 2016-2017) Nonpublic School Security Aid budget and purchase orders, as per attachment Finance-21.
22. To approve a Schedule "B" for additional behavioral services to the Contract between the Hamilton Township School District and the

Mays Landing, NJ  
January 23, 2017

Center for Neurological and  
Neurodevelopmental Health (CNNH) effective  
December 12, 2016 through June 30, 2017,  
as per attachment Finance-22.

The original Contract was approved on  
August 15, 2016.

23. To accept the following American Express  
cards donated to the Davies School from  
Balfour Yearbooks (attachment Finance-23):

1 for \$200.00  
1 for \$100.00

These cards will be used towards student  
activities.

24. To accept AtlantiCare's Garden Grant award  
in the amount of \$800.00 for the Shaner  
School.

Roll Call Vote: All in favor: Mrs. Barr, Mr.  
Ciabrone, Ms. Erickson, Mrs. Hassa, Mr.  
Haye, Mr. Higbee, Mrs. Kupp and Mr. Aiken.  
(8-0-0)

**ADMINISTRATION COMMITTEE (Personnel and Discipline):**

**Chairperson: Mrs. Hassa**

**All personnel actions are being taken by the recommendation of the Superintendent.**

Motion by Mrs. Hassa, seconded by Mrs. Kupp, to approve the following motions, as  
presented:

1. To approve district substitutes for the 2016-2017  
school year, as per attachment Administration-1.
2. To approve homebound instruction for the 2016-  
2017 school year, as per attachment  
Administration-2.

Roll Call Vote: All in favor: Mrs. Barr, Mr.  
Ciabrone, Ms. Erickson, Mrs. Hassa, Mr. Haye,  
Mr. Higbee, Mrs. Kupp, and Mr. Aiken. (8-0-0)

Mays Landing, NJ  
January 23, 2017

3. This motion was rescinded.

Motion by Mrs. Hassa, seconded by Ms. Erickson, to approve the following motions, as presented:

4. To accept a resignation notice from Mary Donoflio, Food Service Worker effective December 19, 2016 with her last day of employment to be January 6, 2017, as per attachment Administration-4.
5. To change the employment start date for Cheri Spragan, Davies School part-time Paraprofessional to January 4, 2017.
6. To approve an unpaid Leave of Absence for School Resource Officers Colin Hickey and Art Faden for the period December 6, 2016 through December 13, 2016.
7. To accept a resignation notice from Kelly Ho, Shaner School teacher effective January 10, 2017 with her last day of employment to be March 10, 2017, as per attachment Administration-7.
8. To accept a resignation notice from June Irwin, Food Service Worker effective January 11, 2017 with her last day of employment to be April 28, 2017, as per attachment Administration-8.

Roll Call Vote: All in favor: Mrs. Barr, Mr. Ciambrone, Ms. Erickson, Mrs. Hassa, Mr. Haye, Mr. Higbee, Mrs. Kupp, and Mr. Aiken.  
(8-0-0)

Motion by Mrs. Hassa, seconded by Ms. Erickson, to approve the following motions, as presented:

9. To approve the following Kid's Corner staff at the rate of \$11.00/hour, retroactive back to January 17, 2017:

Nick Gabriel  
Clinton Richardson

Mays Landing, NJ  
January 23, 2017

10. To approve an unpaid leave of absence for Bonnie Repko, full-time Hess School Paraprofessional for January 24, 2017.
11. To approve a maternity leave of absence for Lisa Rotkowitz, Hess School teacher. Mrs. Rotkowitz is requesting to use sick days for the period April 19, 2017 through May 19, 2017 and New Jersey Family Leave for the period May 22, 2017 to the end of the school year with a return to work date of September 1, 2017, as per attachment Administration-11.
12. To accept a resignation notice from Ericka LaSure, Hess School Paraprofessional effective January 13, 2017 with her last day of employment to be February 10, 2017, as per attachment Administration-12.
13. To approve an intermittent NJ Family Leave of Absence for Andrew Disque, Davies School Psychologist for the 2016-2017 school year, as per attachment Administration-13.

Roll Call Vote: All in favor: Mrs. Barr, Mr. Ciambrone, Ms. Erickson, Mrs. Hassa, Mr. Haye, Mr. Higbee, Mrs. Kupp, and Mr. Aiken.  
(8-0-0)

14. This motion was rescinded.

Motion by Mrs. Hassa, seconded by Ms. Erickson, to approve the following motions, as presented:

15. To revise a Maternity Leave of Absence for Lauren Baglivo, Davies School teacher. Mrs. Baglivo will use sick days for the period January 9, 2017 through January 25, 2017, Federal Family Medical Leave of Absence for the period January 26, 2017 through March 22, 2017 and New Jersey Family Leave from March 23, 2017 through the end of the school year with a return to work date of September 1, 2017.

Mays Landing, NJ  
January 23, 2017

Mrs. Baglivo's Leave of Absence was previously approved on November 28, 2016.

16. To change the school position control # 24.03.08 BGI from Davies to Shaner.
17. To approve the following Blue Star Academy staff beginning February 1, 2017, not to exceed 5/hours per week at the rate of \$24.51/hour:
  - Kathy Watkins
  - Jeff Gildiner
  - Rachel Fifer
  - Christina Warren
  - Sheldis Hewish

Roll Call Vote: All in favor: Mrs. Barr, Mr. Ciambrone, Ms. Erickson, Mrs. Hassa, Mr. Haye, Mr. Higbee, Mrs. Kupp, and Mr. Aiken. (8-0-0)

Motion by Mrs. Hassa, seconded by Ms. Erickson, to approve the following motions, as presented:

18. To approve Christina Baierski as a part-time, 10 month, 29 hours/week Hess School Paraprofessional for the period February 10, 2017 through June 30, 2017, Paraprofessional Guide, Step 1, with a total annual salary of \$15,979.00, pro-rated, as per attachment Administration-18.

Salary subject to change at the completion of the H.T.E.A. negotiations.

Mrs. Baierski is a replacement for Ericka LaSure.

19. To approve Kristen Hockenbury as a part-time, 10 month, 29 hours/week Hess School Paraprofessional for the period January 30, 2017 through June 30, 2017, Paraprofessional Guide, Step 1, with a total annual salary of \$15,979.00, pro-rated, as per attachment Administration-19.



Mays Landing, NJ  
January 23, 2017

Salary subject to change at the completion of the H.T.E.A. negotiations.

Ms. Hockenbury is a replacement for Lawrence Laskowski.

20. To approve Helen Macchiavelli as a full-time, 10 month, Hess School Nurse for the period February 1, 2017 through June 30, 2017, BA+15, Step 2 with a total annual salary of \$51,228.00, as per attachment Administration-20.

Ms. Macchiavelli is a replacement for Barbara Bayconich.

Salary subject to change at the completion of the H.T.E.A. negotiations.

Roll Call Vote: All in favor: Mrs. Barr, Mr. Ciambrone, Ms. Erickson, Mrs. Hassa, Mr. Haye, Mr. Higbee, Mrs. Kupp, and Mr. Aiken. (8-0-0)

Motion by Mrs. Hassa, seconded by Ms. Erickson, to approve the following motions, as presented:

21. To approve a voluntary transfer for Keith Russell, Shaner School Custodian from Shaner School to Davies School effective January 25, 2017.
22. To approve a voluntary transfer for Kelli Puff, Davies School Custodian from Davies School to Shaner School effective January 25, 2015.

Roll Call Vote: All in favor: Mrs. Barr, Mr. Ciambrone, Ms. Erickson, Mrs. Hassa, Mr. Haye, Mr. Higbee, Mrs. Kupp, and Mr. Aiken. (8-0-0)

**OPERATIONS COMMITTEE (Facilities and Transportation):**  
**Chairperson: Mr. Higbee**

Motion by Mr. Higbee, seconded by Mr. Ciambrone, to approve the following motion, as

Mays Landing, NJ  
January 23, 2017

presented:

1. To approve club/activity trips for the 2016-2017 school year, as per attachment Operations-1.

Roll Call Vote: All in favor: Mrs. Barr, Mr. Ciambrone, Ms. Erickson, Mrs. Hassa, Mr. Haye, Mr. Higbee, Mrs. Kupp, and Mr. Aiken.  
(8-0-0)

### **RESOLUTIONS**

None

### **SOLICITOR'S REPORT**

Mr. Goldstein wanted to make public concerns regarding multiple issues that have occurred on school buses. Mr. Goldstein noted that the district is paying close attention to these issues. Mr. Goldstein and Mr. Vogel will be meeting with representatives from Shepard to discuss these issues.

### **UNFINISHED BUSINESS**

None

### **NEW BUSINESS**

Motion by Mr. Aiken, seconded by Ms. Erickson, to approve the following motion, as presented:

1. To approve the submission of the Report on Violence and Valdalism, Harassment, Intimidation, Bullying, Alcohol and Other Drug Abuse

Roll Call Vote: All in favor: Mrs. Barr, Mr. Ciambrone, Ms. Erickson, Mrs. Hassa, Mr. Haye, Mr. Higbee, Mrs. Kupp, and Mr. Aiken. (8-0-0)

### **PUBLIC COMMENTS**

None

### **ADJOURNMENT**

Motion by Mr. Aiken , seconded by Mrs. Kupp, to adjourn the meeting.

Voice Vote: All in favor: (8-0-0)

The Hamilton Township Board of Education meeting adjourned at 8:30 p.m.

Mays Landing, NJ  
January 23, 2017

Anne-Marie Fala  
School Business Administrator/Board Secretary

Mays Landing, NJ  
February 6, 2017

**MINUTES OF THE SPECIAL MEETING  
OF THE BOARD OF EDUCATION HELD ON FEBRUARY 6, 2017  
HAMILTON TOWNSHIP PUBLIC SCHOOLS  
Mays Landing, New Jersey**

Mr. Vogel welcomed everyone and thanked them for attending tonight's meeting for the purpose of Strategic Planning.

The Special Meeting of the Hamilton Township Board of Education was called to order at 6:00 p.m. in the Wm. Davies School Cafeteria located at 1876 Dr. Dennis Foreman Drive, Mays Landing, New Jersey by Mr. Eric Aiken, Board President.

**Call  
To  
Order**

Mr. Aiken led the Pledge of Allegiance.

**Pledge of  
Allegiance**

**ROLL CALL**

The following members answered roll call: Mrs. Nanci Barr, Mr. Greg Ciambrone, Ms. Margaret Erickson, Mrs. Amy Hassa, Mr. James Higbee, Mr. Derek Haye, Mrs. Barbara Kupp, and Mr. Eric Aiken.

Also Present: Frank Vogel, Superintendent  
Anne-Marie Fala, School Business Administrator  
Maryann Friedman, New Jersey School Board Association

Absent: Mrs. Kim Melton

Mr. Aiken introduced Mrs. Maryann Friedman from New Jersey School Board Association who explained Our Vision for the Future Activity. She then spoke to the group regarding Identifying our Expectations for the future of the Hamilton Township School District.

Everyone in attendance worked in groups to identify initiatives required to achieve the vision.

Representatives from each group presented ideas.

**ADJOURNMENT**

Motion by Mr. Aiken, seconded by Ms. Erickson, to adjourn the meeting.

Voice Vote: All in favor: (8-0-0)

The Hamilton Township Board of Education meeting adjourned at 7:55 p.m.

\_\_\_\_\_  
Anne-Marie Fala  
School Business Administrator/Board Secretary

XI-B

Registration/Address Change/Transfer Statistics

2016-2017

	<u>Registrations</u>	<u>Address Changes</u>	<u>Transfers</u>
September	107	23	44
October	45	37	15
November	36	22	19
December	20	11	6
January	40	12	21
February			
March			
April			
May			
June			
July			
August			

2016-2017  
STUDENT ENROLLMENT  
HAMILTON TOWNSHIP SCHOOL DISTRICT ENROLLMENT

	September		October		November		December		January		February		March		April		May		June		2017				
	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS			
<b>Preschool</b>	162	18	169	18.8	9	18.8	169	18.8	9	18.8	169	18.8	9	18.8	9	18.8	9	18.8	9	18.8	9	18.8	9	18.8	
Kindergarten	258	13	259	13	13	19.9	261	20.1	13	20.1	261	20.1	13	20.1	13	20.1	13	20.1	13	20.1	13	20.1	13	20.1	
<b>Grade 1</b>	264	13	266	13	13	20.2	263	20.2	13	20.2	263	20.2	13	20.2	13	20.2	13	20.2	13	20.2	13	20.2	13	20.2	
<b>Grade 2</b>	297	14	298	14	14	21.3	306	21.9	14	21.9	307	21.9	14	21.9	14	21.9	14	21.9	14	21.9	14	21.9	14	21.9	
<b>Grade 3</b>	272	12	274	12	12	22.8	273	22.8	12	22.8	272	22.7	12	22.7	12	22.7	12	22.7	12	22.7	12	22.7	12	22.7	
<b>Grade 4</b>	323	14	322	14	14	23.0	321	22.9	14	22.9	322	23	14	23	14	22.9	14	22.9	14	22.9	14	22.9	14	22.9	
<b>Grade 5</b>	305	12	305	12	12	25.4	308	25.7	12	25.7	310	25.8	12	25.8	12	25.7	12	25.7	12	25.7	12	25.7	12	25.7	
<b>Grade 6</b>	326	15	325	15	15	21.7	324	21.6	15	21.6	323	21.5	15	21.5	15	21.6	15	21.6	15	21.6	15	21.6	15	21.6	
<b>Grade 7</b>	346	15	349	15	15	23.3	350	23.3	15	23.3	349	23.3	15	23.3	15	23.3	15	23.3	15	23.3	15	23.3	15	23.3	
<b>Grade 8</b>	323	15	322	15	15	21.5	321	21.4	15	21.4	322	21.5	15	21.5	15	21.3	15	21.3	15	21.3	15	21.3	15	21.3	
***Self Contained	159	17.5	158	17.5	17.5	9.0	164	9.4	17.5	9.4	172	9.8	17.5	9.8	175	10	17.5	10	17.5	10	17.5	10	17.5	10	
<b>Totals</b>	3035		3047			3058		3066		3068		3068		3068		3068		3068		3068		3068		3068	

\*ACS - Average Class Size  
\*\* Self Contained Figures include Pre-K

XIC

36

Hamilton Township  
School District

Superintendent's List  
and  
Principal's List

2nd Marking Period  
2016-2017

Superintendent's List  
Grade 6  
2016-2017

Donnalyn Alcantara	Samantha Ky
Tyler Ali	Jeffrey Marano
Carly Angelo	Kate McAvaddy
NaaKwama Ankrah	Dylan McClain
Sophia Asselta	Jacob Merlino
Morgan Baggstrom	Juliana Moss
Elizabet Bogomolova	Molly Mulligan
Angelica Bonilla	Madaline Muuo
Abrielle Bouchacourt	Tori Newman
Ava Broadbent	James Nilsen
Tia Bryan	Charlie Peter Odhiambo
Yvonne Buason	Marcial Orellana Rodriguez
Dylan Chan	Rishil Patel
Jonathan Day	Jonathan Rivera
Breanna DiCola	Jordanlyn Rubino
Lillian Dirkes	David Sampedro
Kieralyn Edmunds	Zachary Sandman
Morgan Emper	Cierra Sansone
Anthony Farrell	Julia Shulby
Nicholas Foell	Adam Smith
Dustin Foulke	Surgoe Soliman
Kaory Fuentes Calle	Mary Statile
Makenzie Gallagher	Jenna Thomas
Gioneli Garcia	Savannah Thompson
Hailey Giordano	Ajalon Torres
Mia Gonzalez-Barahona	Ranyah Torres
Lucas Grdic	Tiffany Tran
Robert Hare	Yomarielis Valentin
Samantha Hassa	Patricia Vaughan
Kiley Hernon	Madison Ventura
Tiffany Higginbotham	Carys White
Aidan Hipple	Holly Zajack
Destiny Hoff	
Roberta Horton	
Rosalie Jogno	



Superintendent's List  
Grade 7  
2016-2017

Ayden Adair	Nicolas Luciano
Sanija Aikens	Nathan Mangold
Justine Angela Alumia	Scarlett McCourt
Gunnar Angier	Jared Miller
Ciyana Archetto	Varsha Mudaliar
James Baltz	Kaylah Muhammad
Jeremy Black	Anne Olanrewaju
McKenna Blair	Jordan Palmeri
Ean Boakes	Salvatore Palmeri
Ethan Brasher	Bradley Pao
Nicole Carpenter	Peter Parlagreco
Thomas Cawley	Anthony Petrongolo
Haley Citron	Joseph Petrongolo
Kelsey Compton	Tess Petrongolo
David Cressman	Laura Phillips
Mikail Cuerquis	Madeline Richards
Katerina Dainton	Emma Robinson
Makayla Duffy	Jacob Ruchser
Christopher Dunn	Katerina Sampedro
Olivia Edmonds	Tanya Sharma
Thomas Fisher	Aila Shelley
Julian Frank	Isabelle Signorello
Demyana Gerges	Thomas Small
Parker Grace	Amiyah Stephens
Heather Harding	Izabella Williamson
Katelin Haye	William Willman
Beatriz Halle Ibale	Jonathan Yuen
Isabella Imperatore	
Leilanie Jogno	
Morgan Kahn	
Oliver Kiszewski	
Wasif Labib	
Martha Lake	
Brianna Lopez	

Superintendent's List  
Grade 8  
2016-2017

Mohamed Abdalla	Sarah Laskowski
Andrew Barrera	Lauren Liberty
Brix Baylon	Colin Macrie
Cassandra Booth	Sarangelis Marrero-Sanchez
Zoey Booth	Ariel McAllister
Nadia Bougioukas	Paige Mlynarczyk
Bryson Bugdon	Antonia Monroe
Alexis Cabrera	Rebekah Monroe
Steven Canizzaro	Skyler Mooney
Mariah Cook	Natalie Napoli
Gabrielle Corchiani	Tiffany Nelson
Keira Couplin	Isaiah Newsome
Brielle Curtin	Yonis Ochoa Orozia
Billy Dennison	Pamir Fiona Pahang
Brooke Dorofee	Lola Pham
Alexi Elwood	Alexi Phommathep
Steven Flickinger	Alyssa Pofi
Cheyenne France	Stephanie Power
Saloni Garg	Naya Rivera
Megan Gaskill	Kelsie Ross
Isabella Gatto	Sabrina Salman
Makayla Green	Gabrielle Santosuosso
Jessica Guido	Grace Schenker
Cliff Hamler	Jayden Shertel
Abigail Harvie	Delaney Spano
Justin Haye	Shelby Spica
Kaylee Hernandez	Jonah Telesca
Aryona Holland	Maxwell Tran
Mariely Horenberger	Adriana Vargas
Fiona Hua	Na'Jualin Velazquez
Jayden Jones	Lauren Walden
Brandon Kang	Emily Weber
Larissa Lai	

Principal's List  
Grade 6  
2016-2017

Anthony Acosta Quintanilla	Michaela Hearn	Briana Perez Solana
Kaylani Adams	Kyle Heck	Benjamin Pham
Oshogwe Agbugui	Dominick Hennings	Francesca Pollara-Parsons
Isabella Arroyo	Xavier Hernandez	Joseph Ponzetti
Kylee Astleford	Arriana Johnson	Evan Power
Joshua Barber	Hailey Johnson	Thomas Prychka
Mia Barber	Saniyyah Jones	Tatiana Reyes
Dominic Birch	Christina Kalai	Jayla Reynolds
Breanna Blisard	Isaac Kane	Derick Reynosa
Ivan Bolf	Ethan Kissling	Najilah Rhodes
Heidi Booth	Gabriella Kuhns	Alexander Rodriguez
Raphael Bova	Nikoloz Kurtanidze	Annie Rodriguez
Samuel Bryant	Mason Kurtz	Juan Rodriguez
Tyion Bunch	Katelyn Kusnirik	Tyler Rosado
Isabella Cairone	Skylar Leary	Stephanie Ruales
Catherine Capone	Theresa Leary	Saamiah Salman
Andres Chavolla	Vanessa Lee	Mia Scafario
Pharah Clark	Frank Limato	Ethan Scattone
Dylan Collins	Jayden Llanos	Jacob Scheeler
Ariella Curtidor	Alexander Locke	Katheryn Scheeler
Phuc Do	Sophia Claudette Magadia	Cierra Schuster
Sebastian Duran	Gianni Mammana	Cheyenne Schwenker
Alex Elrasoul	Melissa Maulone	Mackenzie Smith
Michelle Esochaghi	Samantha Mayer	Lillea Soreth
Melanie Espichan Huamani	Michael McGrath	Joshua Stangl
Diego Estrada	Judah McIntosh	Michael Stewart
Thomas Faust	Brooke Meisenhelter	Alexis Thavisack
Erik Figueroa	Adriell Montalvo-Narvaez	Nasir Tucker
Angela Fisher	Joshua Mozelle-Maldonado	Anthony Vance
Anaya Fitzpatrick	Judith Nunez	Elizabeth Vaughan
Brian Flynn	Angelina Oberc	Nacir Walker
Mia Forbes	Edward Ottepkka	Ella Marie Wardell
Mya Ford	Kyara Paduani Gonzalez	Sicily Webb
Miles Francis	Ashley Paladines	Bryana Williams-Aikens
Gwenevere Gatto	DeJuan Palmer	Arianna Young
Michael Giacobbe	Carlotta Pappas	
Develin Grant	Cody Patterson	
James Guido	Anna Pedano	
Shania Hampton	Madison Pell	
Ah'Miyah Harris	Amalinally Pemberton	
Jada Hayes	Nellieth Penzo-Castro	

Principal's List  
Grade 7  
2016-2017

Paige Aiken	Justin Guindy	Andrew Ogunjimi
Vincent Albani	Aniyah Gunter	Alexandria Osunniyi
Millicent Ashiagbor	Caleb Hamilton	Erin Owens
Emily Badger	Abhisha Hariharan	Joshua Palmer
MaKenzie Baggstrom	Justin Hawkins	John Parmenter
Marissa Baggstrom	Gavin Healy	Dominic Peranio
Nathaly Barahona	Paolo Antonio Hermoso	Jalon Pitts
Ryan Bendixen	Kylie Higbee	Amelia Pullano
Alexia Bey	Nasir Hill	Nery Ramos
Kylie Blount	David Khiem Hoang	Learis Rivera-Sanchez
Abria Bosket	Cali Holak	Naomi Rodriguez
Kacey Bowen	Hogan Horsey	William Roller
Alanna Boyle	Evelyn Husta	Chase Ross
Madelyn Boyle	Xander Hutcherson	Ethan Rowley
Waheed Brown Hill	Cara Irwin	Keagan Samuel
Juliana Calderon	John Iside	Anthony Sansone
Christopher Caracci	Lasaan Jackson White	Carlos Santiago
Andres Carpio Rodriguez	Gabrielle Kaminski	Carlos Santiago
Kelsie Cavileer	Olivia Labastida	Trishana Sathiyanesan
David Connelly	Devin Lally	Rachael Schrier
Alana Cormier	Melanie Lantigua	Franklin Simms
Andrew Costantini	Marc Larson	Madisen Slack
Jared Curtis	Talya Leap	Morgan Slunt
Isabella Darcy	Kenneth Leary	Brennen Smith
Duane Davis	Cereya Lee	Isabella Snodgrass
Madeline Davis	Paige Levy	Lamine Sougoufara
Hannah Derringer	Mekhi Lewis	Thomas Stard
Jaquan Dublin	Rinalize Lim	Hailey Super
Sara Duran	Allan MacQueen	Olivia Thies
Angela Ebert	Neilah March	Samantha Thompson
LaNirah Elliott	Vincent Marco	Hannah Tran
Anuoluwa Fakolade	Danasha McNair	Mikayla Tropiano
Junious Felder	Breanna Miller	Abigail Tunney
Felix Feliciano Alvarado	Tyler Mong	Kanye Udoh
Lauren Findeison	Heidi Monhollen	Ashley Vargas
Jaden Foster	Jaylin Moore	Colin Veltri
Ethan Gale	Nichole Moradel	Angeline Weah
Mico Adam Gaminde	Jaiden Navratil	Joslynn Whaley
Gabriella Gibson	RaMar Neely Wilson	Janiyah Wheeler
Michael Giordano	Lucas Neugent	Yasir Young
Sydney Groen	Jasmine Nguyen	Ava Zabelski
Zoey Gromadzyn	Jaliyah Ocasio	

Principal's List  
Grade 8  
2016-2017

Jayden Anaya	Noel Gonzalez	Jasmine Oquendo
Shane Arrera	Alexa Goode	Alyssa Pagan
Asembo Augo	Timothy Graczyk	Nathaniel Palmeri
Nyla Ausborn	Byron Griffin	Amirah Parks
Carlos Barahona Cardona	Robert Gunter	Christopher Pedano
Catheryne Bertrand-Hernandez	Jahqir Haley	Alexander Perez
Jazzmin Bethel	Kaya Hamilton	Blake Pierson
Erika Biasini	Ja Maine Hawkins-Davenport	Isabella Previti
Ryan Bitler	Jason Hearn	Michael Raciti
Autumn Bott	Brian Hoang	Eddie Ramirez
Andre Boyer	Michael Hudson	Anthony Ramos
Amaziah Bradshaw	Kyree Jackson	Joseph Redd
Keyani Branch-Young	Darren Johnson	LaNiyah Reed
Johnathan Brittain	Niko Johnson	Jacob Reingruber
John Brown	Siheam Jones	Jessica Restrepo
Jake Burnett	Devin Jurasik	Amoni Ridgeway
Rachel Bustard	Kieran Kerrigan	Kaelyn Risley
Dicky Chen	Nithilaa Kiritharan	Olivia Risley
Salvatore Chiaramonte	Jasmine LeClair	Luis Robles
Jacob Cogswell Martelli	Ryan Liberty	Cyrus Rodriguez
Madison Connelly	Theodore Locke	Jocelyn Rodriguez Navarro
Andrew Constantino	Madison Lockwood	Zachary Roeder
Sadie Crispell	Raven MacIntosh	Desiree Roller
Hannah Curcio	David Martinez	Grace Rowley
Luke Legrand Dato	Hannah McCardell	Aja Saint Surin
Shaunajah Davis Roberts	Matthew McClay	Dale Scheeler
Jhoselyn DelCid	Emma McErlain	James Scribner
Jalen Dunson	Leah McPhillips	Emily Shelley
Julien Dunson	Daniel Mendez	Xavier Simms
Sarah Eaton	Charissa Mensah	Logan Skinner
Charles Ellis	Chanel Mitchell	Sarah Small
Zachary Emmell	Mahika Mitchell	Samantha Spica
Adaeze Esochaghi	Tyler Monzo	Rebecca Statile
Tonja Falls	Sage Muhammad-Allmond	Jackson Stone
Geovanny Feliciano	Rebecca Munyon	Rachel Stuber
Ian Fischer	Alec Murdock	Steven Szabo
David Flippen	Ethan Nelson	Abigail Thompson
Renee Flores	Zymir Newman	Kahlif Thornton
Giana Fortson	Joshua Nguyen	Belinda Thoumma
Christopher Fowler	Kenji Nozawa	Hayleigh Tillet
Jose Fuentes	Jeremie Ocasio	Lisandra Torres
Tathiana Garcia	Abraham Olanrewaju	Dominic Totoro
Brianna Gibson	Anaya Oliver	Da'Shon Tucker

Principal's List  
Grade 8  
2016-2017

Lauren Ulland  
Michael Vasquez Hoyos  
Matthew Vega  
Evan Walsh  
Iyanna Washington  
Alexander Wilson  
Tyler Winn  
Heldreth Yu  
Clare Zhang

Hamilton Township School District  
 Board Agenda Item  
 Month: February 27, 2017  
 Committee: Curriculum  
Lisa C. Dagit, Director of Curriculum & Instruction

Grant funded extra-curricular activities for the 2016-2017 school year as listed below:

<b>Title One NCLB – Remedial Academic Services 20-231-100/200-100-06-SHA/HESS/DAV</b>						
<b>Activity</b>	<b>Staff Member</b>	<b>Meeting Days</b>	<b>Stipend</b>	<b>Source</b>	<b>School</b>	<b>Student Contact</b>
Remedial Academic Services (MATH)	Jeffery Gildiner	20 sessions	904.00	Title I	NP	Yes
Remedial Academic Services (ELA)	Stephanie Wilson	20 sessions	904.00	Title I	NP	Yes

Note this: A portion of HTSD's Title One funds are allocated to the St. Vincent De Paul School and they must be used for instructional services! These remedial instructional services are to be delivered to basic skills students attending the St. Vincent De Paul School.

Instruction-1

# POLICY GUIDE

ADMINISTRATION

1510/page 1 of 6

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Policy on Non-Discrimination**

Dec 16

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[See POLICY ALERT Nos. 136, 151, 167 and 210]

**1510 AMERICANS WITH DISABILITIES ACT RIGHTS OF PERSONS  
WITH HANDICAPS OR DISABILITIES/POLICY ON  
NON-DISCRIMINATION**

It is the policy of the Board of Education that no qualified ~~handicapped or disabled person~~ **individual with a disability will shall**, on the basis of ~~handicap or disability~~, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment or under any program, activity, or ~~services vocational opportunities~~ sponsored by this Board. The Board ~~will shall~~ comply with ~~§504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990~~, as **amended by the Americans with Disabilities Amendments Act of 2008 (hereafter referred to as the Act)**. It ~~shall also comply with the Individuals with Disabilities Education Act through the implementation of Policy No. 2460 and Regulations Nos. 2460 through 2460.14.~~

Notice of the **Board Policy 1530 – Equal Educational Opportunities and Board Policy 5750 – Equal Educational Opportunity** ~~Board's policy on nondiscrimination in employment (Policy and Regulation No. 1530) and education (Policy and Regulation No. 5750)~~ will be included in the Board policy manual, posted throughout the district, and referenced in any district statement regarding the availability of employment positions or educational services.

### Employment

No employee or candidate for employment ~~will shall~~ be discriminated against in recruitment, hiring, advancement, discharge, compensation, **job** training, transfer, or any other term, condition, or privilege of employment solely **on the basis of a disability** ~~because of his/her handicap/disability~~, provided the employee or candidate can, with or without reasonable accommodation, perform the essential functions of the position sought or held.

No candidate for employment ~~will shall~~ be required to answer a question or submit to an examination regarding a ~~handicap/disability~~ except as such ~~handicap/disability~~ relates directly to **perform job-related functions the performance of the job sought**. No candidate will be discriminated against on the basis of a ~~handicap/disability~~ that is not directly related to the essential function of the position for which he/she has applied.



64



# POLICY GUIDE

ADMINISTRATION

1510/page 2 of 6

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Policy on Non-Discrimination**

Reasonable accommodations, not directly affecting the educational and/or instructional program, ~~will shall~~ be made to accommodate employment conditions to the needs of qualified **individuals** persons with handicaps/disabilities. ~~sSuch~~ accommodations may include, but are not limited to: ~~rescheduling; restructuring jobs; making facilities accessible; acquiring or modifying equipment; modifying examinations, training materials, policies and procedures; and providing readers or interpreters making existing facilities used by employees readily assessable to and usable by individuals with disabilities,~~ **job restructuring, part-time modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.**

**The district will furnish appropriate auxiliary aids and services where necessary to afford individuals with disabilities an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the district.**

~~The Board employment policies and procedures shall comply with the Americans with Disabilities Act.~~

## Facilities Maintenance and Accessibility

No qualified **individual with a disability** ~~handicapped/disabled person will shall~~, because of the school district's facilities being inaccessible or unusable by ~~handicapped/disabled persons~~, be denied the benefits of, be excluded from participation in or otherwise be subjected to discrimination under any program or activity offered by the Board. No new facilities ~~will shall~~ be constructed that do not fully comply with ~~§504 of the Rehabilitation Act of 1973 and the American with Disabilities Act~~. Alterations to existing facilities or part thereof, ~~will shall~~ be altered in such a manner to the maximum extent feasible, that the facilities are readily accessible and usable by individuals with handicaps/disabilities who have a need to access Board facilities.

**The district will maintain facilities and equipment required by the Act to be readily accessible to and usable by persons with disabilities.**



# POLICY GUIDE

ADMINISTRATION

1510/page 3 of 6

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Policy on Non-Discrimination**

## **Service, Program, and Activity Access Educational Program Accessibility**

**The district will make reasonable accommodations so that services, programs, and activities are readily accessible and usable by qualified individuals with disabilities. The district is not required to provide personal devices or services of a personal nature to qualified individuals with disabilities.**

~~No qualified handicapped/disabled person shall be denied the benefit of, be excluded from participation in, or otherwise be subjected to discrimination in any activity offered by this district.~~

~~The Board has an affirmative obligation to evaluate a student who is suspected of having a handicap/disability to determine the student's need for special education and related services. The Board directs that all reasonable efforts be made to identify unserved children with handicaps/disabilities in this district who are eligible for special education and/or related services in accordance with Policy No. 2460 and Regulations Nos. 2460 through 2460.14, the Individuals with Disabilities Education Act, §504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.~~

~~Section 504 of the Rehabilitation Act requires the Board to address the needs of children who are considered handicapped/disabled under §504 and do not qualify for services under the Individuals with Disabilities Education Act. A student may be handicapped/disabled within the meaning of §504, and therefore entitled to regular or special education and related aids and services under the §504 regulation, even though the student may not be eligible for special education and related services under Part B of the Individuals with Disabilities Education Act.~~

~~No student will be denied, because of his/her educational handicap/disability, participation in co-curricular, intramural, or interscholastic activities or any of the services offered or recognitions rendered regularly to the students of this district.~~

~~There will be grievance procedures for persons alleging discriminatory acts by the Board and/or staff. The due process rights of students with handicaps/disabilities and their parents will be rigorously enforced.~~



# POLICY GUIDE

ADMINISTRATION

1510/page 4 of 6

~~Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Policy on Non-Discrimination~~

## Evaluation and Compliance

The Superintendent or designee will evaluate district programs and practices on nondiscrimination, in accordance with law, and will report to the Board accordingly. Assurances of compliance will be submitted as required by law.

The district, with the assistance of interested persons, who may include individuals with disabilities or members of organizations representing individuals with disabilities, or other interested community members and staff, will evaluate its current services, policies, practices, and the effects thereof with regard to the requirements of the Act and make necessary modifications to meet the Act requirements. If such modifications would result in a fundamental alteration of the nature of the affected program or activity, or undue financial or administration burden, the district will provide access through means which would not result in a fundamental alteration or undue financial or administrative burden. 28 CFR §35.150(a)

For a period of at least three years following completion of the self-evaluation, the district will maintain on file, available for public inspection, a list of those interested persons consulted, a description of the areas examined and problems identified, and modifications made.

Enforcement - 28 CFR §35.107

The Board will designate the CST Supervisor ~~is designated~~ as district coordinator for matters dealing with ADA compliance §504 and Title IX. The district coordinator ~~shall act as a compliance officer and~~ can be contacted at the following address or telephone number:

Office Address:

1876 Dr. Davis Forman Dr.  
Mays Landing, N.J. 08330

Telephone Number:

609-476-6300

Grievance procedures are outlined in Regulation 1510.

~~A complaint regarding a violation of law and this policy will be subject to a complaint procedure that provides for the prompt and equitable resolution of disputes.~~



# POLICY GUIDE

ADMINISTRATION

1510/page 5 of 6

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Policy on  
Non-Discrimination**

~~The complainant shall be notified of his/her rights of appeal at each step of the process, and accommodations to the needs of handicapped/disabled complainants shall be made. A complainant shall be informed of his/her right to file a formal action for redress with or without recourse to the complaint procedure established by this policy and its accompanying regulation.~~

~~A complaint regarding the identification, evaluation, classification, or educational program of a student with a handicap/disability shall be governed by the due process rules of the State Board of Education, N.J.A.C. 6A:14-2.7 and the Office of Administrative Law, N.J.A.C. 1:6A-1 et seq., and by the procedural safeguard processes established by Board Policy No. 2460 and Regulation No. 2460.6 or the grievance procedures established in Regulation No. 1510.~~

## Guarantee of Rights

The Board ~~will shall~~ not interfere, directly or indirectly, with any person's exercise or enjoyment of the rights protected by the ~~Act. §504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act or Title IX.~~

The Board ~~will shall~~ not discriminate against any person for that person's opposition to any act or practice made unlawful by law or this ~~Ppolicy~~ or for that person's participation in any manner in an investigation or proceeding arising under ~~the Act. §504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act or Title IX.~~

**The district is not required to permit an individual to participate in or benefit from the district's services, programs, or activities when that individual poses a direct threat to the health or safety of others.**

## Evaluation and Compliance

~~The Board directs the Superintendent to evaluate district programs and practices on nondiscrimination, in accordance with law, and to report evaluations to the Board. The Board will submit such assurances of compliance as are required by law.~~



68

# POLICY GUIDE

ADMINISTRATION

1510/page 6 of 6

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Policy on Non-Discrimination**

## Notice Annual Publication

**Policy and Regulation 1510 will be available to any member of the public in the district's Policy and Regulation Manual. This Policy will be published yearly prior to the beginning of the school year in a regional newspaper, magazine and/or other written communication that is available to the public.**

~~29 U.S.C. 794 (Sec. 504, Rehabilitation Act of 1973)~~

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

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

N.J.S.A. 10:5-1 et seq.

N.J.S.A. 18A:18A-17

N.J.A.C. 6A:14-1 et seq.

34 CFR Part 104

Adopted:



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 1 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

Dec 16

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[See POLICY ALERT Nos. 136, 138, 151, 167 and 210]

## R 1510 AMERICANS WITH DISABILITIES ACT RIGHTS OF PERSONS WITH HANDICAPS OR DISABILITIES/NON DISCRIMINATION

The Board of Education will comply with the requirements of the Americans with Disabilities Act of 1990, including changes made by the ADA Amendments Act of 2008 (hereafter referred to as the "Act.")

### A. Definitions

1. "Act" means the Americans with Disabilities Act of 1990, as amended by the ADA Amendments Act of 2008.
2. "Auxiliary aids and services" are identified based on the context of the communication and the individual's disability.  
28 CFR §35.104

They include, but are not limited to:

- a. Effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;
  - b. Effective methods of making visually delivered materials available to individuals who are blind or have low vision;
  - c. Acquisition or modification of equipment or devices or similar services and actions; and
  - d. Other similar services and actions.
3. "Board" means the Board of Education of this school district.
  4. "Companion" means a family member, friend, or associate of an individual seeking access to a service, program, or activity of a school district, who, along with such individual, is an appropriate person with whom the district should communicate.



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 2 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

5. "Complete complaint" means a written statement, signed by the complainant or someone authorized to do so on his/her behalf, containing the complainant's name and address and describing the public entity's alleged discriminatory action in sufficient detail to inform the agency of the nature and date of the alleged violation. 28 CFR §35.104
6. "Current illegal use of drugs" means illegal use of drugs that occurred recently enough to justify a reasonable belief that a person's drug use is current or that continuing use is a real and ongoing problem.
7. "Direct threat" means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services. 28 CFR §35.139
8. "Disability" means, with respect to an individual, that the individual meets one or more of the following three prongs:
  - a. A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
  - b. A record of such an impairment; or
  - c. Being regarded as having such an impairment.
9. "District" means this school district.
10. "District Coordinator" means the district official responsible for the coordination of activities relating to compliance with the Act.
11. "Drug" means a controlled substance, as defined in schedules I through V of Section 202 of the Controlled Substances Act. 21 U.S.C. §812
12. "Employee" means an individual employed by the Board.
13. "Essential functions of the employment position" are based upon the employer's judgment and can include an employer's written description, prepared before advertising or interviewing applicants for the job.



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 3 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

14. "Existing facility" means a facility in existence on any given date, newly constructed or altered.
15. "Facility" means all or any portion of buildings, property, or structures, including the site where the building, property, structure, or equipment is located.
16. "Illegal use of drugs" means the use of one or more drugs, the possession or distribution of which is unlawful under the Controlled Substances Act. 21 U.S.C. §812
17. "Individual with a disability" means a person who has a disability and does not include an individual currently engaging in the illegal use of drugs, when the district acts on the basis of such use.
18. "Major life activities" means those of central importance to daily life and include, but are not limited to, functions such as: caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sitting, reaching, writing, standing, reaching, lifting, sleeping, bending, speaking, breathing, reading, concentrating, thinking, communicating, interacting with others, learning, and working. "Major life activities" also includes physical or mental impairments that substantially limit the operation of a major bodily function, including, but not limited to: functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, reproductive systems, and the operation of an individual organ within a body system. 28 CFR §35.108; 28 CFR §36.105
19. "Mitigating measures" means steps taken to eliminate or reduce the symptoms or impact of an impairment. "Mitigating measures" include, but are not limited to: medication; medical equipment/appliances; mobility devices; low vision devices (not including ordinary eyeglasses or contact lenses); prosthetics (including limbs and devices); hearing aids, cochlear implants, or other implantable hearing devices; oxygen therapy equipment and



72



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 4 of 22

**Americans with Disabilities Act** Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination

supplies; the use of assistive technology; reasonable modifications or auxiliary aids or services; learned behavioral or adaptive neurological modifications; and psychotherapy, behavioral, or physical therapies. 42 U.S.C. 126 §12102

- a. Mitigating measures, must not be used when determining whether an impairment is a disability except for the use of corrective eyeglasses or contact lenses. Mitigating measures may be considered in assessing whether someone is entitled to reasonable accommodation or poses a direct threat.
20. "Office for Civil Rights" (OCR) means the United States Department of Education Office for Civil Rights.
21. "Other power-driven mobility device" means any mobility device powered by batteries, fuel, or other engines used by individuals with mobility disabilities for the purpose of locomotion, including any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair. 28 CFR §35.104
22. "Physical or mental impairment" means any physiological disorder or condition such as, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic and lymphatic, skin, and endocrine; or any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities. 28 CFR §35.108(b)(2) and 28 CFR §36.105(b)4



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 5 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

- a. Physical or mental impairments may include, but are not limited to: contagious and noncontagious diseases and conditions; orthopedic, visual, speech, and hearing impairments; cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability, emotional illness, dyslexia and other specific learning disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Human Immunodeficiency Virus (HIV) (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.
  - b. Physical or mental impairments do not include: transvestism; transsexualism; homosexuality or bisexuality; gender identity disorders; sexual behavior disorders; pedophilia; exhibitionism; environmental, cultural, and economic disadvantages; pregnancy; physical characteristics; personality traits or behaviors; normal deviations in height, weight, or strength; compulsive gambling; kleptomania; pyromania; and psychoactive substance use disorders resulting from current illegal use of drugs.
  - c. An impairment that is episodic or in remission may be considered a "disability" if it would substantially limit a major life activity when active.
  - d. Not all impairments are disabilities.
23. "Public entity" means this Board of Education.
24. "Qualified individual" for the purposes of employment, means an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position (based upon the employer's judgment) that such individual holds or desires. An employer's written description, prepared before advertising or interviewing applicants for the job, shall be considered evidence of the essential functions of the job.  
42 U.S.C. 126 §12111(8)



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 6 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

25. "Reasonable accommodation" may include making existing facilities used by employees readily assessable to and usable by individuals with disabilities and job restructuring, part-time modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.
26. "Record of such an impairment" means the individual has a history of, or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities.
27. "Regarded as having an impairment" means the individual establishes that he or she has been subjected to a prohibited action under the Act because of an actual or perceived physical or mental impairment, whether or not that impairment substantially limits or is perceived to substantially limit a major life activity.
- a. For this prong only, the public entity must demonstrate the impairment is or would be both transitory (lasting or expected to last six months or less) and minor to show an individual is not regarded as having such an impairment. 42 U.S.C. 126 §12102(3)(B)
- b. A public entity is not required to provide a reasonable modification to an individual meeting the definition of "disability" solely under the "regarded as" prong.
28. "Substantially limits" means the extent to which the impairment limits an individual's ability to perform a major life activity as compared to most people in the general population, whether or not an individual chooses to forgo mitigating measures. 42 U.S.C. 126 §12102(4); 28 CFR §35.108(d); 28 CFR §35.105(d) The rules of construction when determining whether an impairment substantially limits performance of a major life activity include:



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 7 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

- a. That it is broadly construed in favor of expansive coverage, to the maximum extent permitted under the Act.
- b. That it does not demand extensive analysis.
- c. That it substantially limits one major life activity, but not necessarily other major life activities.
- d. That it may be episodic or in remission, as long as the impairment would substantially limit a major life activity when active.
- e. That it need not prevent, or significantly or severely restrict, an individual from performing a major life activity.
- f. That it requires an individualized assessment which does not create an “inappropriately high level of limitation” and is based upon the conditions, manner, or duration under which the individual can perform the major life activity 42 U.S.C. 12102(4)(B).
- g. That it generally will not require scientific, medical, or statistical evidence (although such evidence can be required where appropriate evidence that can be considered may include statements or affidavits of affected individuals and school records).
- h. That the determination is made without regard to ameliorative effects of mitigating measures, except for the use of ordinary eyeglasses or contact lenses intended to fully correct visual acuity or eliminate refractive error. Non-ameliorative effects, such as the negative side effects of medication or a medical procedure, may also be considered.
- i. That the effects of an impairment lasting or expected to last less than six months can be substantially limiting for establishing a disability under the first two prongs: “actual disability” or “record of”.



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 8 of 22

**Americans with Disabilities Act** Rights of Persons  
~~With Handicaps or Disabilities/Non-Discrimination~~

29. "Undue hardship" means an action requiring significant difficulty or expense when considered in light of factors which include: the nature and cost of the needed accommodation; the overall financial resources of the district or facility providing the reasonable accommodation; the size of the district with respect to the number of employees; effect on expenses and resources, or the impact otherwise of accommodation upon the operation of the facilities; and the type/location of facilities. 42 U.S.C. 126 §12111 (10)
30. "Wheelchair" means a manually operated or power-driven device designed primarily for use by an individual with a mobility disability.

## B. General Requirements

### 1. Prohibitions Against Discrimination

- a. Discrimination is prohibited against a qualified individual on the basis of a disability. Such individual will not be excluded from participation in or denied the benefits of district services, programs, or activities or be subjected to discrimination by the district in accordance with 28 CFR §35.130. The district must ensure that:
- (1) When services, programs, and activities are viewed in their entirety, they are accessible to and usable by individuals with disabilities; and
  - (2) Access to services, programs, and activities is provided in an integrated setting unless separate programs are necessary to ensure equal benefits.
- b. The district is not required to take any action that would result in a fundamental alteration of the nature of the program or activity or undue financial or administrative burden. However, claiming undue burden still requires the district to provide access through means that would not result in a fundamental alteration or undue financial or administrative burden.



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 9 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

2. Direct Threat - 28 CFR §35.139
  - a. The district is not required to permit an individual to participate in or benefit from the district's services, programs, or activities when that individual poses a direct threat to the health or safety of others.
  - b. To determine whether an individual poses a direct threat to the health or safety of others, the district must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence to ascertain:
    - (1) The nature, duration, and severity of the risk;
    - (2) The probability that the potential injury will actually occur; and
    - (3) Whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk.
3. Illegal Use of Drugs - 28 CFR §35.131
  - a. The district will not discriminate on the basis of past illegal use of drugs against an individual who is not engaging in current illegal use of drugs and who:
    - (1) Has successfully completed a supervised drug rehabilitation program or has otherwise been rehabilitated successfully;
    - (2) Is participating in a supervised rehabilitation program; or
    - (3) Is erroneously regarded as engaging in such use.



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 10 of 22

**Americans with Disabilities Act** ~~Rights of Persons~~  
~~With Handicaps or Disabilities/Non-Discrimination~~

- b. While the Act does not prohibit discrimination against an individual based on that individual's current illegal use of drugs, the district will not deny health services or services provided in connection with drug rehabilitation to an individual on the basis of that individual's current illegal use of drugs, if the individual is otherwise entitled to such services.
- c. The Act does not prohibit the district from adopting or administering reasonable policies or procedures, including but not limited to drug testing, designed to ensure that an individual who formerly engaged in the illegal use of drugs is not now engaging in current illegal use of drugs.

## C. Personal Devices and Services

- 1. The district will permit individuals with mobility disabilities to use wheelchairs and manually powered mobility aids such as walkers, crutches, canes, braces, or other similar devices designed for use by individuals with mobility disabilities in any areas open to pedestrian use. 28 CFR §35.137
- 2. The district will make reasonable modifications to permit the use of other power-driven mobility devices by individuals with mobility disabilities unless the district can demonstrate that the power-driven device cannot be operated in accordance with legitimate safety requirements pursuant to 28 CFR §35.137. The district will not ask an individual using a wheelchair or other power-driven mobility device questions about the nature and extent of the individual's disability. The district may require the individual to provide credible assurance that the device is required because of the person's disability.
- 3. The district is not required to provide individuals with disabilities personal devices, such as wheelchairs; individually prescribed devices such as prescription eyeglasses or hearing aids; readers for personal use or study; or services of a personal nature including assistance in eating, toileting, or dressing pursuant to 28 CFR §35.135.



# REGULATION GUIDE

ADMINISTRATION  
R 1510/page 11 of 22  
**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

D. Employment - 42 U.S.C. 126 §12112

1. Discrimination in Employment

- a. The Board will not discriminate against a qualified individual on the basis of disability in regard to job application procedures; hiring, advancement, or discharge; compensation; job training; and other terms, conditions, and privileges of employment.
- b. Applicants and employees working for or applying to work for the district who qualify for a job and are able to perform the essential functions of that job are entitled to reasonable accommodations provided that such accommodations do not pose undue hardship for the district.
- c. Nothing in the Act shall be construed to preempt, modify, or amend any State, county, or local law, ordinance, or regulation as outlined in N.J.A.C. 6A:32-4.1 et seq.
- d. The school district may not, on the basis of disability:
  - (1) Limit, segregate, or classify a qualified individual in a way that adversely affects his/her opportunities or status of such employee, applicant, or participant in a contractual or other arrangement;
  - (2) Utilize standards, criteria, or methods of administration that have the effect of discrimination on the basis of disability or perpetuate the discrimination of others subject to common administrative control;
  - (3) Exclude or otherwise deny equal jobs or benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to associate or have a relationship;





# REGULATION GUIDE

ADMINISTRATION

R 1510/page 12 of 22

**Americans with Disabilities Act** Rights of Persons  
~~With Handicaps or Disabilities/Non-Discrimination~~

- (4) Fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual with a disability or deny employment opportunities to such qualified individual unless the district can demonstrate that the accommodation would impose undue hardship to district operations;
- (5) Use qualification standards, employment tests, or other selection criteria that screen out or tend to screen out individuals with disabilities unless the standard, test, or other selection criteria, as used by the district, is shown to be job-related for the position in question and consistent with business necessity; and/or
- (6) Select and administer tests concerning employment to otherwise qualified individuals who possess impaired sensory, manual, or speaking skills, unless done in an effective manner to ensure that, when such tests are administered to a job applicant or employee who has a disability that impairs sensory, manual, or speaking skills, the test results accurately reflect the skills, aptitude, or other factors such tests purport to measure rather than reflecting the impaired sensory, manual, or speaking skills of the employee or applicant (except where such skills are the factors that the test purports to measure).

## 2. Medical Examinations and Inquiries - (42 U.S.C. 126 §12112)

### a. Pre-employment

- (1) Prohibited examination or inquiries:
  - (a) Whether such an applicant is an individual with a disability; or
  - (b) The nature or severity of such disability.



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 13 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

- (2) Acceptable inquiry:
  - (a) The ability of an applicant to perform job-related functions.
- b. Employment Entrance Examinations
  - (1) The district may require a medical examination after an offer of employment has been made to a job applicant and prior to the commencement of the employment duties of such applicant, and may condition an offer of employment on the results of such examination, if:
    - (a) All entering employees are subject to such an examination regardless of disability;
    - (b) Information obtained regarding the medical condition or history of the applicant is collected and maintained on separate forms and in separate medical files and is treated as a confidential medical record, except that:
      - i. Supervisors and managers may be informed regarding necessary restrictions on work or duties of the employees and necessary accommodations;
      - ii. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and
      - iii. Government officials investigating compliance with this Act, will be provided relevant information on request.
  - (2) The results of such examination shall only be used in accordance with these provisions.



82

# REGULATION GUIDE

ADMINISTRATION

R 1510/page 14 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

- c. Examination and Inquiry:
  - (1) Prohibited examinations and inquiries:
    - (a) The district will not require a medical examination and will not make inquiries of an employee as to whether such employee is an individual with a disability or as to the nature or severity of the disability, unless such examination or inquiry is shown to be job-related and consistent with business necessity.
  - (2) Acceptable examinations and inquiries:
    - (a) The district may conduct voluntary medical examinations, including voluntary medical histories, which are part of an employee health program available to employees in the district.
    - (b) The district may make inquiries into the ability of an employee to perform job-related functions.
- 3. Defenses - 42 U.S.C. 126 §12113
  - a. Qualification Standards
    - (1) It may be a defense to a charge of discrimination under the Act that an alleged application of qualification standards, tests, or selection criteria that screen out, tend to screen out, or otherwise deny a job or benefit to an individual with a disability has been shown to be job-related and consistent with business necessity, and such performance cannot be accomplished by reasonable accommodation, as required under the Act.



83

# REGULATION GUIDE

ADMINISTRATION

R 1510/page 15 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

- (a) The term "qualification standards" may include a requirement that an individual will not pose a direct threat to the health or safety of other individuals in the workplace.
  - (b) Notwithstanding 42 U.S.C. 126 §12102 (4)(E)(ii), the Board will not use qualification standards, employment tests, or other selection criteria based on an individual's uncorrected vision unless the standard, test, or other selection criteria, as used by the covered entity, is shown to be job-related for the position in question and consistent with business necessity.
- b. Infectious and Communicable Diseases
- (1) In any case in which an individual has an infectious or communicable disease included on the list developed by the United States Secretary of Health and Human Services in accordance with the Act, and which cannot be eliminated by reasonable accommodation, and that is transmitted to others through the handling of food, the Board and its administration may refuse to assign or allow such individual to continue to work in a job involving food handling.
- c. Illegal Use of Drugs and Alcohol - 42 U.S.C. 126 §12114
- (1) An individual with a disability shall not include any employee or applicant who is currently engaging in the illegal use of drugs, with exceptions noted in section B.3. of this Regulation.



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 16 of 22

**Americans with Disabilities Act** ~~Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination~~

- (2) The Board will hold an employee who engages in the illegal use of drugs or who is an alcoholic to the same qualification standards for employment or job performance and behavior as other employees, even if any unsatisfactory performance or behavior is related to the drug use or alcoholism of such employee.

d. Drug Testing

- (1) For the purposes of the Act, a test to determine the illegal use of drugs will not be considered a medical examination.
- (2) No provision of the Act shall be construed to encourage, prohibit, or authorize the conducting of drug testing for the illegal use of drugs by job applicants or employees or making employment decisions based on such test results.

E. Program Accessibility

1. Discrimination Prohibited

- a. Except as otherwise provided in 28 CFR §35.150, no qualified individual with a disability will, because the district's facilities are inaccessible to or unusable by individuals with disabilities, including inside or outside access to such facilities, may be excluded from participation in, or be denied the benefits of the services, programs, or activities of the district, or be subjected to discrimination by the district.
- b. The district will maintain facilities and equipment required by the Act to be readily accessible to and usable by individuals with disabilities. This provision does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs. 28 CFR §35.133



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 17 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

- (1) In regard to existing facilities, the district will operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.
  - (a) The district is not required to fundamentally alter the nature of a service, program, or activity, or assume undue financial or administrative burdens, or take any action threatening the historic significance of a historic property and has the burden of proving that compliance with the Act would result in such alterations or burdens. 28 CFR §35.150(a)
  - (b) Should the Board and Superintendent of Schools or his/her designee determine, after considering all resources available, that compliance would result in such alteration or burden, a written statement of reasons must accompany such a determination.
  - (c) The Board will take any other action, including, but not limited to redesign or acquisition of equipment, or reassignment of services or staff, that would not result in such alteration or burden, but would, nevertheless, ensure that individuals with disabilities receive the benefits/services provided by the district.
- (2) In regard to new construction and alterations, each facility or part of a facility constructed by, on behalf of, or for the use of the district will be designed and constructed in such manner, in accordance with 28 CFR §35.151, that the facility or part of the facility is readily accessible to and usable by individuals with disabilities.



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# REGULATION GUIDE

ADMINISTRATION

R 1510/page 18 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

- (a) Full compliance with the requirements of 28 CFR §35.151 is not required where the district can demonstrate that it is structurally impracticable to meet the requirements.
- (b) If providing accessibility in conformance with 28 CFR §35.151 to individuals with certain disabilities (e.g., those who use wheelchairs) would be structurally impracticable, accessibility shall nonetheless be ensured to persons with other types of disabilities, (e.g., those who use crutches or who have sight, hearing, or mental impairments) in accordance with 28 CFR §35.151.

## F. Communications - 28 CFR §35.160

- 1. The district will take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.
- 2. The district will furnish appropriate auxiliary aids and services where necessary to afford individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the district.
  - a. Auxiliary aids and services will be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.
  - b. The district will not require an individual with a disability to bring another individual to interpret with a disability. The district will not rely on an adult accompanying an individual with a disability or on a minor child to interpret



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 19 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

or facilitate communication, except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available; or where the individual with a disability specifically requests that the accompanying adult interprets or facilitates communication, the accompanying adult agrees to provide such assistance, and reliance on that adult is appropriate under the circumstances.

3. Where the district communicates by telephone with applicants and beneficiaries who are deaf, hard of hearing, or who have speech impairments, text telephones (TTYs) or equally effective telecommunications systems equipped with emergency service access will be used to communicate, in the same time and manner as with other telephone systems (including automated systems).  
28 CFR §35.161
4. The district will ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities, including signage at all inaccessible facility entrances.  
28 CFR §35.163

## G. Grievance Procedure - 28 CFR §35.107(b)

1. A complainant who believes that he/she has been harmed or adversely affected by a discriminatory practice or act prohibited by law and/or policy shall first discuss the matter with his/her immediate supervisor in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within thirty working days, the complainant may submit a written complaint to the District Coordinator. The complaint will include:
  - a. The complainant's name and address;
  - b. The specific act or practice of which the complainant complains;





# REGULATION GUIDE

ADMINISTRATION

R 1510/page 20 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

- c. The employee, if any, responsible for the allegedly discriminatory act;
  - d. Results of discussions conducted in accordance with paragraph G.1. above; and
  - e. Reasons why those results are not satisfactory.
3. The District Coordinator will investigate the matter informally and will respond to the complainant in writing no later than seven working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.
  4. The response of the District Coordinator may be appealed to the Superintendent in writing within three working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have acted discriminatorily.
  5. On his/her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than seven working days after the request for a hearing has been submitted. The Superintendent may also require at the hearing the presence of the staff member charged with a discriminatory act and any other person with knowledge of the complained act.
  6. The Superintendent will render a written decision in the matter no later than seven working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties.



89

# REGULATION GUIDE

ADMINISTRATION

R 1510/page 21 of 22

**Americans with Disabilities Act** ~~Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination~~

7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the School Business Administrator/Board Secretary no later than three working days after receipt of the Superintendent's decision. The appeal shall include:
  - a. The original complaint;
  - b. The response to the complaint;
  - c. The Superintendent's decision;
  - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented; and
  - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. If a staff member is charged with a discriminatory act, the Board will provide a copy of the appeal to that staff member.
9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
10. The Board will render a written decision no later than forty-five calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
11. The complainant will be informed of his/her right to appeal the Board's decision to the:

U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Civil Rights Division  
Disability Rights Section -- 1425 NYAV  
Washington, D.C. 20530



# REGULATION GUIDE

ADMINISTRATION

R 1510/page 22 of 22

**Americans with Disabilities Act Rights of Persons  
With Handicaps or Disabilities/Non-Discrimination**

12. An individual who believes he or she or a specific class of individuals has been subjected to discrimination on the basis of disability by the district may, by himself/herself, or an authorized representative, at any time, file a complaint directly with OCR.
13. Record:
  - a. The record of any complaint processed in accordance with this procedure will be maintained in a file kept by the District Coordinator.
  - b. A copy of the decision rendered at the highest level of appeal will be kept in the employee's personnel file.

Adopted:



# POLICY GUIDE

PROGRAM

2418/page 1 of 3

Section 504 of the Rehabilitation Act of 1973 - Students

Dec 16

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[See POLICY ALERT No. 210]

## 2418 SECTION 504 OF THE REHABILITATION ACT OF 1973 - STUDENTS

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

### Guarantee of Rights

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

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

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

### Educational Setting

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

The school administration will place a student with a disability in the regular educational environment within the district unless the district demonstrates that the education of the student with a disability in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily.



# POLICY GUIDE

PROGRAM

2418/page 2 of 3

Section 504 of the Rehabilitation Act of 1973 - Students

## Evaluation and Placement

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

## Enforcement

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

Office Address:

1876 Dr. Deane Drive  
Mays Landing, NJ 08330

Telephone:

609-476-6300

## Procedural Safeguards

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

## Notice

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



# POLICY GUIDE

PROGRAM

2418/page 3 of 3

Section 504 of the Rehabilitation Act of 1973 - Students

## State or Local Law

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

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

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

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

Adopted:



94

# REGULATION GUIDE

PROGRAM

R 2418/page 1 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

Dec 16

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[See POLICY ALERT No. 210]

## R 2418 SECTION 504 OF THE REHABILITATION ACT OF 1973 - STUDENTS

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

### A. Definitions

1. "Accommodation" means a change in the educational setting, instructional strategies, materials, and/or supplementary/related aids and services that does not significantly alter the content of the curriculum or level of expectation for a student's performance, but which allows the student to access the regular general education curriculum.
2. "Act" means the Rehabilitation Act of 1973.
3. "Aids and Services" means aids and services designed to meet the individual student's educational needs to the same extent as the needs of students without disabilities are met. 34 CFR §104.33
4. "Board" means the Board of Education of this school district.
5. "Complainant" means a parent of a student with a disability who files a grievance in accordance with the grievance procedure.
6. "Day" means either calendar or working day, as specified in the Act.
7. "Disability" means, with respect to an individual, that the individual meets one or more of the following three prongs:
  - a. A physical or mental impairment that substantially limits one or more of the major life activities of such individual;



95

# REGULATION GUIDE

PROGRAM

R 2418/page 2 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

- b. A record of such an impairment; or
  - c. Being regarded as having such an impairment.
8. "District" means this school district.
  9. "District 504 Coordinator" means the district official responsible for the coordination of activities relating to compliance with the Act.
  10. "FAPE" means free appropriate public education. FAPE consists of the provision of regular or special education and related aids and services designed to meet the educational needs of a student with a disability to the same extent as the needs of non-disabled students are met.
  11. "Grievance" means an unresolved problem concerning the interpretation or application of law and regulations regarding discrimination by reason of a disability by an officer or employee of this district.
  12. "Individuals with Disabilities in Education Act" (IDEA) identifies eligible children and young adults who have specific types of disabilities and, thus, require special education and related services. If they qualify, students receiving services through IDEA may also be eligible for services under Section 504 and ADA.
  13. "Major life activities" means those of central importance to daily life and include, but are not limited to, functions such as: caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sitting, writing, standing, reaching, lifting, sleeping, bending, speaking, breathing, reading, concentrating, thinking, communicating, interacting with others, learning, and working. "Major life activities" also include physical or mental impairments that substantially limit the operation of a major bodily function, including, but not limited to: functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, reproductive systems, and the operation of an individual organ within a body system.  
28 CFR §35.108; 28 CFR §36.105





# REGULATION GUIDE

PROGRAM

R 2418/page 3 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

14. "Mitigating measures" means steps taken to eliminate or reduce the symptoms or impact of an impairment. "Mitigating measures" include, but are not limited to: medication; medical equipment/appliances; mobility devices; low vision devices (not including ordinary eyeglasses or contact lenses); prosthetics (including limbs and devices); hearing aids, cochlear implants, or other implantable hearing devices; oxygen therapy equipment and supplies; the use of assistive technology; reasonable modifications or auxiliary aids or services; learned behavioral or adaptive neurological modifications; and psychotherapy, behavioral, or physical therapies. 42 U.S.C. 126 §12102
- a. Mitigating measures, must not be used when determining whether an impairment is a disability except for the use of corrective eyeglasses or contact lenses. Mitigating measures may be considered in assessing whether someone is entitled to reasonable accommodation or poses a direct threat.
15. "Physical or mental impairment" means any physiological disorder or condition such as, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic and lymphatic, skin, and endocrine; or any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities. 28 CFR §35.108(b)(2) and 28 CFR§36.105(b)4
- a. Physical or mental impairments may include, but are not limited to: contagious and noncontagious diseases and conditions; orthopedic, visual, speech, and hearing impairments; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; cancer; heart disease; diabetes; intellectual disability; emotional illness; dyslexia and other specific learning disabilities; Attention Deficit Hyperactivity Disorder (ADHD); Human Immunodeficiency Virus (HIV) (whether symptomatic or asymptomatic); tuberculosis; drug addiction; and alcoholism.



# REGULATION GUIDE

PROGRAM

R 2418/page 4 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

- b. Physical or mental impairments do not include: transvestism; transsexualism; homosexuality or bisexuality; gender identity disorders; sexual behavior disorders; pedophilia; exhibitionism; environmental, cultural, and economic disadvantages; pregnancy; physical characteristics; personality traits or behaviors; normal deviations in height, weight, or strength; compulsive gambling; kleptomania; pyromania; and psychoactive substance use disorders resulting from current illegal use of drugs.
  - c. An impairment that is episodic or in remission may be considered a “disability” if it would substantially limit a major life activity when active.
  - d. Not all impairments are disabilities.
16. “Qualified student with a disability” means a student with a disability at the preschool, elementary, or secondary level, who is: (1) of an age at which students without disabilities are provided educational services; (2) of an age at which it is mandatory under State law to provide educational services to students with disabilities; or (3) a student to whom a State is required to provide a free appropriate public education under the Individuals with Disabilities Education Act (IDEA).
17. “Record of such an impairment” means has a history of, or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities.
18. “Regarded as having an impairment” means the individual establishes that he or she has been subjected to a prohibited action because of an actual or perceived physical or mental impairment, whether or not that impairment substantially limits or is perceived to substantially limit a major life activity.
- a. For this prong only, the public entity must demonstrate the impairment is or would be both transitory (lasting or expected to last six months or less) and minor to show an individual is not regarded as having such an impairment.  
42 U.S.C. 126 §12102(3)(B)



# REGULATION GUIDE

PROGRAM

R 2418/page 5 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

- b. A public entity is not required to provide a reasonable modification to an individual meeting the definition of “disability” solely under the “regarded as” prong.
19. “Section 504” means Section 504 of the Act.
20. “Student” means an individual enrolled in any formal educational program provided by the school district.
21. “Substantially limits” means the extent to which the impairment limits a student’s ability to perform a major life activity as compared to most people in the general population, whether or not an individual chooses to forgo mitigating measures. 42 U.S.C. 126 §12102 (4); 28 CFR §35.108(d); 28 CFR §35.105(d) The rules of construction when determining whether an impairment substantially limits a student in a major life activity include:
- a. That it is broadly construed in favor of expansive coverage, to the maximum extent permitted under the Act.
  - b. That it does not demand extensive analysis.
  - c. That it substantially limits one major life activity, but not necessarily other major life activities.
  - d. That it may be episodic or in remission, as long as the disability would substantially limit a major life activity when active.
  - e. That it need not prevent, or significantly or severely restrict, an individual from performing a major life activity.
  - f. That it requires an individualized assessment which does not create an “inappropriately high level of limitation” and is based upon the conditions, manner, or duration under which the individual can perform the major life activity 42 U.S.C. 12102(4)(B).





# REGULATION GUIDE

PROGRAM

R 2418/page 7 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

- b. Identification for special education services under IDEA and accommodations under Section 504 are not mutually exclusive.
  - c. Students not otherwise eligible for special education programs and/or related services pursuant to N.J.A.C. 6A:14-1 et seq. may be referred to the District 504 Coordinator by the parent or staff member.
  - d. The Board will provide reasonable accommodation(s) to students with disabilities notwithstanding any program and/or related services required pursuant to N.J.A.C. 6A:14-1 et seq.
- D. Free Appropriate Public Education (FAPE) - 34 CFR §104.33
- 1. FAPE must be provided without cost to the student's parent, except for those fees imposed on a parent of a non-disabled student.
  - 2. The district may place a student with a disability in or refer such student to a program other than one it operates as its means of carrying out the provisions of this Regulation.
    - a. The district will continue to maintain responsibility for ensuring the requirements of the Act are met in respect to any student with a disability so placed or referred.
    - b. The district will ensure adequate transportation to and from the program, provided at no greater cost than would be incurred by the parent if the student were placed in a program operated by the district.
      - (1) The administration will consider the proximity of any alternative setting to the student's home.
      - (2) If a public or private residential placement is necessary to provide FAPE to a student with a disability, the placement, including non-medical care, room, and board, shall be provided at no cost to his/her parent.



# REGULATION GUIDE

PROGRAM

R 2418/page 8 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

## E. Evaluation and Placement - 34 CFR §104.35

1. The Board will establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need special education and/or related services on the basis of disability.
  - a. Section 504 evaluations may encompass record and work sample review; direct observation in the natural setting; interviews with the student, parent, and school personnel; and/or administration of assessment measures. They do not include independent evaluations.
  - b. It may be determined that additional data is required, including the administration of formal standardized instruments and data on conditions in remission or episodic in nature. Tests and other evaluation materials must meet the following criteria:
    - (1) Validated for the specific purpose for which they are used and administered by trained personnel;
    - (2) Tailored to assess specific areas of educational need and not merely those designed to provide a single intelligence quotient; and
    - (3) Accurately reflect aptitude or achievement or whatever else the tests purport to measure, rather than the student's impaired sensory, manual, or speaking skills (unless the test is designed to measure these particular factors).
2. In interpreting evaluation data and in making placement decisions, the district will:
  - a. Draw information from a variety of sources, including, but not limited to: aptitude and achievement tests, medical evaluations, teacher recommendations, physical condition, social and cultural background, and adaptive behavior;



# REGULATION GUIDE

PROGRAM

R 2418/page 9 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

- b. Establish procedures to ensure that information obtained from all such sources is documented and carefully considered;
  - c. Ensure that placement decisions are made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and placement options; and
  - d. Ensure that placement decisions are made in conformity with this Regulation and 34 CFR §104.34.
3. The District 504 Coordinator will establish timelines for re-evaluations of students receiving reasonable accommodation(s). A parent may request a re-evaluation at any time upon written request to the District 504 Coordinator.
  4. Copies of requests for evaluation and related documents will be maintained in a designated Section 504 file folder placed in the student's cumulative record.
- F. Section 504 and Special Education
1. A student who qualifies for Section 504 services may not qualify for special education under IDEA; likewise, a student who qualifies under IDEA may not qualify under Section 504.
  2. A referral for a Section 504 evaluation may be made concurrently with a pending special education evaluation. In such instances, the Section 504 evaluation should be conducted during the same timeline utilized for the special education assessment. Generally, the Section 504 evaluation should be conducted in less than sixty days.
  3. If a student is found eligible under Section 504 prior to the special education team's findings, a Section 504 Accommodation Plan will be developed pending the special education team's findings. If the student is then found eligible for special education, an Individualized Education Program (IEP) will be developed and the IEP team can incorporate into the IEP any accommodations/services provided in the Section 504 Accommodation Plan.



# REGULATION GUIDE

PROGRAM

R 2418/page 10 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

4. A separate Section 504 team meeting will be convened when a student is identified as eligible for special education and no longer requires accommodations/services under Section 504.
5. When an IEP team determines a student is not eligible or no longer eligible for special education, there may be circumstances when a Section 504 referral for evaluation may be appropriate and should be considered. The IEP team may document the student is being referred for a Section 504 evaluation, and the eligibility evaluation shall be addressed in a separate Section 504 team meeting.

## G. Section 504 Accommodation Plan

1. The District 504 Coordinator will assist in organizing a team of individuals responsible for receiving referral documents; securing evaluation information; and determining eligibility and appropriate accommodations, related aids or services for eligible students with disabilities. The team must be comprised of people who:
  - a. Are knowledgeable about the student;
  - b. Understand the meaning of evaluation data; and
  - c. Are familiar with placement options.
2. The District 504 Coordinator, based on the evaluation of the student eligible for services under Section 504, will prepare a Section 504 Accommodation Plan which may include as relates to the student:
  - a. Name;
  - b. Date of birth;
  - c. Current educational placement;
  - d. Name of the District 504 Coordinator preparing the Section 504 Accommodation Plan;
  - e. Disabling condition:





# REGULATION GUIDE

PROGRAM

R 2418/page 11 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

- (1) Major life activity impaired;
  - (2) Educational impact; and
  - (3) Impact on related educational progress.
- f. Accommodation (as appropriate):
- (1) Physical and learning environment;
  - (2) Instructional;
  - (3) Behavioral;
  - (4) Evaluation;
  - (5) Medical; and/or
  - (6) Transportation.
- g. Other:
- (1) List of individuals participating in the development of the plan, along with their titles and the date(s) of their participation.
  - (2) Certification by the student's parent that he or she has participated in the development of the plan and provided consent to its implementation.
  - (3) A waiver of the fifteen days' notice prior to the implementation of the plan by the parent if the plan is to be implemented sooner than the fifteen days.
3. A Section 504 Accommodation Plan should not:
- a. Modify the curriculum;
  - b. Exempt a student from a course or subject required for graduation;



# REGULATION GUIDE

PROGRAM

R 2418/page 12 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

- c. Alter the level of expectation for a student's performance;
  - d. Provide an extended time accommodation only for standardized testing when it is not required as part of the regular program of evaluation;
  - e. Include any testing accommodations unless authorized by the testing agency; and
  - f. Assign responsibility for implementing Section 504 accommodations to another student.
4. A Section 504 Accommodation Plan should:
- a. Directly relate to a student's identified needs;
  - b. Be specific, measurable, and tailored to meet students' identified needs to allow for consistent implementation;
  - c. Be written to incorporate specific symptoms, behavior, or triggers that elicit implementation of the accommodation or service if required only occasionally; and
  - d. Clearly state how much extended time is required based upon a student's identified needs, if the Section 504 team determines such an accommodation is appropriate.
5. Students needing medication:
- a. Not all students needing medication administered by school staff will require a Section 504 Accommodation Plan. It is not necessary to qualify a student as having a disability that substantially limits a major life activity under Section 504 in order to provide a service that schools perform for all general education students.
  - b. A Section 504 referral with the potential for a subsequent Section 504 Accommodation Plan is appropriate when a student is found to have a disability that substantially limits a major life activity and needs medication administered on a systematic basis to receive equal access to the educational program.



# REGULATION GUIDE

PROGRAM

R 2418/page 13 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

## H. Nonacademic/Extracurricular Services - 34 CFR §104.37

1. Nonacademic and Extracurricular Services may include counseling, physical recreational athletics, transportation, health services, recreational activities, special interest groups or school clubs, and/or referrals to agencies which provide assistance to students with disabilities and student employment.
2. The Board and administration will ensure that students with disabilities are not counseled toward more restrictive career objectives than are nondisabled students with similar interests and abilities.
3. The Board will provide to students with disabilities equal opportunity as afforded nondisabled students for participation in physical education courses, athletics, and similar programs and activities.
  - a. The district may offer students with disabilities physical education and athletic activities that are separate or different from those offered to nondisabled students only if the separation or differentiation is consistent with the requirements of 34 CFR §104.34 and only if no student with a disability is denied the opportunity to compete or to participate.

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

1. This grievance procedure shall apply to a student with a disability alleging discrimination under the provisions of Section 504 of the Rehabilitation Act of 1973.
2. The parent who believes his or her child has a valid basis for a grievance under Section 504 shall file an informal complaint in writing with the District 504 Coordinator stating the specific facts of the grievance and the alleged discriminatory act.



# REGULATION GUIDE

PROGRAM

R 2418/page 14 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

3. The District 504 Coordinator will make reasonable efforts to resolve the matter informally by reviewing the grievance with appropriate staff including, but not limited to: the Principal, Child Study Team staff, and/or classroom teacher(s).
4. The District 504 Coordinator will investigate and document the complaint including dates of meetings, dispositions, and date(s) of dispositions. The District 504 Coordinator will provide a written decision to the complainant within seven working days of the written complaint.
5. If the complainant is not satisfied with the District 504 Coordinator's written decision, the complainant may appeal the decision in writing, setting out the circumstances that give rise to the alleged grievance. This written appeal must be filed with the District 504 Coordinator within three working days of the complainant's receipt of the written decision. The written appeal must state the basis for the appeal and the remedy sought by the complainant.
6. The District 504 Coordinator will appoint a qualified hearing officer within seven working days of the receipt of the written appeal. The hearing officer will conduct a hearing within seven working days of receipt of the written appeal. The hearing officer will give the parent a full and fair opportunity to present evidence relevant to the issues raised under the initial grievance. The parent may, at his or her own expense, be assisted or represented by individuals of their choice, including legal counsel. The hearing officer will present a written decision to the District 504 Coordinator and aggrieved individual within seven working days of the hearing.
7. The complainant may file a written appeal to the Board if not satisfied with the hearing officer's decision provided the written appeal is submitted to the Superintendent within three working days of the complainant's receipt of the hearing officer's written decision. The Board may, but is not required to, conduct a Board hearing on the appeal.



# REGULATION GUIDE

PROGRAM

R 2418/page 15 of 15

Section 504 of the Rehabilitation Act of 1973 - Students

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

Adopted:



105

Instruction-4



Terry Vogt <vogtt@hamiltonschools.org>

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## Policy and Regulation 5116 Update

1 message

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**Maureen Lawrence** <ml.straussesmay@verizon.net>  
To: vogtt@hamiltonschools.org

Thu, Jan 5, 2017 at 3:48 PM

Policy and Regulation 5116 – Education of Homeless Children

-

Policy and Regulation Guides 5116 were updated and mailed to school districts before the holiday break in December 2016. Unfortunately, there is one word in the updated Policy Guide that needs to be revised. In the 2<sup>nd</sup> paragraph of the Policy Guide, the 2<sup>nd</sup> sentence states “... including’ cars or other vehicles excluding mobile homes ...” The word “excluding” should be revised to “including.” This change was made in the Regulation Guide – Section B.1.b., but not in the Policy Guide. This revision has been made to Policy Guide 5116 on Strauss Esmay’s website and should be used in the district’s review and subsequent adoption. We appreciate your understanding.

110

# POLICY GUIDE

STUDENTS  
5116/page 1 of 4  
Education of Homeless Children  
Dec 16

[See POLICY ALERT Nos. 160 and 210]

## 5116 EDUCATION OF HOMELESS CHILDREN

The Board of Education will admit and enroll homeless children in accordance with **Federal and State laws** and New Jersey Administrative Code. The Board of Education adopts this Policy to be in compliance with law and **administrative code Code** to ensure the enrollment of homeless children in school and to respond to appeals made by parents(s) or legal guardian(s) or other parties related to **the their enrollment of homeless children.**

**The Board of Education** ~~The district will~~ **shall** determine **that** a child is homeless when he or she resides in a publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers. A child is also determined homeless when he or she resides in a public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles excluding mobile homes; tents or other temporary shelters; **parks; abandoned buildings; bus or train stations;** temporary shelters provided to migrant workers and their children on farm sites; and the residence of relatives or friends ~~with whom~~ **where** the homeless child **resides** ~~is temporarily residing~~ out of necessity because **his or her** the family lacks a regular or permanent residence of its own. **A child is also determined homeless when he or she resides in substandard housing or any temporary location wherein children and youth are awaiting foster care placement.**

The **school** district of residence for a homeless child is responsible for the education of the child and **shall will** assume all responsibilities as required in N.J.A.C. 6A:17-2.34 et seq. The **school** district of residence **for a homeless child means** is the **school** district in which the parent(s) or legal guardian(s) of a **homeless child resided** ~~last resided~~ prior to becoming homeless.

The **school** district liaison **designated by the Superintendent of Schools** for the education of homeless children is R Pre School Super. The liaison will facilitate communication and cooperation between the **school** district of residence and the **school** district where the homeless child **resides and shall assume all responsibilities as outlined in N.J.A.C. 6A:17-2.4(a).** ~~is temporarily residing and will develop procedures to ensure that a homeless child temporarily residing in the district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.6.~~



# POLICY GUIDE

STUDENTS

5116/page 2 of 4

Education of Homeless Children

When a homeless child resides in a school district ~~is living temporarily in the school district~~, the school district liaison shall notify the liaison of the school district of residence within twenty-four hours of receiving notification from the parent, the Department of Human Services or the Department of Children and Families, a shelter director, an involved agency, or a case manager. ~~upon receiving notification from the parent(s) or legal guardian(s), the Department of Human Services, a shelter director, an involved agency, or a case manager, will notify the liaison of the district of residence within twenty-four hours of the notification.~~ Upon notification of the need for enrollment of a homeless child, the liaison in the school district of residence shall will coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.56(b).

The Superintendent of the school district of residence or designee of the district of residence shall decide in which school the district of enrollment of the homeless child shall be enrolled in accordance with the provisions of N.J.A.C. 6A:17-2.56 et seq.

Unless parental rights have been terminated by a court of competent jurisdiction, the parent(s) or legal guardian(s) retains all rights under N.J.A.C. 6A:17-2.1 et seq.

When ~~if~~ a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or the designee(s) of the involved district(s) or the child's parent(s) or legal guardian(s) of the child must shall immediately notify the Executive County Superintendent of Schools, who, in consultation with the Department of Education's McKinney-Vento Homeless Education Coordinator or designee, shall immediately will decide the child's status of the child within two working days. If a dispute remains between the parent(s) or legal guardian(s) and/or and the involved the school district(s) following the Executive County Superintendent's determination, the parent(s) or legal guardian(s) or the involved district Board(s) of Education may appeal to the Commissioner of Education for determination pursuant to N.J.A.C. 6A:3, Controversies and Disputes et seq.



112



# POLICY GUIDE

STUDENTS

5116/page 3 of 4

Education of Homeless Children

**When a school If the district is designated as the school district of residence and disputes its such designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts shall immediately notify the Executive County Superintendent of Schools, who shall immediately will make a determination, if possible, but no later than within forty-eight hours within two working days. The district may appeal the County Superintendent's determination to the Department of Education pursuant to N.J.A.C. 6A:23-5.2(d), (e), and (f).**

**If a the dispute occurs regarding the determination of the district of residence enrollment does not involve the determination of homelessness and/or district enrollment, the school district made by the district of residence, disputing the Executive County Superintendent's determination may appeal to the Department of Education pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f) and request a determination from the Division of Administration and Finance. of the district of residence shall immediately notify the County Superintendent of Schools. The County Superintendent will determine within two working days where the child shall be enrolled based on the child's best interest pursuant to N.J.A.C. 6A:17-2.6(b). If the County Superintendent's decision is disputed, the Department of Education shall provide for mediation in accordance with N.J.A.C. 6A:17-2.8(e)1. If an appeal of a determination of district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.**

**Any A dispute or appeal shall will not delay the homeless child's immediate enrollment or continued enrollment in the school district entrance into school. The homeless child shall will be enrolled in the school district in which enrollment or continued enrollment is sought by the parent, pending resolution of the dispute or appeal designated by the County Superintendent pending resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child with a disability educational disabilities shall will be made pursuant to N.J.A.C. 6A:14.**



113

# POLICY GUIDE

STUDENTS

5116/page 4 of 4

Education of Homeless Children

Financial responsibility, including the payment of tuition for the homeless child, will be in accordance with N.J.A.C. 6A:17-2.89 ~~et seq.~~ The school district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 **until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d.** At that time, the school district of residence shall no longer list the student on its ASSA. ~~as long as the parent(s) or legal guardian(s) remains homeless and the child is enrolled in another school district. If a district of residence cannot be determined for a homeless child or if a district of residence is outside of the State, T~~he State shall will assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12.1(d) **and shall pay the tuition to the school district in which the child is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. under the circumstances outlined in N.J.A.C. 6A:17-2.8(c).** The State will pay the tuition, in accordance with N.J.A.C. 6A:17-2.9(e)1., ~~to the school district in which the child is currently enrolled for as long as the child and his or her parent(s) or legal guardian(s) remain homeless.~~

**N.J.S.A. 18A:7B-12; 18A:7B-12.1**

N.J.A.C. 6A:17-2.1 et seq.

Adopted:



114

# REGULATION GUIDE

STUDENTS  
R 5116/page 1 of 11  
Education of Homeless Children  
Dec 16

[See POLICY ALERT Nos. 160 and 210]

## R 5116 EDUCATION OF HOMELESS CHILDREN

### A. Definitions (N.J.A.C. 6A:17-1.2)

1. **"School dDistrict liaison for the education of homeless children"** means the person identified in **the each** school district that facilitates all of ~~the~~ activities needed to ensure the enrollment **and attendance** of homeless children.
2. **"School dDistrict of residence" for a homeless child** means the school district in which the parent of a homeless child last resided prior to becoming homeless. **It may not be the school district in which the student currently resides. This is synonymous with the term "school district of origin" referenced in the McKinney-Vento Homeless Education Assistance Act. "School district of residence" for a student in a State facility means the school district in which the parent with whom the student lived prior to placement in a State facility currently resides pursuant to N.J.S.A. 18A:7B-12.b.**
3. **"Homeless child"** means a child or youth who lacks a fixed, regular, and adequate residence, pursuant to N.J.S.A. 18A:7B-12 and N.J.A.C. 6A:17-2.32.
4. **"Immediate" or "immediately" means at the instant the need for placement is made known.**
54. **"Parent"** means the natural or adoptive parent, legal guardian, foster parent, surrogate parent, **or and** person acting in the place of a parent such as the person with whom the child legally resides or a person legally responsible for the child's welfare.
65. **"Superintendent"** means Superintendent and/or Chief School Administrator.



# REGULATION GUIDE

STUDENTS

R 5116/page 2 of 11

Education of Homeless Children

- B. Determination of ~~Homeless Status~~ **Homelessness** (N.J.A.C. 6A:17-2.2)
1. **The Board of Education** ~~The district shall will~~ determine **that** a child is homeless **for the purposes of N.J.A.C. 6A:17-2** when he or she resides in any of the following:
    - a. A publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers-;
    - b. A public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles **including excluding** mobile homes; tents or other temporary shelters; **parks; abandoned buildings; bus or train stations;** or temporary shelters provided to migrant workers and their children on farm sites-;
    - c. The residence of relatives or friends ~~where with whom~~ the homeless child **resides is temporarily residing** out of necessity because **his or her** the family lacks a regular or permanent residence of its own-;
    - d. **Substandard housing; or**
    - e. **Any temporary location wherein children and youth are awaiting foster care placement.**
- C. Responsibilities of the **School District of Residence** (N.J.A.C. 6A:17-2.3)
1. The **school** district of residence for a homeless child is responsible for the education of the child and **shall will**:
    - a. Determine the **school** district in which the child shall be enrolled after consulting with the parent pursuant to N.J.A.C. 6A:17-2.56;
    - b. Pay the cost of tuition pursuant to ~~N.J.A.C. 6A:23-3.1~~ **N.J.S.A. 18A:38-19**, when the child attends school in another **school** district; and
    - c. Provide for transportation for the child pursuant to N.J.A.C. 6A:27-6.2.



# REGULATION GUIDE

STUDENTS

R 5116/page 3 of 11  
Education of Homeless Children

2. The determination of the homeless child's **school district of residence** ~~will~~ **shall** be made by the Superintendent **of the school district of residence** or designee ~~of the school district(s) involved~~ pursuant to N.J.A.C. 6A:17-2.45. ~~This determination will be based upon information received from the parent, the Department of Human Services or the Department of Children and Families, a shelter provider, another school district, an involved agency, or a case manager.~~
  3. The district Board of Education identified **in accordance with N.J.S.A. 18A:7B-12** as the **school district of residence** ~~in accordance with N.J.S.A. 18A:7B-12~~ for a homeless child **shall be** is the **school district of residence until the parent establishes a permanent residence** ~~for as long as the parent remains homeless. Financial responsibility will remain with the homeless child's school district of residence until the family is deemed domiciled in another jurisdiction, pursuant to N.J.S.A. 18A:38-1.d.~~
- D. Designation of **School District Liaisons and Their Responsibilities (N.J.A.C. 6A:17-2.4)**
1. The Superintendent identifies Pre-school Supervisor as the district liaison for the education of homeless children. The **school district liaison shall:** ~~will facilitate communication and cooperation between the district of residence and the district where the homeless child is temporarily residing. The district liaison will develop procedures to ensure a homeless child temporarily residing in the district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.6.~~
    - a. **Facilitate communication and cooperation between the school district of residence and the school district where the homeless child resides;**
    - b. **Develop procedures to ensure a homeless child residing in the school district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.5;**



# REGULATION GUIDE

STUDENTS

R 5116/page 4 of 11

Education of Homeless Children

- c. **Ensure homeless families, children, and youth receive educational services for which they are eligible, including Head Start and Even Start programs, preschool programs administered by the local education agency, and referrals to health care, dental, mental health, and other appropriate services;**
- d. **Inform parents of homeless children and youth of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children;**
- e. **Ensure that public notice of the educational rights of homeless children and youth is disseminated where such children receive services, such as schools, family shelters, and soup kitchens;**
- f. **Ensure enrollment disputes are resolved pursuant to N.J.A.C. 6A:17-2.7;**
- g. **Ensure the parent of a homeless child or youth, or any unaccompanied youth, is fully informed of all transportation services, including transportation to the school district of residence, and is assisted in accessing transportation to the school selected under N.J.A.C. 6A:17-2.5;**
- h. **Assist the parent to obtain the homeless child or youth's medical records or required immunizations; and**
- i. **Assist an unaccompanied youth to ensure he or she is enrolled and is receiving all services pursuant to N.J.A.C. 6A:17.**



# REGULATION GUIDE

STUDENTS

R 5116/page 5 of 11

Education of Homeless Children

2. When a homeless child ~~resides is living temporarily~~ in a school district, the district liaison **shall notify the liaison of the school district of residence within twenty-four hours**, ~~upon~~ of receiving notification from the parent, the Department of Human Services or **the Department of Children and Families**, a shelter director, an involved agency, or a case manager, ~~will notify the liaison of the district of residence within twenty-four hours of the notification.~~
3. Upon notification of the need for enrollment of a homeless child, the liaison in the **school** district of residence **shall will** coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.56(b).

## E. School District Enrollment (N.J.A.C. 6A:17-2.5)

1. The Superintendent ~~or designee~~ of the **school** district of residence **or designee shall will** decide in which district the homeless child **shall will** be enrolled as follows:
  - a. **Enroll** ~~To continue~~ the homeless child's ~~education~~ in the school district of residence **to the extent feasible, except when doing so is contrary to the wishes of the homeless child's parent last attendance if the district of last attendance is not the district of residence;**
  - b. **Continue the homeless child's education in the school district of last attendance if it is not the school district of residence** ~~To enroll the homeless child in the district of residence;~~ or
  - c. **Enroll the homeless child in the school district where the child resides** ~~To enroll the homeless child in the school district where the child is temporarily living.~~
2. The Superintendent of the **school** district of residence **or designee shall will** decide the **school** district of enrollment of a homeless child based on what is determined to be in the best interest of the child after considering:
  - a. **The enrollment of the homeless child in the school district of residence to the extent feasible, except when doing so is contrary to the wishes of the child's parent.**



# REGULATION GUIDE

STUDENTS

R 5116/page 6 of 11

Education of Homeless Children

- ba. The continuity of the child's educational program;
  - b. ~~The preference of the parent as to where the child should attend school;~~
  - c. The eligibility of the child for special instructional programs, including but not limited to bilingual, gifted and talented, special education, early childhood, **and career and technical education** vocational programs; and
  - d. The distance, travel time, and safety factors in coordinating transportation services from the temporary residence to the school.
3. The Superintendent of the **school** district of residence **or designee shall will** determine the child's **school** district enrollment **immediately in a timely manner** after consultation with the parent as follows: **The school district of residence shall adhere to the following procedures:**
- a. Enrollment decisions **shall will** be made **immediately within three school days of upon** notification of the need for enrollment. When the decision is made, the child will be enrolled immediately. **If a dispute arises regarding enrollment of a homeless child, the homeless child shall be immediately enrolled in the school district in which enrollment is sought by the parent, pending resolution of the dispute pursuant to N.J.A.C. 6A:17-2.7. ; and**
  - ba. Consultation with the parent regarding the enrollment decision and the right to appeal the decision **shall will** be documented in writing.
  - c. **A decision to enroll a homeless child in a school district other than the school district of residence or the school district requested by the parent shall be explained in writing and provided to the parent.**





# REGULATION GUIDE

STUDENTS

R 5116/page 7 of 11

Education of Homeless Children

4. When a decision is made to enroll the child in a **school** district other than the **school** district of residence, the Superintendent or **designee** of the **school** district of residence **shall** ~~will~~ forward to the new **school** district all relevant school and health records **consistent with the provisions of N.J.A.C. 6A:32, School District Operations.** ~~When the parent is homeless due to conditions of domestic violence, the transfer of student records will be subject to the provisions of N.J.A.C. 6:3-6.~~
5. When a homeless child with a **disability** ~~educational disabilities~~ is enrolled in a **school** district other than the **school** district of residence, the **school district of enrollment shall treat the student as a transfer student pursuant to N.J.A.C. 6A:14, Special Education** ~~child will be placed in a program consistent with the goals and objectives of the child's individualized educational program. Within thirty days after placement, the district where the child is placed will review and revise the individualized educational program pursuant to N.J.A.C. 6A:14.~~
6. When the **school** district of residence for a homeless child cannot be determined, the Superintendent or **designee** of the **school** district in which the child **currently resides** ~~is temporarily residing~~ **will shall** enroll the child immediately in the **school** district of the **current** ~~temporary~~ residence or the **school** district of last attendance.
7. The **school** district selected pursuant to N.J.A.C. 6A:17-2 shall **immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment such as previous academic records, medical records, proof of residency, or other documentation.**
8. **Enrollment in the school district of residence, the school district of last attendance if not the school district of residence, or the school district where the child resides shall continue for the duration of homelessness, including when a family becomes homeless between academic years, and also for the remainder of the academic year if the homeless child becomes permanently housed during the academic year.**



121

# REGULATION GUIDE

STUDENTS

R 5116/page 8 of 11

Education of Homeless Children

F. Parental Rights (N.J.A.C. 6A:17-2.6)

1. Unless parental rights have been terminated by a court of competent jurisdiction, the parent retains all rights under N.J.A.C. 6A:17-2.1 et seq.

G. Disputes and Appeals (N.J.A.C. 6A:17-2.7)

1. **When** ~~If~~ a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or designee(s) of the involved school district(s) or the child's parent(s) ~~of the child will~~ **shall** immediately notify the Executive County Superintendent of Schools, who, in consultation with the Department's McKinney-Vento Homeless Education Coordinator or designee, **shall immediately** ~~will~~ decide the child's status ~~of the child within two working days~~. If a dispute remains between the parent and the involved school district(s) following the Executive County Superintendent's determination, the parent or the involved district Board(s) of Education may appeal to the Commissioner of Education for a determination pursuant to N.J.A.C. 6A:3, **Controversies and Disputes**.
2. **When** ~~If~~ a school district designated as the school district of residence disputes ~~its such~~ designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts **shall will** immediately notify the Executive County Superintendent of Schools, who **shall will** make a determination **immediately, if possible, but no later than within forty-eight hours** ~~within two working days~~. ~~The district may appeal the County Superintendent's determination to the Department of Education pursuant to N.J.A.C. 6A:23-5.2 (d), (e), and (f).~~



# REGULATION GUIDE

STUDENTS

R 5116/page 9 of 11  
Education of Homeless Children

- a3. ~~If a the dispute occurs regarding the determination of the district of residence enrollment does not involve the determination of homelessness and/or district enrollment, the school made by the district of residence disputing the Executive County Superintendent's determination may appeal to the Department of Education pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f), and request a determination from the Division of Administration and Finance the Superintendent of the district of residence will immediately notify the County Superintendent of Schools. The County Superintendent will determine within two working days where the child will be enrolled based on the child's best interest pursuant to N.J.A.C. 6A:17-2.6(b).~~
- b. ~~If an appeal of a determination of district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner pursuant to N.J.A.C. 6A:3, Controversies and Disputes.~~
- a. ~~If the County Superintendent's decision is disputed, the Department of Education will provide for mediation as follows:~~
- ~~(1) The request must be made to the Department of Education in writing.~~
  - ~~(2) Requests for mediation will cite the issues in dispute and the relief sought.~~
  - ~~(3) A mediation conference must be conducted within five school days after the request is made at a time and place reasonably convenient to all parties in the dispute.~~
  - ~~(4) If the mediation does not result in an agreement, an appeal may be made to the Commissioner of Education pursuant to N.J.A.C. 6A:3 et seq.~~



# REGULATION GUIDE

STUDENTS

R 5116/page 10 of 11

Education of Homeless Children

34. Any dispute or appeal shall not delay the homeless child's immediate **enrollment or continued enrollment in the school district entrance into school**. The homeless child ~~shall~~ **will** be enrolled in the **school district in which enrollment or continued enrollment is sought by the parent, designated by the County Superintendent pending resolution of the dispute or appeal.**
45. Disputes and appeals involving the services provided to a homeless child with a **disability** ~~educational disabilities will~~ **shall** be made pursuant to N.J.A.C. 6A:14.

## H. Tuition (N.J.A.C. 6A:17-2.8)

1. **When** ~~If~~ the homeless child is enrolled in a **school** district other than the **school** district of residence, the **school** district of residence ~~shall~~ **will** pay to the **school district of enrollment** the **tuition** ~~costs of tuition for the child to that district~~ pursuant to N.J.S.A. 18A:38-19 and N.J.A.C. 6A:23-3.1 **until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence shall no longer pay tuition to the school district of enrollment.**
2. The **school** district of residence ~~shall~~ **will** list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 **until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence shall no longer list the student on its ASSA** ~~for as long as the parent remains homeless and the child is enrolled in another school district.~~
3. **The State shall assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12.1 and shall pay the tuition to the school district in which the child is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d, under the following circumstances:**



124

# REGULATION GUIDE

STUDENTS  
R 5116/page 11 of 11  
Education of Homeless Children

- a3. If the **school** district of residence cannot be determined for ~~the~~ a homeless child; ~~or~~
- b. If the **school** district of residence is outside of the State; ~~or~~
- c. If a child resides in a Department of Community Affairs-licensed emergency shelter or transitional living facility due to domestic violence for more than a year combined for the duration of the placement pursuant to N.J.S.A. 18A:7B-12.d. ~~the State will assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12(d). The State will pay the tuition to the school district in which the child is currently enrolled for as long as the child and his or her parent remain homeless.~~
  - (1)a. When the State assumes fiscal responsibility for the tuition of a homeless child, the State **shall** ~~will~~ pay to the **school** district in which the child is enrolled the **weighted base per pupil amount** calculated ~~appropriate T&E amount,~~ pursuant to N.J.S.A. 18A:7F-493, and the **appropriate security and special education categorical aids per pupil pursuant to N.J.S.A. 18A:7F-55 and 56** ~~any appropriate additional cost factor for special education, pursuant to N.J.S.A. 18A:7F-19.~~

Issued:



# POLICY GUIDE

STUDENTS

5330.04/page 1 of 3

Administering an Opioid Antidote

Dec 16

[See POLICY ALERT No. 210]

## 5330.04 ADMINISTERING AN OPIOID ANTIDOTE

New Jersey's "Overdose Prevention Act" encourages the wider prescription and distribution of an opioid antidote to prevent opioid overdose. The New Jersey Department of Education informed school districts they may develop and adopt policies and procedures to maintain and administer an opioid antidote to any student, school personnel, or other person believed to be experiencing an opioid overdose during school hours or during on-site school-sponsored activities to block the opioid's life-threatening effects.

In accordance with N.J.S.A. 24:6J-4.a.(1)(e), the school district's physician, as a health care practitioner as defined in N.J.S.A. 24:6J-3, may prescribe or dispense an opioid antidote directly or through a standing order to the school district for a school district certified school nurse to administer to overdose victims, provided the school physician deems a school district certified school nurse is capable of administering the opioid antidote to an overdose victim in an emergency. The physician's standing order must specify a school district certified school nurse is authorized to administer the opioid antidote to overdose victims. In accordance with N.J.S.A. 24:6J-5.a.(1), the school physician issuing the standing order shall ensure that overdose prevention information is provided to the school district and the certified school nurse(s) authorized to administer an opioid antidote. The overdose prevention information shall include, but not be limited to: information on opioid overdose prevention and recognition; instructions on how to perform rescue breathing and resuscitation; information on opioid antidote dosage and instructions on opioid antidote administration; information describing the importance of calling 911 emergency telephone service for assistance with an opioid overdose; and instructions for appropriate care of an overdose victim after administration of the opioid antidote.

Upon receiving a report of a possible opioid overdose during school hours or during an on-site school-sponsored activity, the Principal, Principal's designee, or supervising staff member will immediately call 911. The school nurse, during school hours and if available at an on-site school-sponsored activity, will also be immediately called. In accordance with the provisions of N.J.S.A. 24:6J-4.d.(1), the school nurse who has received overdose prevention information pursuant to N.J.S.A. 24:6J-5.a.(1) and has been deemed capable of administering the opioid antidote by the school physician may administer the opioid antidote to a student, school personnel, or other person in an emergency if the school nurse believes, in good faith, that the person is experiencing an opioid overdose.



# POLICY GUIDE

STUDENTS

5330.04/page 2 of 3

Administering an Opioid Antidote

The school nurse and/or other school staff members shall keep the student, school personnel, or other person comfortable until emergency medical responders arrive on the scene. Any student who receives an opioid antidote by the school nurse or by an emergency medical responder shall be transported to the nearest hospital with a school staff member designated by the Principal, Principal's designee, or supervising staff member of the on-site school-sponsored activity.

The Principal, Principal's designee, or supervising staff member will notify the parent of any student or a family member or other contact person for a school staff member who may be experiencing a possible opioid overdose as soon as practicable. The Principal, Principal's designee, or supervising staff member of the on-site school-sponsored activity shall notify the Superintendent of Schools whenever an opioid antidote is administered by a school nurse or an emergency medical responder.

The school nurse shall be responsible to store the opioid antidote that has been prescribed by the school physician in a safe and secure location; document the administration of an opioid antidote on a student's health record; monitor the on-site inventory and replacement of the opioid antidote supply; and plan for the disposal of administered opioid antidote and expired opioid antidote applicator.

Any student or school staff member who is found to be under the influence of a controlled dangerous substance shall be subject to the provisions of applicable statutes and administrative codes and Board policies and regulations regarding substance use.

In accordance with the provisions of N.J.S.A. 24:6J-4.d.(2), the school district and the school nurse shall not, as a result of any acts or omissions, be subject to any criminal or civil liability for administering an opioid antidote in accordance with the provisions of N.J.S.A. 24:6J-1 et seq.

Nothing in this Policy shall prohibit the administration of an opioid antidote to a student, school personnel, or other person in an emergency during school hours or during on-site school-sponsored activities by an emergency medical responder or by a person authorized to administer an opioid antidote in accordance with N.J.S.A. 24:6J-1 et seq.



# POLICY GUIDE

STUDENTS

5330.04/page 3 of 3

Administering an Opioid Antidote

This Policy shall be reviewed and approved by the school physician and Board Attorney prior to Board adoption and whenever the Policy is revised. This Policy shall be made available to school staff members, parents, and students in staff and student handbooks, published on the district's website, or through any other appropriate means.

N.J.S.A. 24:6J-1 et seq.

May 24, 2016 New Jersey Department of Education Memorandum - Information for Schools Regarding Opioid Overdose Prevention

Adopted:





# POLICY GUIDE

OPERATIONS  
8330/page 1 of 11  
Student Records  
Dec 16  
M

[See POLICY ALERT Nos. 83, 95, 110, 121, 138, 139,  
144, 163, 171, 175 and 210]

## 8330 STUDENT RECORDS

The Board of Education believes that information about individual students must be compiled and maintained in the interest of the student's educational welfare and advancement. The Board will strive to balance the student's right to privacy against the district's need to collect, retain, and use information about individual students and groups of students. The Board authorizes the establishment and maintenance of student files that include only those records mandated by law, rules of the State Board of Education, authorized administrative directive, and those records permitted by this Board.

The Superintendent shall prepare, present to the Board for approval, and distribute regulations that implement this Policy and conform to applicable State and Federal law and rules of the State Board of Education.

For purposes of this Policy:

1. ~~“Adult student” means a student who is at least eighteen years of age, or is attending an institution of postsecondary education, or is an emancipated minor.~~
2. ~~“Parent” means the natural or adoptive parent, the legal guardian, surrogate parent, or a person acting in place of a parent in accordance with N.J.A.C. 6A:32-2.1. Unless parental rights have been terminated by a court of appropriate jurisdiction, the parent retains all rights under N.J.A.C. 6A:32. “Parent” shall also include, for the purposes of N.J.A.C. 6A:32, the adult student. A foster parent may act as a parent under the provisions of N.J.A.C. 6A:32 if the parent's authority to make educational decisions on the student's behalf has been terminated by a court of appropriate jurisdiction.~~

### General Considerations

**The Board of Education shall compile and maintain student records and regulate access, disclosure, or communication of information contained in educational records in a manner that assures the security of such records in**



# POLICY GUIDE

OPERATIONS  
8330/page 2 of 11  
Student Records

**accordance with the provisions of N.J.A.C. 6A:32-7.1 et seq.** Student records shall contain only such information as is relevant to the education of the student and is objectively based on the personal observations or knowledge of **the** certified school personnel who originate(s) the record. The **school** district shall **provide annual, written notification to notify parents, and adult students, and emancipated minors annually in writing** of their rights in regard to student records and student participation in educational, occupational, and military recruitment programs. Copies of the applicable State and Federal laws and local policies shall be made available upon request. The **school** district shall make every effort to notify parents and adult students in their dominant language.

Nothing in this Policy shall be construed to prohibit certified school personnel, ~~at their discretion,~~ from disclosing student records to non-adult students or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the student or other persons.

No liability shall be attached to any member, officer, or employee of the Board of Education permitting access or furnishing student records in accordance with **N.J.A.C. 6A:32-7.1 et seq.** ~~Department of Education rules.~~

## Student Information Directory

A student information directory is a publication of a ~~the school district~~ **Board of Education** that includes student information **relating to a student** as defined in N.J.A.C. 6A:32-2.1. **This information includes: name; grade level; date and place of birth; dates of school attendance; major field of study; participation in officially recognized activities; weight and height relating to athletic team membership; degrees; awards; the most recent educational agency attended by the student; and other similar information.** The student information directory shall be used only by authorized school district personnel and for designated official use by judicial, law enforcement, and medical personnel and not for general public consumption. In the event the school district publishes ~~information included in the~~ a student information directory, the Superintendent or designee will **provide a parent or adult student a ten-day period** ~~inform parents or adult students of such publication, and parents or adult students will be afforded a ten-day period to submit a written statement to~~ **submit** to the Superintendent **a written statement** prohibiting the school district from including any ~~or and~~ all types of information about the student in any student information directory before allowing access to such directory to educational, occupational, and military recruiters pursuant to N.J.S.A. 18A:36-19.1 and P.L. 107-110 sec. 9528, Armed Forces Recruiter Access to Students and Student Recruiting Information of the No Child Left Behind Act of 2001.



# POLICY GUIDE

OPERATIONS  
8330/page 3 of 11  
Student Records

## School Contact Directory for Official Use

A school contact directory for official use is a compilation by the school district that includes the following information for each student: **name; address; telephone number; date of birth; and school enrollment.** The district shall compile and maintain, ~~but need not publish,~~ a school contact directory for official use, ~~that which~~ is separate and distinct from the student information directory. **The student contact directory may be provided** ~~School personnel shall provide information from the school contact directory for official use only to~~ **judicial and law enforcement personnel, and to medical personnel who are currently providing services to the student in question.** ~~In order for a parent or adult student to~~ **To exclude any information from the school contact directory for official use the parent, or adult student, or emancipated minor shall notify the Superintendent or designee in writing on a form prescribed by the Commissioner of Education.**

## Mandated and Permitted Student Records

Mandated student records are those records school districts have been directed to compile by State statute, regulations, or authorized administrative directive in accordance with N.J.A.C. 6A:32-7.3.

Permitted student records are **those student records not mandated pursuant to N.J.A.C. 6A:32-7.3, but authorized by the Board to be collected in order to promote the student's educational welfare of the student.** The Board shall authorize the permitted records to be collected by adopting at a ~~regular public Board meeting a resolution listing such permitted records or~~ **Policy and Regulation 8330, which will list such permitted records.**

## Maintenance and Security of Student Records

The Superintendent or designee shall be responsible for the security of student records maintained in the school district. Policy and Regulation 8330 assure that access to such records is limited to authorized persons.

Records for each individual student ~~may shall be~~ **stored electronically or in paper format maintained in a central file at the school attended by the student.** ~~When records are maintained in different locations, a notation in the central file as to where such other records may be found is required.~~ **When student records are stored electronically, proper security and back-up procedures shall be administered.**



# POLICY GUIDE

OPERATIONS  
8330/page 4 of 11  
Student Records

~~Student health records shall be maintained and located in a locked cabinet or room in the school building or complex where the student is assigned. Records kept in electronic form shall be both accessible and secure.~~ Student health records, **whether stored on paper or electronically**, shall be maintained separately from other student records, until such time as graduation or termination, whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record. Records shall be accessible during the hours in which the school program is in operation.

~~Security blocks will be installed for records stored in any computer system to protect against any security violations of the records stored therein. To guard against the loss of student records, the district shall maintain an updated hard copy and backup versions of student records.~~

Any district internet website shall not disclose any personally identifiable information about a student **without receiving prior written consent from the student's parent**, in accordance with the provisions of N.J.S.A. 18A:36-35. **Personally identifiable information means student names; student photos; student addresses; student e-mail addresses; student phone numbers; and locations and times of class trips.**

## Access to Student Records

**Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, including student health records. Access to student records shall be provided to persons authorized such access under N.J.A.C. 6A:32-7.1 et seq. within ten days of a request, but prior to any review or hearing conducted in accordance with N.J.A.C. 6A.**

The district shall control access to, disclosure of, and communication regarding information contained in student health records to assure access only to **people** ~~those authorized organizations, agencies, and persons under the conditions permitted by Federal and State statute and regulations in accordance with N.J.A.C. 6A:32-7.5.~~

The district ~~{ will or may }~~ **may** charge a reasonable fee for reproduction of **student records**, not to exceed the schedule of costs set forth in N.J.S.A. 47:1A-52, provided that the cost does not effectively prevent the parents or adult students from exercising their rights under N.J.A.C. 6A:32-7 or **other Federal and State** ~~under~~ rules and regulations regarding students with disabilities, **including N.J.A.C. 6A:14.**



132

# POLICY GUIDE

OPERATIONS  
8330/page 5 of 11  
Student Records

Access to and disclosure of a student's health record shall meet the requirements of the Family Education Rights and Privacy Act, 34 C.F.R. Part 99 (FERPA).

**Only** ~~The following~~ authorized organizations, agencies, **or and** persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, **including student health records**:

1. ~~The student who has the written permission of a parent and the parent of a student under the age of eighteen whether or not the child resides with that parent except per N.J.S.A. 9:2-4; the place of residence shall not be disclosed and access shall not be provided if denied by a court.~~
2. ~~Students at least sixteen years of age who are terminating their education in the district because they will graduate secondary school at the end of the term or no longer plan to continue their education.~~
3. ~~The adult student and the student's parent who has the written permission of such student, except that the parent shall have access without consent of the student as long as the student is financially dependent on the parent and enrolled in the public school system or if the student has been declared legally incompetent by a court of appropriate jurisdiction. The parent of the financially dependent adult student may not disclose information contained in the adult student's record to a second or third party without the consent of the adult student.~~
4. ~~Certified school district personnel who have assigned educational responsibility for the student shall have access to the general student record, but not to the student health record except under conditions permitted in N.J.A.C. 6A:16-1.5.~~
5. ~~Certified educational personnel who have assigned educational responsibility for the student and who are employed by agencies as indicated in N.J.A.C. 6A:32-7.5(e)5 shall have access to the general student record, but not to the student health record, except under conditions permitted in N.J.A.C. 6A:16-1.5.~~
6. ~~In order to fulfill its legal responsibility as a Board, the Board has access through the Superintendent or designee to information contained in a student's record. Information shall be discussed in executive session unless otherwise requested by the parent or adult student.~~



# POLICY GUIDE

OPERATIONS  
8330/page 6 of 11  
Student Records

- ~~7. Secretarial and clerical personnel under the direct supervision of certified school personnel shall be permitted access to those portions of the record to the extent that is necessary for the entry and recording of data and the conducting of routine clerical tasks. Access shall be limited only to those student files which such staff are directed to enter or record information and shall cease when the specific assigned task is completed.~~
- ~~8. Accrediting organizations in order to carry out their accrediting functions, the Commissioner of Education and members of the New Jersey Department of Education staff who have assigned responsibility which necessitates the review of such records.~~
- ~~9. Officials of other district Boards of Education within the State of New Jersey or other educational agencies or institutions where the student is placed, registered, or seeks to enroll subject to the following conditions:
  - ~~a. Original mandated student records school districts have been directed to compile by New Jersey statute, regulation or authorized administrative directive shall be forwarded to the receiving school district with written notification to the parent or adult student;~~
  - ~~b. Original permitted student records which the Board has required shall be forwarded to the receiving school district only with the written consent of the parent or adult student except where a formal sending-receiving relationship exists between the school districts;~~
  - ~~c. All records to be forwarded, including disciplinary records as specified in N.J.S.A. 18A:36-19(a), shall be sent to the Superintendent or designee of the school district to which the student has transferred within ten school days after the transfer has been verified by the requesting school district;~~
  - ~~d. The Superintendent or designee shall request all student records in writing from the school district of last attendance within two weeks from the date that the student enrolls in the new school district;~~~~



# POLICY GUIDE

OPERATIONS  
8330/page 7 of 11  
Student Records

- e. ~~The Superintendent or designee of the school district of last attendance shall upon request, provide a parent(s) or an adult student with a copy of the records disclosed to other educational agencies or institutions; and~~
- f. ~~Proper identification, such as a certified copy of the student's birth certificate, shall be requested at the time of enrollment in a new school district.~~
- 10. ~~Officials of the United States Department of Education who have assigned responsibilities which necessitate review of such records.~~
- 11. ~~Officers and employees of a State agency who are responsible for protective and investigative services for students referred to that agency, pursuant to N.J.S.A. 9:6-8.40. Wherever appropriate, the district shall ask such State agency for its cooperation in sharing the findings of the investigation.~~
- 12. ~~Organizations, agencies, and persons from outside the school if they have the written consent of the parent or adult student, except that these organizations, agencies, and persons shall not transfer student record information to a third party without the written consent of the parent or adult student.~~
- 13. ~~Organizations, agencies, and individuals outside the school, other than those specified in N.J.A.C. 6A:32-7.5(e), upon the presentation of a court order.~~
- 14. ~~Bona fide researchers who explain in writing, in advance to the Superintendent, the nature of the research project and the relevance of the records sought and who satisfy the Superintendent or designee that the records are to be used under strict conditions of anonymity and confidentiality. Such assurance shall be received in writing by the Superintendent prior to the release of information to the researcher.~~

Nothing in N.J.A.C. 6A:32-7.1 et seq. or in Policy and Regulation 8330 shall be construed to prohibit school personnel from disclosing information contained in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.



# POLICY GUIDE

OPERATIONS  
8330/page 8 of 11  
Student Records

In complying with N.J.A.C. 6A:32-7 – Student Records providing access to student records in accordance with N.J.A.C. 6A:32-7.5, individuals shall adhere to requirements pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).

## Conditions for Access to Student Records

All authorized organizations, agencies, and persons defined in N.J.A.C. 6A:32-7.1 et seq. with access to student records shall have access to the records of a student subject to the following conditions outlined in N.J.A.C. 6A:32-7.6(a):

1. ~~No student record shall be altered or disposed of during the time period between a request to review the record and the actual review of the record.~~
2. ~~Authorized organizations, agencies, and persons from outside the school whose access requires the consent of parents or adult students shall submit their request in writing together with any required authorization to the Superintendent or designee.~~
3. ~~The Superintendent or designee shall be present during the period of inspection to provide interpretation of the records where necessary and to prevent their alteration, damage, or loss. In every instance of inspection of student records by persons other than parents, student, or individuals who have assigned educational responsibility for the individual student, an entry shall be made in the student's record of the names of persons granted access, the reason access was granted, the time and circumstances of inspection, the records studied, and the purposes for which the data will be used.~~
4. ~~Unless otherwise judicially instructed, the district shall, prior to the disclosure of any student records to organizations, agencies, or persons outside the school district pursuant to a court order, give the parent or adult student at least three days' notice of the name of the requesting agency and the specific records requested. Such notification shall be provided in writing if practicable. Only those records related to the specific purpose of the court order shall be disclosed.~~





# POLICY GUIDE

OPERATIONS  
8330/page 9 of 11  
Student Records

- ~~5. A record may be withheld from a parent of a student under eighteen or from an adult student only when the district obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court may be withheld. When the district has or obtains evidence of such court order, the parent or adult student shall be notified in writing within five days of his or her request that access to the record has been denied and that the person has the right to appeal this decision to the court issuing the order.~~

## Rights of Appeal for Parents and Adult Students

Student records are subject to challenge by parents and adult students on the grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information or denial of access to organizations, agencies, and persons in accordance with N.J.A.C. 6A:32-7.7(a).

To request a change in the record or to request a stay of disclosure pending final determination of the challenged procedure, the **parent or adult student shall follow the procedures pursuant to N.J.A.C. 6A:32-7.7(b).** ~~process shall be as follows:~~

- ~~1. A parent or adult student shall notify the Superintendent in writing of the specific issues relating to the student's record.~~
- ~~2. Within ten days of notification, the Superintendent or designee shall notify the parent or adult student of the school district's decision.~~
- ~~3. If the school district disagrees with the request, the Superintendent or designee shall meet with the parent or adult student to revise the issues set forth in the appeal.~~
- ~~4. If the matter is not satisfactorily resolved, the parent or adult student may appeal this decision either to the Board of Education or the Commissioner of Education within ten days.~~
- ~~5. If appeal is made to the Board of Education, a decision shall be rendered within twenty days. The decision of the Board may be appealed to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4, Appeals.~~



# POLICY GUIDE

OPERATIONS  
8330/page 10 of 11  
Student Records

6. ~~At all stages of the appeal process, the parent or adult student shall be afforded a full and fair opportunity to present evidence relevant to the issue. A record of the appeal proceedings and outcome shall be made part of the student's record with copies made available to the parent or adult student.~~

Appeals relating to student records for students with disabilities shall be processed in accordance with the requirements of N.J.A.C. 6A:32-7.7(b) ~~through 6 above.~~

Regardless of the outcome of any appeal, a parent or adult student shall be permitted to place **in the student record** a statement ~~in the student's record~~ commenting upon the information in the student's record or setting forth any reasons for disagreement with the decision **made in the appeal** ~~of the agency.~~ Such statements shall be maintained as part of the student's record as long as the contested portion of the record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.

## Retention and Disposal of Student Records

A student's record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the student is enrolled in the school district. The school district shall retain the student health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.

Student records of currently enrolled students, other than that described in N.J.A.C. 6A:32-7.8(e) ~~below~~, may be disposed of after the information is no longer necessary to provide educational services to a student **and in accordance with the provisions of N.J.A.C. 6A:32-7.8(b).** ~~Such disposition shall be accomplished only after written parental or adult student notification and written parental or adult student permission has been granted or after reasonable attempts of such notification and reasonable attempts to secure parental or adult student permission have been unsuccessful.~~



# POLICY GUIDE

OPERATIONS  
8330/page 11 of 11  
Student Records

Upon graduation or permanent departure of a student from the school district, the parent or adult student shall be notified in writing that a copy of the entire student's record will be provided to them upon request. Information in student records, other than that described in N.J.A.C. 6A:32-7.8(e) ~~1. below~~, may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq. Such disposition shall be **in accordance with the provisions of N.J.A.C. 6A:32-7.8(c)2** ~~accomplished only after written parental or adult student notification and written parental or student permission has been granted, or after reasonable attempts at such notification and reasonable attempts to secure parental or adult student permission have been unsuccessful and prior written authorization has been obtained from the New Jersey Department of State, Records Committee.~~

- ~~1. In accordance with N.J.A.C. 6A:32-7.8(e), the New Jersey public school district of last enrollment, graduation, or permanent departure of the student from the school district shall keep for 100 years a mandated record of a student's name, date of birth, name of parents, gender, citizenship, address, telephone number, health history and immunization, standardized assessment and test answer sheet (protocol), grades, attendance, classes attended, grade level completed, year completed, and years of attendance.~~

No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult student.

In accordance with N.J.A.C. 6A:32-7.8(e), the New Jersey public school district of last enrollment, graduation, or permanent departure of the student from the school district shall keep for 100 years a mandated record of a student's name, date of birth, name of parents, gender, citizenship, address, telephone number, health history and immunization, standardized assessment **results** and test answer sheet (protocol), grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

N.J.S.A. 18A:36-19; 18A:36-19.1; 18A:40-4; 18A:40-19  
N.J.A.C. 6A:32-7.1; 6A:32-7.2; 6A:32-7.3; 6A:32-7.4; 6A:32-7.5;  
**6A:32-7.6; 6A:32-7.7; 6A:32-7.8**

Adopted:



# REGULATION GUIDE

OPERATIONS  
R 8330/page 1 of 17  
Student Records  
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[See POLICY ALERT Nos. 83, 95, 110, 121, 138, 139, 144,  
147, 163, 171, 175 and 210]

## R 8330 STUDENT RECORDS

### A. Definitions (N.J.A.C. 6A:32-2.1)

1. "Access" means the right to view, make notes, and/or reproduce a the student record.
2. "Adult student" means a **person student** who is at least eighteen years of age, or is attending an institution of postsecondary education, or is an emancipated minor.
3. "Mandated student records" means these student records that school districts ~~have been directed to compile pursuant to~~ by State statute, regulation, or authorized administrative directive.
4. "Parent" means the natural or adoptive parent, ~~the~~ legal guardian, surrogate **appointed according to N.J.A.C. 6A:14-2.2** parent, or a person acting in place of a parent (such as a grandparent or stepparent with whom the student lives or a person legally responsible for the student's welfare) ~~in accordance with N.J.A.C. 6A:32-2.1.~~ Unless parental rights have been terminated by a court of appropriate jurisdiction, the parent retains all rights under N.J.A.C. 6A:32. ~~"Parent" shall also include, for the purposes of N.J.A.C. 6A:32, the adult student.~~ **In addition, a** foster parent may act as a parent under the provisions of N.J.A.C. 6A:32 if the parent's authority to make educational decisions on the student's behalf has been terminated by a court of appropriate jurisdiction.
5. "Permitted student records" means records that the Board of Education has authorized, by resolution adopted at a regular public meeting, to be collected ~~in order~~ to promote the educational welfare of ~~the~~ students.



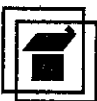
# REGULATION GUIDE

OPERATIONS  
R 8330/page 2 of 17  
Student Records

6. "Student record" means information related to an individual student gathered within or outside the school **district system** and maintained within the school **district system** regardless of the physical form in which it is maintained. **Essential in this definition is the idea that a**Any information that is maintained for the purpose of second-party review is considered a student record. Therefore, information recorded by certified school personnel solely as a memory aid, **and** not for the use of a second party, is excluded from this definition.
- ~~7. "Parent surrogate(s)" means an individual or individuals approved by the Board in accordance with N.J.A.C. 6A:14-2.2 to act on behalf of a student whose parent(s) is not available to assure the student's educational rights.~~
78. "Student information directory" means a publication of the **district Board of Education that** which includes the following information relating to a student: **It shall be used only by authorized school district personnel and for designated official use by judicial, law enforcement, and medical personnel and not for general public consumption. The information shall be** the student's: name;; grade level;; date and place of birth;; dates of attendance;; major field of study;; participation in officially recognized activities;; weight and height relating to athletic team membership;; degrees;; awards;; the most recent educational agency attended by the student;; and other similar information.

B. General Considerations (N.J.A.C. 6A:32-7.1)

1. **The Board of Education shall compile and maintain student records and regulate access, disclosure, or communication of information contained in educational records in a manner that assures the security of such records in accordance with the provisions of N.J.A.C. 6A:32-7.1. et seq.**
21. Student records shall contain only such information as is relevant to the education of the student and is objectively based on the personal observations or knowledge of **the** certified school personnel who originate(s) the record.



# REGULATION GUIDE

OPERATIONS  
R 8330/page 3 of 17  
Student Records

32. The school district shall **provide annual, written notification to notify parents, and adult students, and emancipated minors annually in writing** of their rights in regard to student records and student participation in educational, occupational, and military recruitment programs. Copies of the applicable State and Federal laws and local policies shall be made available upon request. The school district shall make every effort to notify parents and adult students in their dominant language.
43. A non-adult student may assert rights of access only through his or her parents. However, nothing in N.J.A.C. 6A:32-7 et seq. or in Policy or Regulation 8330 shall be construed to prohibit certified school personnel, **from disclosing at** in their discretion, ~~from disclosing~~ student records to non-adult students or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the student or other persons.
54. The parent or adult student, ~~including an emancipated minor,~~ shall have access to their own records and have access to or be specifically informed about only that portion of another student's record that contains information about his or her own child or himself or herself.
65. The Superintendent or designee shall require all permitted student records of currently enrolled students to be reviewed annually by certified school personnel to determine the education relevance of the material contained therein. The reviewer shall cause data no longer descriptive of the student or educational program to be deleted from the records except that prior notice shall be given for classified students in accordance with N.J.A.C. 6A:14, Special Education. Such information shall be disposed of and not be recorded elsewhere. No record of any such deletion shall be made.
76. No liability shall be attached to any member, officer, or employee of the Board of Education permitting access or furnishing student records in accordance with N.J.A.C. 6A:32-7.1 et seq. ~~Department of Education rules.~~



142

# REGULATION GUIDE

OPERATIONS  
R 8330/page 4 of 17  
Student Records

87. When the parent's or adult student's dominant language is not English or the parent or adult student is deaf, the **school** district shall provide interpretation of the student's records in the dominant language of the parents or adult student.

98. Student health records shall be maintained separately from other student records and handled, according to the requirements of N.J.A.C. 6A:32-7.1 **et seq.**, until such time as graduation or termination, whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record.

## C. School Contact Directory for Official Use (N.J.A.C. 6A:32-7.2)

1. The **Board of Education** ~~district~~ shall compile and maintain, ~~but need not publish,~~ a school contact directory for official use, ~~which that~~ is separate and distinct from the student information directory.

a. School personnel shall provide information from the school contact directory for official use only to judicial and law enforcement personnel, and to medical personnel ~~who are~~ currently providing services to the student in question.

b. Upon request from a court, other judicial agency, law enforcement agency, or medical service provider ~~who is~~ currently providing services to the student in question, school personnel shall promptly verify the enrollment of a student and provide the requester with all ~~the~~ information about that student that is contained in the school contact directory for official use.

2. ~~To In order for a parent or adult student to~~ exclude any information from the school contact directory for official use, the parent, ~~or~~ adult student, **or emancipated minor** shall notify the Superintendent or designee in writing ~~on a form prescribed by the Commissioner of Education.~~



# REGULATION GUIDE

OPERATIONS  
R 8330/page 5 of 17  
Student Records

- a. ~~The form shall explain the purpose of the school contact directory for official use is to allow judicial, law enforcement, and medical personnel to contact the parent when necessary, and that the school contact directory for official use is only accessible by school, judicial, law enforcement, and medical personnel who are currently providing services to the student in question.~~

## D. Mandated and Permitted Student Records (N.J.A.C. 6A:32-7.3)

### 1. Mandated student records shall include the following:

- a. The student's name, address, telephone number, date of birth, name of parent(s), gender, citizenship, standardized assessment **results** and ~~test answer sheets (protocol),~~ grades, attendance, classes attended, grade level completed, **and year completed, and years of attendance;**
- b. Record of daily attendance;
- c. Descriptions of student progress according to the system of student evaluation used in the school district;
- d. History and status of physical health compiled in accordance with State regulations, including results of any physical examinations given by qualified school district employees **and immunizations;**
- e. Records pursuant to rules and regulations regarding the education of students with disabilities; and
- f. All other records required by **N.J.A.C. 6A** ~~the State Board of Education.~~

### 2. Permitted student records are **those student records not mandated pursuant to N.J.A.C. 6A:32-7.3, but** authorized by the Board to promote the student's educational welfare and include the following as authorized by this Board upon adoption of Policy and Regulation 8330. These records **may** include, but ~~are may not be~~ limited to:





# REGULATION GUIDE

OPERATIONS  
R 8330/page 6 of 17  
Student Records

- a. Personally authenticated observations, assessments, ratings, and anecdotal reports recorded by teaching staff members in the performance of their professional responsibilities and intended for review by another person, provided the record is dated and signed by the originator. Information recorded solely as a memory aid for the originator becomes a student's record when it is reviewed by any other person, including a substitute;
- b. Information, scores, and results obtained from standardized tests or by approved tests conducted by professional personnel;
- c. Educationally relevant information provided by the parent, or adult student, or **emancipated minor** regarding the student's achievements or school activities;
- d. Any correspondence with the student and/or the student's parents;
- e. Driver education certificate;
- f. Emergency notification form;
- g. New student registration form;
- h. Withdrawal or transfer form;
- i. Change of schedule form;
- j. Records of disciplinary infractions, penalties, and disciplinary hearings;
- k. Records of the student's co-curricular and athletic activities and achievements;
- l. Class rank;
- m. Awards and honors;
- n. Notations of additional records maintained in a separate file;



# REGULATION GUIDE

OPERATIONS  
R 8330/page 7 of 17  
Student Records

- o. The statement from a student's parent, or adult student, or **emancipated minor** regarding a contested portion of the record;
- p. Entries indicating review of the file by an authorized person;
- q. \_\_\_\_\_;
- r. \_\_\_\_\_;
- s. \_\_\_\_\_; and
- t. \_\_\_\_\_.

## E. Maintenance and Security of Student Records (N.J.A.C. 6A:32-7.4)

1. The Superintendent or designee shall be responsible for the security of student records maintained in the school district **and shall devise procedures/regulations for assuring that access to such records is limited to authorized persons.** Policy and Regulation 8330 assures that access to such records is limited to authorized persons.
2. Records for each individual student ~~may shall~~ be stored either **electronically or in paper format.** ~~When student records are stored electronically, proper security and backup procedures shall be administered maintained in a central file at the school attended by the student. When records are maintained in different locations, a notation in the central file as to where other such records may be found is required.~~
3. Student health records, **whether stored on paper or electronically,** shall be maintained and located in a locked cabinet or room in the school building or complex which the student is assigned. ~~Records kept in electronic form shall be both accessible and secure. Student health records shall be maintained separately from other student records, until such time as graduation or termination whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record.~~
4. Records shall be accessible during the hours in which the school program is in operation.



146

# REGULATION GUIDE

OPERATIONS  
R 8330/page 8 of 17  
Student Records

4. ~~Security blocks will be installed for records stored in computerized systems to protect against security violations of the records stored therein. To guard against the loss of student records, the district shall maintain an updated hard copy and backup versions of student records.~~
5. Mandated student records required as part of programs established through State-administered entitlement or discretionary funds from the U.S. Department of Education shall be maintained for a period of five years after graduation, termination from the school district, or age **twenty-three** 23, whichever is longer, and shall be disposed of in accordance with N.J.S.A. 47:3-15 et seq.
6. Any district ~~internet~~ website shall not disclose any personally identifiable information about a student, in accordance with N.J.S.A. 18A:36-35.

F. Access to Student Records (N.J.A.C. 6A:32-7.5)

1. **Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, including student health records. Access to student records shall be provided to persons authorized such access under N.J.A.C. 6A:32-7.1 et seq. within ten days of a request, but prior to any review or hearing conducted in accordance with N.J.A.C. 6A.**
21. The **school** district shall control access to, disclosure of, and communication regarding information contained in student health records to assure access only to **people** ~~these persons~~ under the ~~conditions~~ permitted by Federal and State statute and regulations **or stated in N.J.A.C. 6A:32-7.5(e) and section G. below.**
32. The **school** district { ~~will or may~~ } **may** charge a reasonable fee for reproduction of **student records**, not to exceed the schedule of costs set forth in N.J.S.A. 47:1A-52, provided that the cost does not effectively prevent the parents or adult students from exercising their rights under N.J.A.C. 6A:32-7 or **other Federal and State** ~~under~~ rules and regulations regarding students with disabilities, **including N.J.A.C. 6A:14.**



# REGULATION GUIDE

OPERATIONS  
R 8330/page 9 of 17  
Student Records

43. Access to and disclosure of a student's health record shall meet the requirements of the Family Education Rights and Privacy Act, 34 C.F.R. Part 99 (FERPA).

G. Authorized Organizations, Agencies, and Persons with Access to Student Records (N.J.A.C. 6A:7.5(e))

Access shall include only the following:

1. A student who has the written permission of a parent and the parent of a student under the age of eighteen whether ~~or not~~ the child resides with ~~the~~ that parent except per N.J.S.A. 9:2-4;
  - a. The place of residence shall not be disclosed; and
  - b. Access shall not be provided if denied by a court.
2. Students at least sixteen years of age who are terminating their education in the **school** district because they will graduate secondary school at the end of the term or no longer plan to continue their education-;
3. ~~An~~ The adult student and ~~the student's~~ parent who has the written permission of **an adult** ~~such~~ student, except that the parent shall have access without consent of the student as long as the student is financially dependent on the parent and enrolled in the public school system or if the student has been declared legally incompetent by a court of appropriate jurisdiction. The parent of the financially dependent adult student may not disclose information contained in the adult student's record to a second or third party without the consent of the adult student-;
4. Certified school district personnel who ~~are~~ **have** assigned educational responsibility for the student shall have access to the general student record, but not to the student health record, except under conditions permitted in N.J.A.C. 6A:16-2.41-5-;



# REGULATION GUIDE

OPERATIONS  
R 8330/page 10 of 17  
Student Records

5. Certified educational personnel who have assigned educational responsibility for the student and who are employed by agencies listed below shall have access to the general student record, but not to the student health record except under conditions permitted in N.J.A.C. 6A:16-1.52.4:
  - a. An approved private school for the disabled;
  - b. A State facility;
  - c. Accredited nonpublic schools in which students with educational disabilities have been placed according to N.J.S.A. 18A:46-14; or
  - d. Clinics and agencies approved by the Department of Education.
6. ~~To fulfill in order to fulfill~~ its legal responsibility as a Board, the Board of Education shall have access through the Superintendent or designee to information contained in a student's record. Information shall be discussed in executive session unless otherwise requested by the parent or adult student.;
7. Secretarial and clerical personnel under the direct supervision of certified school personnel shall be permitted access to these portions of the record to the extent that is necessary for the entry and recording of data and the conducting of routine clerical tasks. Access shall be limited only to these student files in which such staff are directed to enter or record information, and shall cease when the specific assigned task is completed.;
8. Accrediting organizations in order to carry out their accrediting functions.;
9. The Commissioner of Education and ~~members of the~~ New Jersey Department of Education staff members who are have assigned responsibility that which necessitates the review of such records.;



# REGULATION GUIDE

OPERATIONS  
R 8330/page 11 of 17  
Student Records

10. Officials of other district Boards of Education within the State of New Jersey or other educational agencies or institutions where the student is placed, registered, or seeks to enroll subject to the following conditions:
  - a. Original mandated student records ~~that~~ schools ~~districts~~ have been directed to compile by New Jersey statute, regulation, or authorized administrative directive shall be forwarded to the receiving school district with written notification to the parent or adult student;
  - b. Original ~~mandated~~ ~~permitted~~ student records ~~that~~ ~~which~~ ~~the~~ ~~a~~ Board of Education has required shall be forwarded to the receiving school district only with the written consent of the parent or adult student, except where a formal sending-receiving relationship exists between the school districts;
  - c. All records to be forwarded, including disciplinary records as specified in N.J.S.A. 18A:36-19(a), shall be sent to the Superintendent or designee of the school district to which the student has transferred within ten school days after the transfer has been verified by the requesting school district;
  - d. The Superintendent or designee shall request ~~all~~ ~~student~~ ~~records~~ in writing **all student records** from the school district of last attendance within two weeks from the date that the student enrolls in the new school district;
  - e. **Upon request**, ~~the~~ Superintendent or designee of the school district of last attendance shall ~~upon request~~, provide a parent(s) or an adult student with a copy of the records disclosed to other educational agencies or institutions; and
  - f. Proper identification, such as a certified copy of the student's birth certificate **or other proof of the child's identity pursuant to N.J.S.A. 18A:36-25.1**, shall be requested at the time of enrollment in a new school district.
  
11. Officials of the United States Department of Education ~~who have~~ assigned responsibilities **that** ~~which~~ necessitate review of such records-;



# REGULATION GUIDE

OPERATIONS  
R 8330/page 12 of 17  
Student Records

12. Officers and employees of a State agency ~~who are~~ responsible for protective and investigative services for students referred to that agency, pursuant to N.J.S.A. 9:6-8.40. Wherever appropriate, the **Board of Education** ~~district~~ shall ask ~~the such~~ State agency for its cooperation in sharing the findings of ~~an the~~ investigation;
13. **Agency caseworkers or other representatives of a State or local child welfare agency who have the right to access a student's case plan when the agency or organization is legally responsible, in accordance with State law, for the care and protection of the student, consistent with 20 U.S.C. § 1232g(b)(1)(L);**
1413. Organizations, agencies, and persons from outside the school if they have the written consent of the parent or adult student, ~~except that these~~. ~~O~~rganizations, agencies, and persons shall not transfer student record information to a third party without the written consent of the parent or adult student;
1514. Organizations, agencies, and individuals outside the school, other than those specified in N.J.A.C. 6A:32-7.5(e), upon the presentation of a court order;
1615. Bona fide researchers who explain ~~in writing, in advance~~ to the Superintendent, the nature of the research project and the relevance of the records sought. **Researchers shall also** ~~and who~~ satisfy the Superintendent or designee that the records **will** ~~are to~~ be used under strict conditions of anonymity and confidentiality. Such assurance shall be received in writing by the Superintendent prior to the release of information to the researcher;
17. **Nothing in N.J.A.C. 6A:32-7.1 et seq. and Policy and Regulation 8330 shall be construed to prohibit school personnel from disclosing information contained in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons; and**
18. **In complying with N.J.A.C. 6A:32-7.1 et seq., individuals shall adhere to requirements pursuant to N.J.S.A. 47:1A-1 et seq. - the Open Public Records Act (OPRA) and 20 U.S.C. § 1232g, 34 CFR Part 99 - the Family Educational Rights and Privacy Act (FERPA).**



# REGULATION GUIDE

OPERATIONS  
R 8330/page 13 of 17  
Student Records

## H. Conditions for Access to Student Records (N.J.A.C. 6A:32-7.6)

All authorized organizations, agencies, and persons **defined in N.J.A.C. 6A:32-7.1 et seq. as listed below** ~~with access to student records~~ shall have access to the records of a student, subject to the following conditions:

1. No student record shall be altered or disposed of during the time period between a request to review the record and the actual review of the record.
2. Authorized organizations, agencies, and persons from outside the school whose access requires the consent of parents or adult students shall submit **to the Superintendent or designee** ~~the their~~ request in writing together with any required authorization, ~~to the Superintendent or designee.~~
3. The Superintendent or designee shall be present during the period of inspection to provide interpretation of the records where necessary and to prevent their alteration, damage, or loss. In every instance of inspection of student records by persons other than parents, student, or individuals who have assigned educational responsibility for the individual student, an entry shall be made in the student's record of the name(s) of persons granted access, the reason access was granted, the time, and circumstances of inspection, the records studied, and the purposes for which the data will be used.
4. ~~Unless otherwise judicially instructed, the district shall,~~ **Prior to the disclosure of any student records to organizations, agencies, or persons outside the school district pursuant to a court order, the Superintendent or designee shall give the parent or adult student at least three days' notice of the name of the requesting agency and the specific records requested unless otherwise judicially instructed.** Such notification shall be provided in writing, if practicable. Only ~~these~~ records related to the specific purpose of the court order shall be disclosed.
  - a. **Notice to the parent shall not be required when he or she is party to a court proceeding involving child abuse and neglect or dependency matters, consistent with 20 U.S.C. § 1232g(b)(2)(B).**





# REGULATION GUIDE

OPERATIONS  
R 8330/page 14 of 17  
Student Records

5. A record may be withheld from a parent of ~~a student under eighteen~~ or from an adult student only when the **school** district obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court **shall** ~~may~~ be withheld. When the district has or obtains evidence of such court order, the parent or adult student shall be notified in writing within five days of his or her request that access to the record has been denied, and that the person has the right to appeal this decision to the court issuing the order.

## I. Rights of Appeal for Parents and Adult Students (N.J.A.C. 6A:32-7.7)

1. Student records are subject to challenge by parents and adult students on grounds of inaccuracy, irrelevancy, impermissive disclosure, inclusion of improper information, or denial of access to organizations, agencies, and persons. The parent or adult student may seek to: expunge inaccurate, irrelevant, or otherwise improper information from the student's record; insert additional data as well as reasonable comments as to the meaning and/or accuracy of the records; and/or request an immediate stay of disclosure pending final determination of the challenge procedure as described in N.J.A.C. 6A:32-7.7.
2. To request a change in the record or to request a stay of disclosure pending final determination of the challenged procedure, the process shall be as follows:
  - a. A parent or adult student shall notify **in writing** the Superintendent ~~in writing~~ of the specific issues relating to the student's record.
  - b. Within ten **school** days of notification, the Superintendent or designee shall notify the parent or adult student of the school district's decision.
  - c. If the school district disagrees with the request, the Superintendent or designee shall meet with the parent or adult student to **resolve** ~~revise~~ the issues set forth in the appeal.



# REGULATION GUIDE

OPERATIONS  
R 8330/page 15 of 17  
Student Records

- d. If the matter is not satisfactorily resolved, the parent or adult student **has ten school days to** ~~may~~ appeal this decision ~~either~~ to the Board of Education ~~or the Commissioner of Education within ten days.~~
  - e. If **an** appeal is made to the Board of Education, a decision shall be rendered within **twenty 20 school** days. The decision of the Board of Education may be appealed to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:43, **Controversies and Disputes Appeals.**
  - f. At all stages of the appeal process, the parent or adult student shall be afforded a full and fair opportunity to present evidence relevant to the issue. A record of the appeal proceedings and outcome shall be made a part of the student's record with copies made available to the parent or adult student.
3. Appeals relating to ~~the~~ **student** records of students with disabilities shall be processed in accordance with the requirements of **I.2.** above.
  4. Regardless of the outcome of any appeal, a parent or adult student shall be permitted to place **in the student record** a statement ~~in the student's record~~ commenting upon the information in the student's record or setting forth any reasons for disagreement with the decision **made in the appeal** ~~of the agency.~~
    - a. Such statements shall be maintained as part of the student's record as long as the contested portion of the record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.
- J. Retention and Disposal of Student Records (N.J.A.C. 6A:32-7.8)
1. A student's record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the student is enrolled in the school district.



# REGULATION GUIDE

OPERATIONS  
R 8330/page 16 of 17  
Student Records

- a. The school district shall retain the student's health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.
2. Student records of currently enrolled students, other than the records that must be maintained for one hundred years as described in N.J.A.C. 6A:32-7.8(e) and 56. below, may be disposed of after the information is no longer necessary to provide educational services to a student.
  - a. Such disposition shall be accomplished only after written parental or adult student notification and written parental or adult student permission has been granted or after reasonable attempts of such notification and reasonable attempts to secure parental or adult student permission have been unsuccessful.
3. Upon graduation or permanent departure of a student from the school district:
  - a. The parent or adult student shall be notified in writing that a copy of the entire student's record will be provided to them upon request.
4.
  - b. Information in student records, other than ~~that the records that must be maintained for one hundred years~~ as described in N.J.A.C. 6A:32-7.8(e) and 56. below, may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq.
  - ca. Such disposition shall be accomplished only after written parental or adult student notification, and written parental or adult student permission has been granted, or after reasonable attempts at such notification and reasonable attempts to secure parental or adult student permission have been unsuccessful, and prior written authorization has been obtained from the New Jersey State Records Committee in the New Jersey Department of State.



# REGULATION GUIDE

OPERATIONS  
R 8330/page 17 of 17  
Student Records

45. No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult student.
  
56. The New Jersey public school district of last enrollment, graduation, or permanent departure of the student from the school district shall keep for one hundred years a mandated record of a student's name, date of birth, name of parents, gender, citizenship, address, ~~telephone number~~, health history and immunization, standardized assessment **results** and ~~test answer sheet (protocol)~~, grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

Issued:



# POLICY GUIDE

Instruction-7

PROGRAM  
2460/page 1 of 5  
Special Education  
Feb 17  
M

[See POLICY ALERT Nos. 95, 101, 104, 108, 112, 119, 129, 132,  
138, 146, 150, 158, 159, 185 and 211]

## 2460 SPECIAL EDUCATION

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

1. All students with disabilities, who are in need of special education and related services, including students with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3.
2. Homeless students are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq.
3. Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.
4. An Individualized Education Program (IEP) is developed, reviewed and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.
5. To the maximum extent appropriate, students with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.
6. Students with disabilities are included in State-wide and district-wide assessment programs with appropriate accommodations, where necessary according to N.J.A.C. 6A:14-4.10. All students with disabilities will participate in State-wide assessments or the applicable ~~a~~Alternative Proficiency ~~a~~Assessment in grades three, four, five, six, seven, eight, and **high school in the applicable courses eleven in accordance with their assigned grade level.**



157

# POLICY GUIDE

PROGRAM  
2460/page 2 of 5  
Special Education

7. Students with disabilities are afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent **as set forth in N.J.A.C. 6A:14-2.2 and Policy 2467**, when appropriate.
8. **The rules set forth in N.J.A.C. 6A:14 ensure a** free appropriate public education is available to all students with disabilities between the ages of three and twenty-one, including students with disabilities who have been suspended or expelled from school:
  - a. The obligation to make a free, appropriate public education available to each eligible student begins no later than the student's third birthday and that an individualized education program (IEP) is in effect for the student by that date;
  - b. If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP will begin;
  - c. A free appropriate public education is available to any student with a disability who **needs** ~~is eligible for~~ special education and related services, even though the student is advancing from grade to grade;
  - d. The services and placement needed by each student with a disability to receive a free, appropriate public education are based on the student's unique needs and not on the student's disability; and
  - e. The services and placement needed by each student with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the student's home as possible and, when the IEP does not describe specific restrictions, the student is educated in the school he or she would attend if not a student with a disability.

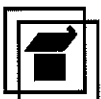


138

# POLICY GUIDE

PROGRAM  
2460/page 3 of 5  
Special Education

9. Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14 will experience a smooth transition and have an IEP developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.
10. Full educational opportunity to all students with disabilities is provided.
11. The compilation, maintenance, access to, and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.
12. Provision is made for the participation of students with disabilities who are placed by their parent(s) in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.
13. Students with disabilities who are placed in private schools by the district Board are provided special education and related services at no cost to their parent(s) according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.
14. All personnel serving students with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law, **pursuant to N.J.A.C. 6A:14-1.2(b)13.**
15. **Pursuant to N.J.A.C. 6A:14-1.2(b)4,** tThe in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified; and that appropriate in-service training is provided. The district Board shall maintain information to demonstrate its efforts to:
  - a. Prepare general and special education personnel with content knowledge and collaborative skills needed to meet the needs of children with disabilities;
  - b. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;



# POLICY GUIDE

PROGRAM  
2460/page 4 of 5  
Special Education

- c. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
  - d. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
  - e. Provide for joint training activities of parent(s) and special education, related services and general education personnel.
16. Instructional materials will be provided to blind or print-disabled students in a timely manner, **consistent with a plan developed by the district.**
17. For students with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services, the district will provide, pursuant to the **Developmentally Disabled** Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., and N.J.A.C. 6A:14-1.2(b)17, the necessary materials to the parent(s) to apply for such services.
18. **[Select One Option**
- The school district will not accept the use of electronic mail from the parent(s) to submit requests to a school official regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education.
- The school district will accept the use of electronic mail from the parent(s) to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. The parent(s) shall be informed by the Supervisor of the CST of the procedures to access the electronic mail system. The parent(s) may not utilize electronic mail to provide written consent when the district provides written notice and seeks parental consent as required by N.J.A.C. 6A:14-1.2(b)18.]



160



# POLICY GUIDE

PROGRAM  
2460/page 5 of 5  
Special Education

19. The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's IEP, pursuant to N.J.A.C. 6A:14-4.5(d).
20. **The school district has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of special education services as required by N.J.A.C. 6A:14-3.7(c)4.**
21. **The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities in accordance with N.J.S.A. 18A:40-5.1 et seq. and Policy 5339.**

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

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

Adopted:



16/1

# REGULATION GUIDE

PROGRAM  
R 2460/page 1 of 1  
Special Education  
Feb 17  
M

[See POLICY ALERT Nos. 95, 101, 104, 108, 112, 119, 129, 132,  
138, 146, 152, 155, 170, 185 and 211]

## R 2460 SPECIAL EDUCATION

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

- R 2460.1 Special Education - Location, Identification, and Referral (M)
- R 2460.8 Special Education - Free and Appropriate Public Education (M)
- R 2460.9 Special Education - Transition From Early Intervention Programs to Preschool Programs (M)
- R 2460.15 Special Education – In-service Training Needs for Professional and Paraprofessional Staff (M)**
- R 2460.16 Special Education - Instructional Material to Blind or Print-Disabled Students (M)

### Definitions:

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

Adopted:



# REGULATION GUIDE

PROGRAM

R 2460.1/page 1 of 10

Special Education - Location, Identification, and Referral

Feb 17

M

[See POLICY ALERT Nos. 152, 155, 159, 185 and 211]

## R 2460.1 SPECIAL EDUCATION - LOCATION, IDENTIFICATION, AND REFERRAL

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

### A. Procedures for Locating Students With Disabilities

1. The CST Supervisor will coordinate the child find activities to locate, identify and evaluate all children, ages three through twenty-one, who reside within the school district or attend nonpublic schools within the school district and who may **have a disability** ~~be disabled~~.
2. By October 1<sup>st</sup> of each school year, the CST Supervisor or his/her designee will conduct child find activities, **in the native language of the population, as appropriate**, including but not limited to:
  - a. Development of child find materials for distribution.
  - b. Broadcasting of child find information on the school district cable television station. (if applicable)
  - c. Distribution of flyers to the parents of all students enrolled in the school district.
  - d. Mailing of child find material to nonpublic schools in the area.
  - e. Mailing of child find material to local pediatricians, hospitals and clergy.



# REGULATION GUIDE

PROGRAM

R 2460.1/page 2 of 10

Special Education - Location, Identification, and Referral

- f. Public service announcements on the local foreign language radio stations and cable television stations. ~~in the following languages (list languages)~~

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

~~or~~

~~The Superintendent or designee ensures that if any native language speakers for languages other than English are identified, public service communications will include but not be limited to native language announcements on local foreign language radio stations and/or cable television stations.~~

- g. Public service announcements in local newspapers.
- h. Distribution of child find materials in supermarkets, convenience stores, shelters for the homeless, public and private social service agency locations and nursery school providers.
- i. Mailing information letters to local physicians, hospitals, nursery schools, non-public schools, health departments, community centers, rescue squads and churches.
- j. A guide to preschool services for potentially disabled children ages three to five is made available to: all Stafford the community (list recipients).

- k. Posting of State developed child find materials ~~in~~ in all EST offices and the District website (designate areas) for potentially disabled students and/or early intervention program.

- l. Training of home school advocate/school community liaisons or others to assist in the identification of potentially disabled students.



*104*

# REGULATION GUIDE

PROGRAM

R 2460.1/page 3 of 10

Special Education - Location, Identification, and Referral

- m. Listings of Early Intervention Program (EIP), local nursery schools and pediatricians are maintained. The district's preschool coordinator (or other) maintains contact with EIP coordinator and nursery school director.
- n. Information is distributed through the Parent Advisory Committee.
- o. School handbooks distributed to parents contain information describing special education services.
- p. Distribution of information to the school district's ESL/Bilingual teachers describing child find activities.
- q. Students entering Kindergarten are screened to identify ~~potentially disabled~~ students **who may have a disability**.
- r. Intervention and Referral Services Committees (I&RS) have been established in all school buildings.
- s. (Insert any other procedures specific to district.)

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## **[Required for Charter Schools and Renaissance Schools**

- t. For a charter school **or renaissance school**, the child find activities as outlined above are limited to the population of students enrolled in the ~~charter school~~ **or renaissance school.**
3. No later than October 1<sup>st</sup> of each school year the CST Supervisor will contact by mail the Principal (identify the title of the nonpublic school official) of the nonpublic school(s) to request input from nonpublic school parents and officials for suggestions on ways to conduct child find activities for students attending nonpublic schools.



# REGULATION GUIDE

PROGRAM

R 2460.1/page 4 of 10

Special Education - Location, Identification, and Referral

The child find activities for nonpublic students shall be comparable to the child find activities for public school students.

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

<u>School</u>	<u>Title of the Individual Representing the Nonpublic School</u>
St. Vincent de Paul Regional School	Principal
_____	_____
_____	_____

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

## B. Procedures for Intervention in the General Education Program

A staff member or agency shall provide in writing a request for intervention services for students ages 3 to 16, (indicate ages of students present in the school district) to the Building Principal or designee. The request shall contain the following:

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

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



1666

# REGULATION GUIDE

PROGRAM

R 2460.1/page 5 of 10

Special Education - Location, Identification, and Referral

The Superintendent or designee will oversee the district's implementation/**evaluation** and ~~effectiveness~~ of the ~~procedures~~ for interventions **identified in the general education program**.

An Intervention and Referral Services Committee (I&RS) will be in place in each school building pursuant to N.J.A.C. 6A:16-8.1 **et seq. and Policy and Regulation 2417**.

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

1. The implementation and effectiveness of building level I&RS Committee;
2. Will identify the roles and responsibilities of building staff who participate in planning and providing intervention services; and
3. Review, assess and document the effectiveness of the services provided in achieving the outcome identified in the intervention plan.

~~\*Sample forms are located in the Resource Manual for Intervention and Referral Services published by the NJDOE.~~

4. The I&RS Committee shall:
  - a. Plan and provide appropriate intervention services;
  - b. Actively involve the parent(s) in the development and implementation of intervention plans;
  - c. Develop an action plan for an identified student which specifies specific tasks, resources, persons responsible, completion dates, date for review;
  - d. Coordinate the services of community based social and health provider agencies;
  - e. Process and complete the documentation forms;



# REGULATION GUIDE

PROGRAM

R 2460.1/page 6 of 10

Special Education - Location, Identification, and Referral

- f. Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan; **and**
- g. Ensure the type, frequency, duration, and effectiveness of the interventions are documented.

5. The Building Principal will insure that:

- a. I&RS Committee receive in-service training by the Building Principal or designee by October 1<sup>st</sup> (Specify date) each school year;
- b. Staff handbooks are updated by September 1<sup>st</sup> (Specify date) and include information regarding intervention procedures;
- c. New instructional staff attend the district's orientation program commencing in the month of late August or when they are initially employed, which includes information on I&RS Committee;
- d. School calendars are distributed ~~in the month of~~ \_\_\_\_\_ and provide information on intervention services; and
- e. Parent/student handbooks ~~distributed in the month of~~ will and include information on intervention services.

## C. Procedures for Referral

Referral procedures are included in professional staff handbooks and referral forms are available in the Principal's office, the Child Study Team (CST) office, and the Office of \_\_\_\_\_ (name of the office designated for Special Education Services)

### 1. Parental Notification of Referral Procedures





# REGULATION GUIDE

PROGRAM

R 2460.1/page 7 of 10

Special Education - Location, Identification, and Referral

Referral procedures shall be included in staff and student handbooks (name of publication(s) e.g. Parent Handbook, newsletter, special education brochure or pamphlet or other school district publication, which shall be distributed to the parent(s). These procedures and publications shall be updated annually and be distributed to the parent(s) and appropriate social service and welfare agencies not later than October 1 of each year.

## 2. Parent Initiated Referral

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

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



# REGULATION GUIDE

PROGRAM

R 2460.1/page 8 of 10

Special Education - Location, Identification, and Referral

## 3. School Initiated Referral

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

a. It is determined (optional: through the I&RS Committee) that interventions in the general education program have **not been effective in alleviating** ~~adequately addressed~~ the **student's** educational difficulties and ~~it is believed that the student may be disabled.~~

b. It can be documented that the nature of the student's educational problem(s) is such that an evaluation to determine eligibility for services is warranted without delay.

c. The CST Supervisor, through in-service training, shall ensure that students **are referred** who may **have a disability**, but ~~be potentially disabled~~ ~~are referred even though they are advancing from grade to grade.~~

(1) **A student with a disability, who is advancing from grade to grade with the support of specially designed services, may continue to be eligible when:**

(a) **As part of the re-evaluation, the Individualized Education Plan (IEP) team determines that the student continues to require specially designed services to progress in the general education curriculum; and**

(b) **The use of functional assessment information supports the IEP team's determination.**

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

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



# REGULATION GUIDE

PROGRAM

R 2460.1/page 9 of 10

Special Education - Location, Identification, and Referral

- b. I&RS documentation including, but not limited to: teacher reports, grades and other relevant data (optional: the intervention record) shall be forwarded with the referral to the CST along with any other relevant data;
  - c. I&RS documentation does not need to be forwarded for direct referral when the nature of the student's problem is such that the evaluation is warranted without delay;
  - d. The referral should be dated upon receipt by the CST;
  - e. A file will be initiated to include a timeline for processing the referral including the date that initiates the twenty-day timeline for conducting the referral/identification meeting;
  - f. Upon receipt of the referral, a request for a summary and review of health and medical information regarding the student shall be forwarded to the school nurse who will transmit the summary to the CST;
  - g. The CST SUPERVISOR *of [signature]* will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date recorded on the referral;
  - h. A "Notice of a Referral/Identification Meeting" will be sent to the parent(s);
  - i. The notice shall contain "Parental Rights in Special Education" (PRISE); and
  - j. The referral/identification meeting will be attended by the parent(s), CST, and regular education teacher.
4. The district may use community rehabilitation programs approved by the New Jersey Department of Labor, Division of Vocational Rehabilitation Services or any other State agency empowered to accept secondary level student placement according to N.J.A.C. 6A:14-4.7(f)1.



# REGULATION GUIDE

PROGRAM

R 2460.1/page 10 of 10

Special Education - Location, Identification, and Referral

5. Each evaluation of the student requires an assessment to determine appropriate post-secondary outcomes as part of transition services planning.
6. Each IEP Team member is required to certify in writing whether the IEP Team report reflects his or her conclusions. In the event the IEP Team report does not reflect the IEP Team member's conclusion, the IEP Team member must submit a dissenting opinion in order to ensure the parent(s) is aware of dissenting opinions regarding the determination of eligibility for a specific learning disability.
7. The parent(s) must receive a copy of their child's evaluation report and any documentation leading to a determination of eligibility not less than ten calendar days prior to the eligibility conference in order to ensure the parent(s) has a reasonable amount of time to review documentation prior to an eligibility conference.
8. A student may be referred directly to the ~~Child Study Team~~ CST when warranted.

Adopted:



# REGULATION GUIDE

PROGRAM

R 2460.8/page 1 of 5

Special Education - Free and Appropriate Public Education

Feb 17

M

[See POLICY ALERT Nos. 95, 101, 104, 108, 112, 119, 129, 132, 138, 146, 152, 155, 159, 185 and 211]

## R 2460.8 SPECIAL EDUCATION - FREE AND APPROPRIATE PUBLIC EDUCATION

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

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

1. School officials responsible for implementing suspensions/expulsions in the district are the following: (List school officials/designees by district organizational level.)
  - a. \_\_\_ **Grades Nine – Twelve 9-12** Principal/Vice Principal or designee;
  - b. ~~X~~ **Grades Six – Eight 6-8** Principal/Vice Principal or designee;
  - c. ~~X~~ **Grades Pre-Kindergarten – Five PreK—5** Principal/Vice Principal or designee;
  - d. \_\_\_ (Other).
  
2. Each time a student with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager by the Principal or designee. (Notification must be in written format for documentation.)
  - a. Removal for at least half of the school day shall be reported via the Electronic Violence and Vandalism Reporting System.
  
3. Each Principal or designee will ensure that a system is in place to track the number of days a student with disabilities has been removed for disciplinary reasons. Documentation will include:



# REGULATION GUIDE

PROGRAM

R 2460.8/page 2 of 5

Special Education - Free and Appropriate Public Education

- a. Student's name;
  - b. The infraction;
  - c. Time suspended; and
  - d. The cumulative days suspended including removal for a portion of the school day which is counted proportionately.
4. When a student is suspended from transportation:
- a. Suspension from transportation is not counted as a day of removal if the student attended school.
  - b. Suspension from transportation is counted as a day of removal if the student does not attend school.
  - c. If transportation is included in the student's IEP as a required related service, the school district shall provide alternate transportation during the period of suspension from the typical means of transportation.
  - d. Suspension from transportation may be counted as a day of absence rather than a day of removal if the district made available an alternate means of transportation and the student does not attend school.
5. When a student with a disability participates in an in-school suspension program, the Principal or designee shall ensure that participation in the program is not considered removal when determining whether a manifestation determination must be conducted if the program provides the following:
- a. Opportunity for the student to participate and progress in the general curriculum,
  - b. Services and modifications specified in the student's IEP,
  - c. Interaction with **peers who are not disabled** ~~non-disabled~~ peers 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.



174

# REGULATION GUIDE

PROGRAM

R 2460.8/page 3 of 5

Special Education - Free and Appropriate Public Education

6. When a series of short-term removals will accumulate to more than ten school days in the year:
  - a. The Principal/Vice Principal or designee and the case manager will consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(c)2. Written documentation of the consultation between the school administration and the case manager shall be maintained by the case manager.
  - b. If it is determined that there is no change in placement, the Principal/Vice Principal or designee, the case manager, and special education teacher will consult to determine the extent to which services are necessary to:
    - (1) Enable the student to participate and progress appropriately in the general education curriculum; and
    - (2) Advance appropriately toward achieving the goals set out in the student's IEP.
  - c. Written documentation of the consultation and services provided shall be maintained in the student's file.
7. When a disabled student is removed from his/her current placement for more than ten days and the removal does not constitute a change in placement, the case manager shall convene a meeting of the IEP Team and, as necessary or required, conduct a functional behavior assessment and review the behavioral intervention plan according to N.J.A.C. 6A:14 Appendix A, **Individuals with Disabilities Education Act Amendments of 2004**, 20 U.S.C. §1415(k). The IEP Team shall:
  - a. Review the behavioral intervention plan and its implementation;
  - b. Determine if modifications are necessary; and



# REGULATION GUIDE

PROGRAM

R 2460.8/page 4 of 5

Special Education - Free and Appropriate Public Education

- c. Modify the behavioral intervention plan and its implementation as appropriate. The plan will be modified to the extent necessary if at least one member of the team determines that modifications are necessary.

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

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

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

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

The following procedures will be followed:

1. A parent of a preschool-age student suspected of having a disability, who requests a Child Study Team (CST) evaluation by telephone, will be advised to submit a written request for an evaluation to the Preschool Coordinator or \_\_\_\_\_.
2. Upon receipt of the written request, the request shall be dated and signed by the recipient.
3. The district will respond to referrals of preschoolers according to N.J.A.C. 6A:14-3.3(e).
4. A file will be initiated for the potentially disabled preschooler:
  - a. The CST Supervisor will convene a referral/identification meeting within twenty calendar days (excluding school holidays but not summer vacation) of the date recorded on the request;
  - b. A "Notice of Referral/Identification Meeting" will be sent to the parent(s);





# REGULATION GUIDE

PROGRAM

R 2460.8/page 5 of 5

Special Education - Free and Appropriate Public Education

- c. The notice will contain "Parental Rights in Special Education" (PRISE) Booklet;
- d. The meeting will be attended by the CST, including a speech language specialist, the parent(s), and a teacher who is knowledgeable about the district's program; and
- e. A program shall be in place no later than ninety calendar days from the date of consent.

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

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

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

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

Adopted:



# REGULATION GUIDE

PROGRAM

R 2460.9/page 1 of 2

Special Education - Transition From Early Intervention

Programs to Preschool Programs

Feb 17

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[See POLICY ALERT Nos. 155, 185 and 211]

R 2460.9 SPECIAL EDUCATION - TRANSITION FROM EARLY INTERVENTION PROGRAMS TO PRESCHOOL PROGRAMS

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

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

1. The district will make available a CST member to participate in the preschool transition planning conference arranged by the designated **Part C** service coordinator from the early intervention system and will:
  - a. Review the Part C Individualized Family Service Plan for the child;
  - b. Provide the parent(s) written **district** registration requirements;
  - c. Provide the parent(s) written information with respect to available district programs for preschool students, including general education placement options; and
  - d. Provide the parent(s) a form to use to request that the Part C service coordinator be invited to the child's **initial** IEP meeting.
2. The district will work collaboratively with the EIP designated **Part C** service coordinator or early intervention system to eliminate barriers regarding meeting times and locations.



# REGULATION GUIDE

PROGRAM

R 2460.9/page 2 of 2

Special Education - Transition From Early Intervention  
Programs to Preschool Programs

3. School district officials shall adhere to all procedures contained in N.J.A.C. 6A:14-1.1 et seq. for transitioning children with disabilities from EIP to preschool programs.
4. The Part C service coordinator shall be invited to the initial IEP meeting for a student transitioning from Part C to Part B.

Adopted:



# REGULATION GUIDE

PROGRAM

R 2460.15/page 1 of 1

Special Education – In-service Training Needs for  
Professional and Paraprofessional Staff

Feb 17

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[See POLICY ALERT No. 211]

## R 2460.15 SPECIAL EDUCATION – IN-SERVICE TRAINING NEEDS FOR PROFESSIONAL AND PARAPROFESSIONAL STAFF

The in-service training needs for professional and paraprofessional staff who provide special education, general education, or related services will be identified and appropriate in-service special education training will be provided by the district.

The district will maintain information to demonstrate its efforts to:

1. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;
2. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;
3. Acquire and disseminate to teachers, administrators, Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials, and technology;
4. Insure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
5. Provide for joint training activities of parents and special education, related services, and general education personnel.

Adopted:



# POLICY GUIDE

PROGRAM

2467/page 1 of 4

Surrogate Parents and Foster Parents

Feb 17

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[See POLICY ALERT Nos. 170, 185 and 211]

## 2467 SURROGATE PARENTS AND FOSTER PARENTS

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

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

### Qualifications and Selection

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



# POLICY GUIDE

PROGRAM

2467/page 2 of 4

Surrogate Parents and Foster Parents

The person serving as a surrogate parent **shall**:

1. ~~Shall H~~ave no interest that conflicts with those of the student he/she represents;
2. ~~Shall P~~ossess ~~the~~ knowledge and skills that ensure adequate representation of the student;
3. ~~Shall N~~ot be replaced without cause;
4. ~~Shall B~~e at least eighteen years of age;
5. ~~Shall H~~ave a criminal history review in accordance with N.J.S.A. 18A:6-7.1 completed prior to his or her serving as the surrogate parent, if the school district compensates the surrogate parent for such services; and
6. ~~Shall N~~ot be an employee of the New Jersey Department of Education, this district, or a public or nonpublic agency that is involved in the education or care of the child.

[**Optional** - A surrogate parent may be paid solely to act in this capacity.]

The CST Supervisor **shall serve as Surrogate Parent Coordinator and will:** determine whether there is a need for a surrogate parent for a student; contact any State agency that is involved with the student to determine whether the State has a surrogate parent appointed for the student; and will make reasonable efforts to appoint a surrogate parent for the student within thirty days of determining that there is a need for a surrogate parent for the student.

When a student (who is or may be a student with a disability) is in the care of a foster parent ~~residing in this district~~, and the foster parent is not the parent of the student as defined in N.J.A.C. 6A:14-1.3, the \_\_\_\_\_ **district where the foster parent resides** shall contact the student's case manager at the Division of **Child Protection and Permanency (DCP&P) Youth and Family Services (DYFS)** in the Department of **Children and Families Human Services** to determine whether the parent(s) retains the right to make educational decisions and ~~to~~ determine the whereabouts of the parent(s).



# POLICY GUIDE

PROGRAM

2467/page 3 of 4

Surrogate Parents and Foster Parents

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

If the district cannot ascertain the whereabouts of the parent(s), the **foster parent, unless that person is unwilling to do so, shall serve as the parent pursuant to N.J.A.C. 6A:14-1.3.** \_\_\_\_\_ shall consult with the student's case manager at ~~DYFS~~ to assist in identifying an individual, including the foster parent, who may serve as a surrogate. If there is no foster parent, or if the foster parent is unwilling to serve as the student's parent pursuant to N.J.A.C. 6A:14-1.3, the **Surrogate Parent Coordinator** \_\_\_\_\_ shall consult with the student's case manager at ~~DYFS~~ **DCP&P** to assist in identifying an individual to serve as a surrogate parent and the \_\_\_\_\_ shall appoint a surrogate parent and obtain all required consent from, and provide written notices to, the surrogate parent.

## Training

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

1. Providing the surrogate parent a copy of:
  - a. Parental Rights in Special Education booklet;
  - b. N.J.A.C. 6A:14;
  - c. The Special Education Process;
  - d. Code Training Materials from the Department of Education website; and
  - e. Other relevant materials.



# POLICY GUIDE

PROGRAM

2467/page 4 of 4

Surrogate Parents and Foster Parents

2. Providing the surrogate parent an opportunity to meet with the **Surrogate Parent Coordinator** \_\_\_\_\_ to discuss the rights of the surrogate parent and the applicable statutes, administrative codes, and Federal laws. The **Surrogate Parent Coordinator** \_\_\_\_\_ shall provide the surrogate parent the opportunity to review and to become familiar with the State and Federal requirements for assessment, individualized educational program development, and parental rights with respect to the referral and placement process, including their rights with respect to seeking a due process hearing if they disagree with the local procedure or decisions;
3. Providing the surrogate parent adequate time to become familiar with the student and the nature of the student's disability through a review of the student's record;
4. Providing the surrogate parent an opportunity to confer with the student's case manager to discuss the student; and
5. Other information and resources to provide the surrogate parent the knowledge and skills to ensure adequate representation of the student.

## Rights of the Surrogate Parent

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

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

Adopted:



184





NEW JERSEY CHILD ASSAULT PREVENTION
2017/2018 Grant Application
Elementary, Teen & Special Needs

The NJ Child Assault Prevention Project (CAP) is a statewide prevention program whose mission is to provide schools and communities with information and resources to reduce children's vulnerability to assault and bullying. NJ CAP, a program of the Educational Information and Resource Center (EIRC) and the NJ Department of Children and Families, has trained over 3 million children and 500,000 parents and teachers since its inception in 1985. NJ CAP has 21 county offices and over 200 program facilitators. To learn more visit www.njcap.org

Applications should be submitted via email to njcap\_applications@eirc.org

The District Superintendent will complete the following application, review and sign implementation timelines and contract criteria, and submit it to CAP State Office, by June 30, 2017.

In order to provide this lifesaving program to more children across the State, each district is requested to provide a minimum contribution of 30% of the total cost of implementation.

The district match may only be waived if there is a demonstrable financial need, eligibility for urban aide funding or other related factors. In these circumstances, a waiver letter on school district letterhead from the Chief School Administrator, must accompany this application. Applications requesting exemption will not be accepted without the waiver letter.

Depending on availability of funds, districts may be responsible for additional funding.

(Please Print)

COUNTY: Atlantic SCHOOL DISTRICT: Hamilton Township

SCHOOL NAME William Davies Middle School 7th & 8thGrade

DISTRICT SUPERINTENDENT NAME: Mr. Frank Vogel

PHONE: 609-476-6300 EMAIL: vogelf@hamiltonschools.org FAX: 609-625-4847

MAILING ADDRESS: 1876 Dr. Dennis Foreman Drive

Mays Landing, NJ 08330

NJ CAP

A project of the Educational Information and Resource Center (EIRC)
107 Gilbreth Parkway, Suite 200
Mullica Hill, NJ 08062
Phone - (856) 582-7000- Fax: 856.582.3588
www.njcap.org

185

Name of School/District: Hamilton Township

MAILING ADDRESS: 1876 Dr. Dennis Foreman Drive

Mays Landing, NJ 08330

# NJ CAP

A project of the Educational Information and Resource Center (EIRC)

200 College Drive

Blackwood, NJ 08012

Phone – (856) 582-7000- Fax: 856.582.3588

[www.njcap.org](http://www.njcap.org)

## TEEN CAP PROGRAM

This application is for **Teen CAP, 7<sup>th</sup>-12<sup>th</sup> Grades**. (See page 7 for specific information about program.)

**PLEASE COMPLETE FUNDING REQUEST:**

The following should be completed in conjunction with the CAP County Coordinator. The CAP program requires a **1½ hour staff in-service** of continuous time for teachers who have not had CAP training in the last three years. The in-service date should be reserved in advance. A **1½ hour parent workshop** is also required for each school; however, where low attendance is anticipated schools, are encouraged to combine these workshops.

Funding may not be authorized to districts who cannot guarantee in-service dates.

Please indicate a tentative in-service date October 20, 2017

Teen CAP Program (7<sup>th</sup> through 12<sup>th</sup> grades)

a) \$191 x <u>18</u> # of <u>7th</u> <b>grade classroom</b>	=	\$ <u>3,674.00</u>
\$191 x <u>18</u> # of <u>8th</u> <b>grade classroom</b>	=	\$ <u>3,674.00</u>
b) \$168 x <u>N/A</u> # of <b>Staff workshops</b>	=	\$ <u>N/A</u>
 c) \$168 x <u>1</u> # of <b>Parent workshops</b>	 =	 \$ <u>168.00</u>
 Total cost of implementation (a+b+c)	 =	 \$ <u>7,516.00</u>
 District contribution - 30% minimum	 minus	 \$ <u>0</u>
 State CAP Funding	 =	 \$ <u>7,516.00</u>

**Partial grants may be awarded.**

If the application is not approved for CAP funding, the district may still implement the CAP program using other funding sources. Visit the NJ CAP website at [www.njcap.org](http://www.njcap.org) to download additional applications.

Name of School/District: Hamilton Township

**PLEASE COMPLETE THE FOLLOWING:**

1. What needs does the CAP program meet in your school and/or community?
  - Education on abuse in the home and its effect on children
  - Providing children with tools to voice and get help
  
2. Please provide a statement of broad-based community support in each school.
  - Children in the primary school receive character education training that teaches them to make clear what they do not like about another's action toward them and then to let an adult know if the actions do not change. This is through our guidance program.
  
3. Please provide a statement of in-kind contribution which teaching staff will render on behalf of the project (e.g. additional in service time, public relations, community outreach, curriculum additions focusing on prevention issues, bulletin boards, etc.)
  - Staff will be better educated to respond to and identify children in crisis.
  
4. Please provide a statement of the service which parent/home organizations will render on behalf of the project:
  - Perhaps once our staff has had training, it will help in providing assistance to families in need - at the very least, where they can go for help.
  
5. Please provide a statement of future integration of Child Assault Prevention programming in the district. (Will there be plans to continue with a maintenance CAP program?)
  - To be determined by the District

189

## NEW JERSEY CAP TIME LINES/DEADLINES

**By February 2017**- CAP State Office will have communicated with all county superintendents, notifying them of the potential Child Assault Prevention monies in their county. This notification will be accompanied by program time lines, program description, and county coordinator roster.

**By March 2017** - CAP application will be available on-line at [www.njcap.org](http://www.njcap.org) .

**By June 30, 2017** – **Application Deadline**- All District Superintendents interested in applying for CAP monies will complete the application, receive school board approval and return application to the CAP State Office.

**By August 31, 2017**- The CAP State Office in conjunction with County Superintendents and CAP County Coordinators will have selected school districts and notified them of this selection.

**By January 31, 2018**- All CAP grant workshops will have been scheduled with the CAP County Coordinator.

**By May 31, 2018** - All CAP workshops will have been completed. Deadline extensions must be approved by the State CAP Office.

**I have read and agreed to the above deadlines and I understand that they are essential for the efficient implementation of the CAP program within my district. I understand that by signing this document, the school district is legally bound to implement the CAP Program as indicated by Timelines/Deadlines and Contract Criteria.**

\_\_\_\_\_  
District Superintendent Signature

Mr. Frank Vogel

\_\_\_\_\_  
Date

## CONTRACT CRITERIA

A school district which chooses to nominate itself will meet the following criteria:

1. Will agree to have CAP County Coordinator and CAP Facilitators implement the CAP programs according to the design of the International Center for Assault Prevention, including:
  - a. **Administrative Set up Meeting** - 30-60 minutes - Involving principal and CAP County Coordinator to discuss all specifics of the programming and scheduling.
  - b. **Teacher-Staff Workshops** - Provide *1½ hours* of **continuous** and **uninterrupted** time for teacher/staff in service.
  - c. **Support Staff** - (e.g. bus drivers, crossing guards, maintenance, lunch aides and kitchen staff) will be invited to participate in parent or staff workshops.
  - d. **Parent Workshops** - Provide space to conduct a 1½ to 2 hour parent workshop.
  - e. **Pre-K**- Provide one hour on three consecutive days for the classroom workshop and for review time. The school will allow the post workshop review to take place in the classroom. Children interested in participating in the Review Time shall be permitted the time to attend.
  - f. **Kindergarten**- Provide one hour on two consecutive days for classroom workshop and for review time. The school will allow the post workshop review to take place in the classroom. Children interested in participating in the Review Time shall be permitted the time to attend.
  - g. **Elementary CAP Children Workshops** - Provide 1½ hours of uninterrupted time for each workshop and for post workshop review. The school will provide space for the post workshop review. Children interested in participating in the Review Time shall be permitted the time to attend.
  - h. **Teen CAP Student Workshops** - Provide additional staff coverage for day two and three. Provide time for each class to attend three student workshops on three sequential days, within a maximum of seven school days. The school will provide the following: space on the first day for one joint workshop which will include both male and female students; space for two separate and simultaneous workshops, one male and one female, the second and third day; space for the post workshop review for individual students to meet with workshop facilitators each day.
  - i. **Special Needs (Intellectually Disabled)** - Provide five consecutive days for student workshops (Day 1 and 5 taught by the classroom teacher. Day 2, 3 & 4 are presented by CAP Facilitators. One hour of uninterrupted time for each workshop and for post workshop review.) **(Note: This program is designed for students with moderate to severe intellectual impairment in self-contained special education settings. Students with mild intellectual disability should receive CAP in the regular education classroom with typically developing peers.)**
2. All elementary and/or secondary schools in a district will participate.
3. All districts will have school board approval.
4. All districts will have support of home/school organization.
5. All districts will be available for implementation during the months of September 2017-May 2018.
6. **All districts will participate in a CAP evaluation process which will require that each teacher complete an evaluation of the classroom workshop and the School Principal or Chief School Administrator complete an in-person exit interview with the CAP County Coordinator.**

I have read and agreed to the above terms for application to this grant application.

Name of School/District: Hamilton Township

\_\_\_\_\_  
District Superintendent Signature  
Mr. Frank Vogel

\_\_\_\_\_  
Date