

REGULATION

ROCKAWAY BOROUGH
BOARD OF EDUCATION
PROGRAM
R 2200 / Curriculum Content (M)
Page 1 of 1

R 2200 CURRICULUM CONTENT

Courses of study and instructional materials and programs shall be designed to eliminate discrimination on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) and promote understanding and mutual respect between children.

The Superintendent or designee shall develop a procedure to address and eliminate any possible bias in the curriculum.

Issued: April 16, 2024

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2230/page 1 of 1
Course Guides

R 2230 COURSE GUIDES

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

A. Preparation

1. The preparation of course guides is the responsibility of subject area specialist at the middle school level and of representatives from each grade level at the elementary level.
2. Course guides are best developed with the assistance of the teaching staff members who will use them. Accordingly, appropriate staff representatives will be appointed to committees to study, revise, and/or develop course guides.

B. Content

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

C. Implementation

Teachers will adhere to the content of course guides in accordance with Policy No. 2230.

Issued: 15 January 2008

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2260 / Equity in School and Classroom Practices Complaint Procedure

(M)

Page 1 of 4

R 2260 EQUITY IN SCHOOL AND CLASSROOM PRACTICES COMPLAINT PROCEDURE

A. Purpose and Application

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

B. Definitions

1. "Affirmative Action Officer" means the district official responsible for the coordination of activities relating to compliance with the Affirmative Action Plan.
2. "Affirmative Action Plan" means the Affirmative Action Plan for school and classroom practices adopted by the Board of Education.
3. "Board of Education" means the Board of Education of this school district.
4. "Complainant" means a student or parent(s) who believes that they have been harmed or adversely affected by a failure to enforce the district's Affirmative Action Plan.
5. "Complaint" means an unresolved problem concerning the interpretation or application by an officer or employee of this school district of law and regulations regarding the Affirmative Action Plan.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2260 / Equity in School and Classroom Practices Complaint Procedure

(M)

Page 2 of 4

6. “Day” means a working or calendar day as identified.
7. “Student” means an individual enrolled in any formal educational program provided by the school district.
8. “School district” means this school district.
9. “Violation” means the failure of a district official or employee to take the positive steps outlined in Policy 2260 and/or included in the Affirmative Action Plan.

C. Procedure

1. A complainant shall discuss their complaint with the staff member most closely involved in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within thirty working days of the discussion with the staff member most closely involved, the complainant may submit a complaint to the Affirmative Action Officer. The complaint may be reported: in person; in writing; verbally by telephone; by mail to the office address; or by electronic mail. The complaint may be reported during business or non-business hours.
3. The complaint shall include:
 - a. The student’s name and, in the complaint of a person acting on behalf of the student, the name and address of the complainant;
 - b. The specific failure to act of which the complainant complains;
 - c. The school employee, if any, responsible for the alleged violation of the Affirmative Action Plan;
 - d. The results of discussions conducted in accordance with C.1. above; and

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2260 / Equity in School and Classroom Practices Complaint Procedure

(M)

Page 3 of 4

- e. The reasons why the results of the discussions were not satisfactory to the complainant.
4. The Affirmative Action Officer will investigate the matter informally and will respond to the complaint in writing no later than seven working days after receipt of the complaint filed in accordance with C.2. above. A copy of the complaint and the response will be forwarded to the Superintendent.
5. The Affirmative Action Officer's written response may be appealed to the Superintendent in writing within three working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have violated the Affirmative Action Plan.
6. On their timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than seven working days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with violation of the Affirmative Action Plan and any other person with knowledge of the violation.
7. The Superintendent will render a written decision in the matter no later than seven working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties and to the Board.
8. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than three working days after receipt of the Superintendent's decision. The appeal shall include:
 - a. The original complaint;
 - b. The response to the complaint;
 - c. The Superintendent's decision;

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2260 / Equity in School and Classroom Practices Complaint Procedure

(M)

Page 4 of 4

- 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.
- 9. A copy of the appeal to the Board must be given to the staff member, if any, charged with a violation of the Affirmative Action Plan.
 - 10. 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.
 - 11. 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.
 - 12. The complainant will be informed of their right to appeal the Board's decision to the Commissioner of Education or to the New Jersey Division on Civil Rights.

D. Record

- 1. The records of any complaint processed in accordance with this procedure shall be maintained in a file separate from the student's cumulative file. A notation shall be made in the student's file of the presence of the record in the separate file.
- 2. A copy of the decision rendered at the highest level finding a violation of the Affirmative Action Plan has occurred shall be kept in the personnel file of the employee found to have committed a violation of the Affirmative Action Plan.

Issued: April 16, 2024

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2330/page 1 of 4
Homework

R 2330 HOMEWORK

A. Content of Homework

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

B. Assignment of Homework

1. The number, frequency, and degree of difficulty of homework assignments should be based on the ability and needs of the individual pupil.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2330/page 2 of 4
Homework

2. Homework should be assigned with clarity so that pupils know precisely what is expected of them. It may be helpful for teachers to post the homework assignment at the beginning of the class period and to encourage pupils to ask questions about any aspect of the assignment they do not fully understand. Homework should never be assigned hurriedly or in a confused manner.
3. Teachers should observe the following guidelines for the introduction and assignment of homework. Time allotments include all aspects of the homework assignment--outside reading, research, drill work, and the like.
 - a. Kindergarten
Home experiences related to classroom lessons should be assigned to pupils when appropriate.
 - b. Grades 1, 2
Formal homework assignments should be introduced in grade one. Lessons should be geared to the needs and abilities of individual pupils. The amount of time allocated should increase through the grades from fifteen to twenty minutes several times a week.
 - c. Grades 3 and 4
Homework should be regularly scheduled, should require no more than thirty minutes of preparation daily, and should be based on the needs and abilities of individual pupils.
 - d. Grades 5 and 6
Homework should be regularly scheduled, should require no more than sixty minutes of preparation daily, and should be based on the needs and abilities of individual pupils.

In departmentalized junior high or elementary grades, pupils' total daily homework load and out-of-school responsibilities should be considered in determining the amount of homework to be assigned. Teachers on each grade level or team will meet once a week or as required to review time estimates of homework to be assigned.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2330/page 3 of 4
Homework

e. Grades 7 and 8

Homework should be regularly scheduled, should require no more than one hundred and twenty minutes of preparation daily, and should be based on the needs and abilities of individual pupils.

Major tests that require substantial periods of study will be taken into consideration in determining the total estimated homework load.

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

C. Evaluation of Homework

1. All homework must be evaluated by the teacher and the teacher's evaluation must be communicated to the pupil. Homework is not a learning activity if the pupil receives no acknowledgment of his/her work and no appraisal or criticism of it.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2330/page 4 of 4
Homework

2. Teachers should insist on high standards of quality in homework. The homework lesson should teach the values of thorough preparation, careful research, neat execution, thoughtful work, and prompt submission.

D. Checklist for Teachers

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

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

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REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2361/page 1 of 9
Acceptable Use of Computer Network/
Computers and Resources

R 2361 ACCEPTABLE USE OF COMPUTER NETWORK/COMPUTERS AND RESOURCES

The school district provides computer equipment, computer services, and Internet access to its pupils and staff for educational purposes only. The purpose of providing technology resources is to improve learning and teaching through research, teacher training, collaboration, dissemination and the use of global communication resources. The “system administrators” referred to herein as employees of the school district who administer the school district computer network/computers and the system administrators reserve the right to monitor all activity on network/computer facilities/computers.

Because of the complex association between so many government agencies and computer networks/computers, the end user of these computer networks/computers must adhere to strict regulations. Regulations are provided here so that staff, community, and pupil users and the parent(s) or legal guardian(s) of pupils are aware of their responsibilities. The school district may modify these regulations at any time by publishing modified regulations on the network and elsewhere. The signatures of the pupil and his/her parent(s) or legal guardian(s) on the district-approved consent and waiver agreement are legally binding and indicate that the parties have read the terms and conditions carefully, understand their significance, and agree to abide by the rules established under Policy and Regulation No. 2361.

Pupils are responsible for good behavior on computer networks/computers just as they are in a classroom or a school hallway. Communications on the computer network/computers are often public in nature. Policies and Regulations governing behavior and communications apply. The school district’s networks, Internet access and computers are provided for pupils to conduct research and communicate with others. Access to computer network services/computers is given to pupils who agree to act in a considerate and responsible manner. Parent permission is required. Access is a privilege—not a right. Access entails responsibility. Individual users of the district computer network/computers are responsible for their behavior and communications over the computer network/computers. It is presumed that users will comply with district standards and will honor the agreements they have signed.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2361/page 2 of 9
Acceptable Use of Computer Network/
Computers and Resources

Beyond the clarification of such standards, the district is not responsible for the actions of individuals utilizing the computer network/computers who violate the policies and regulations of the Board.

Computer network/computer storage areas shall be treated in the same manner as other school storage facilities. Computer network/computer administrators may review files and communications to maintain system integrity and ensure that users are using the system responsibly. Users should not expect that files stored on district servers will always be private.

Within reason, freedom of speech and access to information will be honored. During school, teachers of younger pupils will guide them toward appropriate materials. Outside of school, families bear the same responsibility for such guidance as they exercise with information sources such as television, telephones, movies, radio and other potentially offensive media. As outlined in Board policy and procedures on pupil rights and responsibilities, copies of these are available in school offices. Behavior including but not limited to the following are prohibited:

1. Sending or displaying offensive messages or pictures;
2. Using obscene language and/or accessing visual depictions that are obscene as defined in section 1460 of Title 18, United States Code;
3. Using or accessing visual depictions that are child pornography, as defined in section 2256 of Title 18, United States Code;
4. Using or accessing visual depictions that are harmful to minors including any pictures, images, graphic image file or other visual depiction that taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
5. Depicts, describes, or represents in a patently offensive way, with respect to what is suitable for minors, sexual acts or conduct; or taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2361/page 3 of 9
Acceptable Use of Computer Network/
Computers and Resources

6. Harassing, insulting or attacking others;
7. Damaging computers, computer systems or computer network/computers;
8. Violating copyright laws;
9. Using another's password;
10. Trespassing in another's folders, work or files;
11. Intentionally wasting limited resources;
12. Employing the computer network/computers for commercial purposes; and/or
13. Engaging in other activities that do not advance the educational purposes for which computer network/computers are provided.

INTERNET SAFETY

Compliance with Children's Internet Protection Act

The school district has technology protection measures for all computers in the school district, including computers in media centers/libraries, that block and/or filter visual depictions that are obscene, child pornography and harmful to minors as defined in 2,3, and 4 above and in the Children's Internet Protection Act. The school district will certify the schools in the district, including media centers/libraries are in compliance with the Children's Internet Protection Act and the district enforces Policy 2361.

Compliance with Neighborhood Children's Internet Protection Act

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

1. **Access by minors to inappropriate matter on the Internet and World Wide Web;**
2. The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2361/page 4 of 9
Acceptable Use of Computer Network/
Computers and Resources

3. Unauthorized access, including “hacking” and other unlawful activities by minors online;
4. Unauthorized disclosures, use, and dissemination of personal identification information regarding minors; and
5. Measures designed to restrict minors’ access to materials harmful to minors.

Notwithstanding the visual depictions defined in the Children’s Internet Protection Act and as defined in 2, 3, and 4 above, the Board shall determine Internet material that is inappropriate for minors. The Board will provide reasonable public notice and will hold one annual public hearing during a regular monthly Board meeting or during a designated special Board meeting to address and receive public community input on the Internet safety policy - Policy and Regulation 2361.

Information Content and Uses of the System

Users agree not to publish on or over the system any information which violates or infringes upon the rights of any other person or any information which would be abusive, profane or sexually offensive to an average person, or which, without the approval of the system administrators, contains any advertising or any solicitation of other members to use goods or services. The user agrees not to use the facilities and capabilities of the system to conduct any business or solicit the performance of any activity, which is prohibited by law.

Because the school district provides, through connection to the Internet, access to other computer systems around the world, pupils and their parent(s) or legal guardian(s) understand that the Board and system administrators have no control over content. While most of the content available on the Internet is innocuous and much of it a valuable educational resource, some objectionable material exists. The Board will provide pupil access to Internet resources only in supervised environments and has taken steps to lock out objectionable areas to the extent possible, but potential dangers remain. Pupils and their parent(s) or legal guardian(s) are advised that some systems may contain defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal material. The Board and the system administrators

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2361/page 5 of 9
Acceptable Use of Computer Network/
Computers and Resources

do not condone the use of such materials and do not permit usage of such materials in the school environment. Parent(s) or legal guardian(s) having accounts on the system should be aware of the existence of such materials and monitor home usage of the school district computer network. Pupils knowingly bringing such materials into the school environment will be disciplined in accordance with Board policies and regulations and such activities may result in termination of such pupils' accounts on the computer network and their independent use of computers.

On-line Conduct

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

Users and their parent(s) or legal guardian(s) specifically agree to indemnify the Rockaway Borough School District and the system administrators for any losses, costs, or damages, including reasonable attorneys' fees incurred by the Board relating to, or arising out of any breach of this section by the user.

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

Software Libraries on the Network

Software libraries on the network are provided to pupils as an educational resource. No pupil may install, upload, or download software without the expressed consent of the system administrator. Any software having the purpose of damaging other

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2361/page 6 of 9
Acceptable Use of Computer Network/
Computers and Resources

members' accounts on the school district computer network/computers (e.g., computer viruses) is specifically prohibited. The system administrators, at their sole discretion, reserve the rights to refuse posting of files and to remove files. The system administrators, at their sole discretion, further reserve the right to immediately limit usage or terminate the account or take other action consistent with the Board's policies and regulations of a member who misuses the software libraries.

Copyrighted Material

Copyrighted material must not be placed on any system connected to the computer network/computers without the author's specific written permission. Only the owner(s) or persons they specifically authorize may upload copyrighted material to the system. Members may download copyrighted material for their own use in accordance with Policy and Regulation Nos. 2531, Copying Copyrighted Materials. Any member may also noncommercially redistribute a copyrighted program with the expressed written permission of the owner or authorized person. Permission must be specified in the document, on the system, or must be obtained directly from the author.

Public Posting Areas (Message Boards/Usenet Groups)

Usenet messages are posted from systems connected to the Internet around the world and the school district system administrators have no control of the content of messages posted from these other systems. To best utilize system resources, the system administrators will determine which Usenet groups are most applicable to the educational needs of the school district and will carry these groups on the school district computer network. The system administrators, at their sole discretion, may remove messages posted locally that are deemed to be unacceptable or in violation of the Board policies and regulations. The system administrators, at their sole discretion, further reserve the right to immediately terminate the account of a member who misuses the message boards or Usenet groups.

Real-time, Interactive, Communication Areas

The system administrators, at their sole discretion, reserve the right to monitor and immediately limit the use of the computer network/computers or terminate the account of a member who misuses real-time conference features (talk/chat/Internet relay chat).

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2361/page 7 of 9
Acceptable Use of Computer Network/
Computers and Resources

Electronic Mail

Electronic mail ("E-mail") is an electronic message sent by or to a member in correspondence with another person having Internet mail access. All messages sent and received on the school district computer network must have an educational purpose and are subject to review. Messages received by the system are retained on the system until deleted by the recipient or for a maximum of fifteen days. A canceled account will not retain its E-mail. Members are expected to remove old messages within fifteen days or the system administrators may remove such messages. The system administrators may inspect the contents of E-mail sent by one member to an addressee, or disclose such contents to other than the sender or a recipient when required to do so by the Board policy, regulation or other laws and regulations of the State and Federal governments. The Board reserves the right to cooperate fully with local, state, or federal officials in any investigation concerning or relating to any E-mail transmitted on the school district computer network/computers.

Disk Usage

The system administrators reserve the right to set quotas for disk usage on the system. A member who exceeds his/her quota of disk space will be advised to delete files to return to compliance with predetermined quotas. A member who remains in noncompliance of disk space quotas after seven school days of notification will have their files removed by a system administrator.

Security

Security on any computer system is a high priority, especially when the system involves many users. If a member feels that he/she can identify a security problem on the computer network, the member must notify a system administrator. The member should not inform individuals other than the system administrators or other designated members of the school district staff of a security problem. Professional staff may allow individuals who are not members to access the system through the staff personal account as long as the staff person does not disclose the password of the account to the individuals and understands that the staff person assumes responsibility for the

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2361/page 8 of 9
Acceptable Use of Computer Network/
Computers and Resources

actions of individuals using his/her account. Members may not otherwise allow others to use their account and password. Passwords to the system should not be easily guessable by others, nor should they be words, which could be found in a dictionary. Attempts to log in to the system using either another member's account or as a system administrator will result in termination of the account. Members should immediately notify a system administrator if a password is lost or stolen, or if they have reason to believe that someone has obtained unauthorized access to their account. Any member identified as a security risk will have limitations placed on usage of the computer network/computers or may be terminated as a user and be subject to other disciplinary action.

Vandalism

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

Printing

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

Internet Sites and the World Wide Web

The system administrator may establish an Internet site(s) on the World Wide Web or other Internet locations. Such sites shall be administered and supervised by the system administrator, who shall ensure that the content of the site complies with federal, state and local laws and regulations as well as Board policies and regulations.

Violations

Violations of the Acceptable Use of Computer Network/Computers and Resources may result in a loss of access as well as other disciplinary or legal action. Disciplinary action shall be taken as indicated in Policy and Regulation Nos. 2361, Acceptable Use of Computer Network/Computers and Resources, No. 5600, Pupil Discipline, No. 5610, Suspension and No. 5620, Expulsion as well as possible legal action and reports to the legal authorities and entities.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2361/page 9 of 9
Acceptable Use of Computer Network/
Computers and Resources

Determination of Consequences for Violations

The particular consequences for violations of this policy shall be determined by the Educational Technology Coordinator in matters relating to the use of computer networks/computers and by the Principal in matters of school suspension. The Superintendent or designee and the Board shall determine when school expulsion and/or legal action or actions by the authorities are the appropriate course of action.

Individuals violating this policy shall be subject to the consequences as indicated in Regulation No. 2361 and other appropriate discipline, which includes but is not limited to:

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

Decisions of the Educational Technology Coordinator may be appealed in accordance with Policy No. 5710 Pupil Grievances.

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REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2411/page 1 of 3
Guidance and Counseling
M

R 2411 GUIDANCE AND COUNSELING

A. Counseling Services

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

B. Career Awareness and Exploration

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

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

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2411/page 2 of 3
Guidance and Counseling
M

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

C. Consulting Services

1. The purpose of consulting services is the improvement of the instructional program and the delivery of educational services by the collaboration of those staff members responsible for the instructional program and the development of individual pupils.
2. Consulting services will include:
 - a. Identification of the needs of pupils,
 - b. Identification, evaluation, and program implementation of pupils with special needs,
 - c. Development and implementation of preventive and supportive programs to address such problems as pupil attendance, violence, and suicide,
 - d. Alerting professional staff to the purposes, functions, and availability of guidance and counseling services,
 - e. Encouragement of cooperation among teaching staff members and parent(s) or legal guardian(s) in resolving individual pupil problems and addressing pupil needs,
 - f. Establishment and maintenance of fruitful relationships with state and local agencies for the purpose of professional referral and the sharing of experiences,

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2411/page 3 of 3
Guidance and Counseling
M

- g. Cooperation with business and industry to facilitate pupil job placement and vocational training, and
- h. Maintenance of a library of occupational and educational information.

D. Evaluation

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

1. Annual record of graduate placements in post-secondary situations;
2. Assessments of past graduates as to the effectiveness of guidance services received in the high school;
3. Results of surveys of parent(s) or legal guardian(s) and staff evaluations of guidance services;
4. Analysis of the efficacy of outside referrals;
5. Assessments by persons not employed in the school district and expert in the field of guidance and counseling; and
6. The personal evaluations of the guidance and counseling staff members to identify weaknesses in the administration of the program.

REGULATION

ROCKAWAY BOROUGH SCHOOL DISTRICT

PROGRAM

R 2412/page 1 of 2

Home Instruction Due to Health Condition

R 2412 HOME INSTRUCTION DUE TO HEALTH CONDITION (M)

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

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

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

B. Providing Services

1. The school district shall provide instructional services within five school days after receipt of the school physician's verification or, if verification is made prior to the student's confinement, during the first week of the student's confinement to the home or out-of-school setting.
2. The school district shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly, through online services, including any needed equipment, or through contract with another district Board of Education, Educational Services Commission, Jointure Commission, or approved clinic or agency for the following categories of students:
 - a. A student who resides within the area served by this Board of Education and is enrolled in a public school program; or

REGULATION

ROCKAWAY BOROUGH SCHOOL DISTRICT

PROGRAM

R 2412/page 2 of 2

Home Instruction Due to Health Condition

- b. A student who is enrolled in a nonpublic school that is located within the area served by this Board of Education pursuant to N.J.S.A. 18A:46A-1 et seq.

C. Minimum Standards For Home or Out-of-School Instruction

1. The district shall establish a written plan for the delivery of instruction to continue the student's academic progress and to maintain a record of delivery of instructional services and student progress.
2. The teacher providing instruction shall be a certified teacher.
3. The teacher shall provide instruction for the number of days and length of time sufficient to continue the student's academic progress and dependent upon the student's ability to participate.
4. For a student with disabilities, the home instruction shall be consistent with the student's Individualized Education Plan (IEP) to the extent appropriate, and shall meet the Core Curriculum Content Standards. When the provision of home instruction will exceed thirty consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the student's IEP.
5. For a student without a disability, the home instruction shall meet the Core Curriculum Content Standards and the requirements of the Board of Education for promotion to the next grade level. When the provision of home instruction will exceed sixty calendar days, the school physician shall refer the student to the Child Study Team for evaluation pursuant to N.J.A.C. 6A:14.

Issued: January 11, 2017

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2414/page 1 of 2
At Risk Pupils
M

R 2414 AT RISK PUPILS

A. Assessment

1. School district personnel will use a variety of tests and/or assessments to determine if a pupil should be categorized as at risk of not meeting the proficiencies of the New Jersey Core Curriculum Content Standards.
2. Information regarding the district's assessment program, along with interpretive materials, will be released to the public as required by rules of the State Board of Education.

B. Basic Skills Improvement Program

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

1. The enrollment in preventive and remedial programs shall be required for pupils at risk who do not meet New Jersey Curriculum Content Standards Assessments;
2. The screening of pupils, within one month of enrollment, to determine whether they should be enrolled in preventive and remedial programs;
3. Supplemental instructional and related activities and services responsive to identified deficiencies and designed to meet the academic, social, economic, and environmental needs of pupils;
4. Evaluation of the progress of pupils toward proficiency in meeting the New Jersey Core Curriculum Content Standards;
5. Evaluation of the effectiveness of the district at risk program, in terms of pupil gains and other relevant factors;
6. A detailed budget for the administration, personnel, supplies, equipment, training of staff, and health and community services required for the at risk program;

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2414/page 2 of 2
At Risk Pupils

7. Both the pupil and the pupil's parent(s) or legal guardian(s) will be notified of the pupil's need for at risk education. Notification will be made in writing in the language or mode of communication that is understood by the pupil and the parent(s) or legal guardian(s);
8. Continuing communication between teaching staff members and the parent(s) or legal guardian(s) of pupils receiving at risk education;
9. Evaluation and remediation of pupils who demonstrate deficiencies at the end of the eleventh grade and during the twelfth grade will be conducted in accordance with Policy No. 5460 on High School Graduation;
10. Programs and services may be offered during the regular school day, beyond the school day or in the summer; and
11. The Board shall provide training for the staff necessary to implement the programs and services for pupils at risk.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2415/page 1 of 8
Title I Services
M

R 2415 TITLE I SERVICES

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

Purpose

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

Title I Grants

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

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

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2415/page 2 of 8
Title I Services

Application Procedure

- A. The school district will submit an application and plan for Consolidated Grant funds to the New Jersey Department of Education for approval. The school district plan and application must describe:
 1. Any additional high quality assessments, if any, other than those described in the State Plan, that the school district and the individual schools will use to;
 - a. Determine success in meeting the State's pupil performance standards;
 - b. Provide information on individual pupil progress;
 - c. Assist in diagnosis, teaching and learning in the classroom that will enable children served under the Title I to meet the State standards and attain success in the local curriculum; and
 - d. Determine that revisions are needed to Title I projects to facilitate the above.
 2. Indicators that will be used to provide information on individual pupil progress toward meeting the State performance standards and to aid in improving instruction;
 3. The professional development activities;
 4. Poverty criteria used to select eligible school attendance areas;
 5. How pupils most in need of services in non school-wide schools will be selected;
 6. How the school district will coordinate and integrate services provided with other educational services, federal programs and programs provided by other State agencies, at the school district or individual school level;
 7. Plans to provide for and include eligible children in private schools;

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2415/page 3 of 8
Title I Services

8. How school improvement and corrective action will be carried out;
- B. The school district will develop the Title I plan in consultation with parent(s) or legal guardian(s) of children in schools served under Title I.

Program Requirement, Determination and Allocation of Funds

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

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2415/page 4 of 8
Title I Services

- D. Measures of Identification - The school district will use the best available measure for identifying children from low-income families to identify eligible school attendance areas, determine the ranking of each area and to determine allocations. This measure shall be the number of children ages five through seventeen in poverty counted in the most recent census date, the number of children eligible for free and reduced-price lunches under the National School Lunch Act, the number of children in families receiving assistance under the Aid to Families with Dependent Children program, the number of children eligible to receive medical assistance under the Medicaid program, or a composite of such indicators. This requirement is not applicable if the school district has a total enrollment of less than 1,000 children.
- E. Waiver for Desegregation Plan - The U.S. Secretary of Education may approve the school district's written request for a waiver of the eligible attendance area requirements in accordance with Title I guidelines and regulations.
- F. School District Discretion - In general the school district may:
1. Designate as eligible any school attendance area or school in which at least 35% of the children are from low-income families;
 2. Use Title I funds in a school that is not in an eligible school attendance area, if the percentage of children from low-income families enrolled in the school is equal to or greater than the percentage of such children in a participating school attendance area of such agency;
 3. Elect not to serve an eligible school attendance area or eligible school that has a higher percentage of children from low-income families if:
 - a. The school meets the comparability requirements;
 - b. The school is receiving supplemental funds from other state or local sources; and

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2415/page 5 of 8
Title I Services

- c. The funds expended from other sources are equal to or exceed the amount that would be provided under Title I.
 4. SPECIAL RULE: If a Local Educational Agency (LEA) chooses not to serve an eligible school attendance area, the number of children attending private elementary and secondary schools who are to receive services, and the assistance such children are to receive under this part, shall be determined without regard to whether the public school attendance area in which such children reside receives Title I funds.
- G. Allocations: In general:
 1. The school district will allocate Title I funds to eligible school attendance areas or eligible schools, in rank order, on the basis of the total number of children from low-income families in each area or school.
 2. The per-pupil amount of funds allocated to each school attendance area or school shall be at least 125% of the per pupil amount of funds the school district received for that year under the poverty criteria described by the school district's plan. This will not apply if the school district only serves schools in which the percentage of such children is 35% or greater.
 3. The school district may reduce the amount of funds allocated for a school attendance area or school by the amount of any supplemental state and local funds expended in that school attendance area or school for programs that meet the requirements for school-wide or target assistance schools.
 4. The school district will reserve Title I funds as necessary to provide services comparable to those provided to children in schools funded with Title I funds to serve:
 - a. Where appropriate, eligible homeless children who do not attend participating schools, including providing educationally related support services to children in shelters;
 - b. Children in local institutions for neglected or delinquent children; and

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2415/page 6 of 8
Title I Services

- c. Where appropriate, neglected and delinquent children in community day school programs.
- H. Children Enrolled in Private Schools - The school district will offer Title I services to eligible children enrolled in private elementary and secondary schools. The services and benefits will be equitable in comparison to services and benefits for participating public school children. The school district will contact the private school in writing and consult with private school officials before the school district makes any decision that affects the private school children. This consultation shall include the following:
 1. Criteria for low income;
 2. How the children's needs will be identified;
 3. What services will be offered;
 4. How and where the services will be provided; and
 5. How the services will be assessed and the size and scope of equitable services to be provided to the eligible private school children and the proportion of funds allocated for such services.

The school district will keep records of the consultation with the private school officials and funds will be allocated to private schools in accordance with Title I guidelines and regulations.
- I. Coordination Requirements - The school district will provide the State Department of Education assurances that it will provide the maximum coordination between the Title I program, the regular school program and services provided by other programs for specialized populations. The Title I program will consider the special needs of homeless children, migrant children, disabled children and Limited English Proficient (LEP) children. Title I funds will be reserved so that migrant children who are otherwise eligible to receive Title I service, even if they arrive in the school year, are served.
- J. Application Procedures - The school district may apply for Title I funds under Basic Grants, Concentration Grants and Local Neglected or Delinquent (N or D) Grants either individually or cooperatively with other school districts in accordance with Title I guidelines and regulations.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2415/page 7 of 8
Title I Services

- K. Submission of Application - The school district will submit its Title I application and supporting information in accordance with Title I guidelines and regulations.
- L. Application Review - The Department of Education will review the school district's application in accordance with Title I guidelines and regulations.

Fiscal Requirements

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

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2415/page 8 of 8
Title I Services

services being provided in schools that are not receiving Title I assistance. Moreover, state and local funds will be used to provide comparable services in all schools receiving Title I assistance.

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

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

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

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

34 C.F.R. Part 200

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

Title I Program Guidelines, New Jersey Department of Education

Issued: 15 January 2008

R 2415.20 EVERY STUDENT SUCCEEDS ACT COMPLAINTS

The Every Student Succeeds Act (ESSA) requires the Board of Education to adopt a policy and written procedures that offer parent(s), public agencies, other individuals, or organizations a method for receipt and resolution of complaints alleging violations in the administration of the ESSA programs.

- A. Complaint Procedure Alleging a Violation by a School, School District, or Other Agency Authorized by the School District
1. A complaint is an allegation submitted in writing (mail or email) by an individual or organization that a school, school district, or other agency authorized by the school district has violated the law in the administration of education programs required by the ESSA.
 2. A complaint must identify at a minimum the following:
 - a. The alleged ESSA violation;
 - b. A description of previous steps taken to resolve the matter;
 - c. The facts supporting the alleged violation as understood by the complainant at the time of submission; and
 - d. Any supporting documentation (e.g., letters, emails, logs, agenda, meeting minutes).
 3. A complaint must be submitted to the Executive County Superintendent for the county where the school, school district, or other authorized agency is located.
 4. When a written complaint is received by the Executive County Superintendent, the Executive County Superintendent will issue a Letter of Acknowledgement to the complainant within ten calendar days of receipt of the complaint. This letter will contain the following information:
 - a. The date the complaint was received;
 - b. A brief statement of the manner in which the Executive County Superintendent will investigate the complaint;

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION PROGRAM

R 2415.20 EVERY STUDENT SUCCEEDS ACT COMPLAINTS

Page | 2 of 4

- c. If necessary, a request for additional information regarding the complaint;
 - d. A resolution date within forty-five calendar days from the date the written complaint was received by the Executive County Superintendent; and
 - e. The name and telephone number of a contact person for status updates.
5. The Executive County Superintendent will coordinate the investigation of a complaint.
 6. When the investigation is complete, the Executive County Superintendent will notify the complainant in writing regarding the outcome of the investigation.
 - a. If the Executive County Superintendent determines a violation has occurred, the Executive County Superintendent will identify and impose the appropriate consequences or corrective actions as required in accordance with statute and/or regulation to resolve the complaint.
 - b. If the complainant is not satisfied with the determination that is made by the Executive County Superintendent, the complainant may submit a written request for review of that determination to the Assistant Commissioner, Division of Learning Supports and Specialized Services via email at

essa@doe.nj.gov

with subject line “ESEA Complaint Decision Review” or via hard copy at the following address:

New Jersey Department of Education
Assistant Commissioner
Division of Learning Supports and Specialized Services
P.O. Box 500
Trenton, New Jersey 08625-0500

- B. Complaint Procedure Alleging a Violation by the New Jersey Department of Education (NJDOE)
 1. A complaint is a written allegation the NJDOE has violated the law in the administration of education programs required by the ESSA.
 2. A complaint must identify at a minimum the following:

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION PROGRAM

R 2415.20 EVERY STUDENT SUCCEEDS ACT COMPLAINTS

Page | 3 of 4

- a. The alleged ESSA violation;
 - b. A description of previous steps taken to resolve the matter;
 - c. The facts supporting the alleged violation as understood by the complainant at the time of submission; and
 - d. Any supporting documentation (e.g., letters, emails, logs, agenda, meeting minutes).
3. To initiate a complaint alleging the NJDOE has violated the administration of an ESEA program, a complainant must submit a written complaint to the New Jersey Department of Education – Assistant Commissioner, Division of Learning Supports and Specialized Services via email at essa@doe.nj.gov with subject line “ESEA Complaint or via hard copy sent to the following address:

New Jersey Department of Education
Assistant Commissioner
Division of Learning Supports and Specialized Services
P.O. Box 500
Trenton, New Jersey 08625-0500

4. When a written complaint is received by the NJDOE, an Assistant Commissioner will assign the investigation of this complaint to the appropriate office. The NJDOE will issue a Letter of Acknowledgement to the complainant within ten calendar days of receipt of the complaint. This letter shall contain the following information:
- a. The date the complaint was received;
 - b. A brief statement of the manner in which the NJDOE will investigate the complaint;
 - c. If necessary, request for additional information regarding the complaint;
 - d. A resolution date within forty-five calendar days from the date the complaint was received; and
 - e. The name and telephone number of a contact person for status updates.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2415.20 EVERY STUDENT SUCCEEDS ACT COMPLAINTS

Page | 4 of 4

5. The NJDOE Office assigned by the Assistant Commissioner to investigate a complaint concerning an alleged violation by the NJDOE will coordinate the investigation of the complaint. When the investigation is complete, the Assistant Commissioner will notify the complainant in writing regarding the outcome of the investigation.
 - a. If the NJDOE Office assigned by the Assistant Commissioner of Education determines a violation by the NJDOE has occurred after conducting an investigation, the Assistant Commissioner will identify and impose appropriate consequences or corrective action in accordance with the statute and/or regulation to resolve the complaint.
 - b. If the complainant is not satisfied with the NJDOE's decision, the complainant may request a review of the NJDOE's decision to the Secretary of the United States Department of Education (USDOE). The complainant may send the request, reasons supporting the request, and a copy of NJDOE's resolution to the following address:

Secretary, United States Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4611

New Jersey Department of Education – Every Student Succeeds Act (ESSA) in New Jersey ESEA Complaint Policy and Procedures

Adopted: March 16, 2021

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2417/page 1 of 4
Pupil Intervention and Referral Services

R 2417 PUPIL INTERVENTION AND REFERRAL SERVICES

- A. The Superintendent of Schools will establish and implement district-wide procedures for each school building in which general education pupils are served for the planning and delivery of intervention and referral services that are designed to assist pupils who are experiencing difficulties and to assist staff who have difficulties in addressing pupils' learning, behavior, or health needs in accordance with the requirements of N.J.A.C. 6A:16-8.1.
- B. Each Building Principal will establish an Intervention and Referral Services Team referred to as the Pupil Assistance Committee. The Pupil Assistance Committee will be comprised of the following:
1. The Principal or a member of the teaching staff other than special education, who is appointed by the Principal to act on his/her behalf and with his/her authority, shall act as chairperson;
 2. A member of the Child Study Team (CST);
 3. The staff member who referred a pupil in need of assistance or identified a school issue for discussion; and
 4. Such other school staff members as may effectively aid in the development and implementation of the assistance plan for a particular pupil.
 5. The district will provide support, guidance, and professional development to school staff who participate in each building's system for planning and providing intervention and referral services.
- C. Pupil Referral
1. A pupil not known to have a disability who is experiencing difficulty in the classroom may be referred to the by the classroom teacher or by his/her parent(s) or legal guardian(s). The pupil's parent(s) or legal guardian(s) shall be informed of any such referral.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2417/page 2 of 4
Pupil Intervention and Referral Services

- a. The district will provide support, guidance, and professional development to school staff who identify learning, behavior, and health difficulties.
 2. When it appears that a referred pupil may have a disability, the Pupil Assistance Committee shall refer the pupil to the CST for evaluation pursuant to Policy No. 2460 for a determination of the pupil's eligibility for special education and/or related services.
 3. The Pupil Assistance Committee shall consult with the pupil's regular classroom teacher, parent(s) or legal guardian(s), and any school employee as appropriate to gather relevant information regarding the pupil's educational status, attendance, classroom behavior, and school conduct.
 4. The school nurse shall review the pupil's health records and inform the committee of any condition relevant to the pupil's difficulties. Any information regarding any infection with HIV virus or AIDS may be released only with the written permission of the adult pupil or the pupil's parent(s) or legal guardian(s).
 5. As appropriate, the Pupil Assistance Committee may consult with community-based social and health agencies that provide services to the pupil or the pupil's family.
- D. Intervention and Referral Action Plans
1. The Pupil Assistance Committee shall prepare a written action plan for referred pupils who require supportive services, modifications to their regular educational program, or assessment and referral to school or community-based social and/or health provider agencies.
 2. The intervention and referral services action plan shall:
 - a. Detail any modifications in the pupil's educational program,
 - b. List the persons who will implement the action plan,

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2417/page 3 of 4
Pupil Intervention and Referral Services

- c. Include any recommendations for assessment and referral to specified school or community-based social and/or health provider agencies,
 - d. Document parental notification of the pupil's referral and any change in educational placement or the withholding of parental notification because child abuse was suspected or federal rules mandated confidentiality in an alcohol or drug related matter,
 - e. The parent(s) or legal guardian(s) shall be actively involved in the development and implementation of any intervention and referral services action plans, and
 - f. Identify the committee member to monitor and review the pupil's progress.
3. The implementation and effectiveness of the intervention and referral services action plan shall be reviewed within eight calendar weeks from the beginning of its implementation. The committee shall consult the referring staff member for his/her assessment of the effectiveness of the plan.
 4. If the implementation of the action plan is determined to be ineffective, the plan shall be reviewed and amended as necessary. If the review indicates a disability, the pupil shall be referred to the CST.
- E. Records and Reports
1. Records of all requests for assistance, intervention and referral services action plans, and related pupil information shall be maintained in accordance with federal and State laws pursuant to N.J.A.C. 6A:16-8.2(a)9.
 2. At the end of the school year, the Principal shall, in consultation with the Pupil Assistance Committee, develop a report on the concerns and problems identified through committee discussions and documented in intervention and referral services action plans. The report shall include:

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2417/page 4 of 4
Pupil Intervention and Referral Services

- a. A description of the needs and issues identified through referrals to the committee,
- b. An identification and analysis of significant needs and issues that could facilitate school planning for the subsequent year,
- c. A description of activities planned in response to the needs and issues significant in school planning, and
- d. The Principal's report shall be given to the Board of Education and kept on file as a public record.

REGULATION

ROCKAWAYBOROUGH BOARD OF EDUCATION

PROGRAM

2418 SECTION 504 OF THE REHABILITATION ACT OF 1973 –STUDENTS (M)

2418 SECTION 504 OF THE REHABILITATION ACT OF 1973 –STUDENTS (M) / Page 1 of 2

M

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

Guarantee of Rights

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

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

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

Educational Setting

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

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

Evaluation and Placement

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

Enforcement

REGULATION

ROCKAWAYBOROUGH BOARD OF EDUCATION

PROGRAM

2418 SECTION 504 OF THE REHABILITATION ACT OF 1973 –STUDENTS (M)

Page 2 of 2

The **Guidance Counselor** 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: Thomas Jefferson School
95 East Main Street
Rockaway, NJ 07866

Telephone: (973) 625- 8603

Procedural Safeguards

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

Notice

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

State or Local Law

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

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

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

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

Adopted: 15 August 2017

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION PROGRAM

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

Page 1 of 13

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

M

A. Definitions

1. “Aberrant behavior” means behavior atypical for the person or situation and causes concern for the safety or well-being of those involved. Aberrant behavior for an individual involves actions, statements, communications, or responses that are unusual for the person or situation; or actions which could lead to violence toward self or others; or are reasonably perceived as threatening or causing concern for the well-being of the person.
2. “Behavioral Threat Assessment and Management (BTAM)” means a proactive approach to identify, assess, and provide appropriate interventions and resources for individuals who display a behavior that elicits concern for the safety of themselves or others. (U.S. Secret Service National Threat Assessment Center.)
3. “Concerning behavior” means an observable behavior that elicits concerns in bystanders regarding the safety of an individual or those around them. Behaviors that may elicit concern can include unusual interests in violent topics, conflicts between classmates, increased anger, increased substance use, or other noteworthy changes in behavior (e.g., depression or withdrawal from social activities). Some concerning behaviors may be defined as prohibited behaviors and should trigger an immediate response. Prohibited behaviors can include threats, weapons violations, and other aggressive or violent behavior. Concerning behavior does not necessarily imply or predict that an individual or group will become violent. Instead, it serves as an indicator that the student may be in need of intervention or increased supports. Proactive intervention and de-escalation are key and should be part of any approach to violence prevention.
4. “Concerning communication” means unusual, bizarre, threatening, or violent communication made by an individual or a group that elicit concerns for the safety or wellbeing of the individual or others. Concerning communication may allude to violent intentions, violence as a means to solve a problem, justifying violent acts, unusual interest in weapons, personal grievances, or other inappropriate interests. Concerning communications may also allude to hopelessness or suicide. Concerning communications may be made in the form of written or oral statements, gestures, or visual/electronic media. Communications may be considered concerning regardless of whether a direct verbal threat is expressed. Concerning communication does not necessarily imply or predict that an individual or group will become violent. Instead, it serves as an indicator that

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION PROGRAM

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

Page 2 of 13

the student may be in need of intervention or increased supports. Proactive intervention and de-escalation are key and should be part of any approach to violence prevention.

5. “Multidisciplinary Threat Assessment Team” means a team composed of highly trained school personnel with diverse positions, backgrounds, and experience. The team will receive reports about a concerning person and situations, gather additional information, assess the risk posed to the community, and develop intervention and management strategies to mitigate any risk of harm.
6. “Targeted violence” means a premeditated act of violence directed at a specific individual, group, or location regardless of motivation and generally unrelated to other criminal activity.

B. Multidisciplinary Threat Assessment Team

1. Threat Assessment Team Members

- a. In accordance with N.J.S.A. 18A:17-43.4, the threat assessment team established by the Board of Education shall be multidisciplinary in membership and, to the extent possible, must include the following individuals:

- (1) A Principal or other senior school administrator;
- (2) A school psychologist, school counselor, school social worker, or other school employee with expertise in student counseling;
- (3) A safe-schools resource officer or school employee who serves as a school liaison to law enforcement;
- (4) The school safety specialist (designated pursuant to N.J.S.A. 18A:17-43.3); and
- (5) A teaching staff member.

- b. Additional school employees may serve as regular members of the threat assessment team or may be consulted during the threat assessment process, as determined to be appropriate by the team. If a student has an Individualized Education Program (IEP), 504 plan, and/or functional behavioral assessment (FBA) plan, the threat assessment team must consult with the appropriate staff or team to determine whether the

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION PROGRAM

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

Page 3 of 13

reported behavior is already part of known baseline behavior or is already being managed under the student's IEP, 504 plan, or FBA plan and addressed in a manner that is required by N.J.A.C. 6A:14 and all other Federal and State special education laws.

- c. The district may choose to name the threat assessment team in a manner that suits the school community needs.

2. Threat Assessment Team Structure

- a. The district can structure the threat assessment teams to best meet the needs and resources available. This may include:

- (1) **School-Based Teams:** The district may opt to develop teams for each school comprised of those members fulfilling the assigned roles identified in the law in each of its schools.
- (2) **District-Level Team:** The district may choose to develop one central team designated to serve each school in cases where staffing at individual schools is not sufficient to meet the membership requirements of the law. In such cases, the district may choose to operate smaller teams trained in the threat assessment process in each school, which can screen cases to determine which situations to refer to the District-Level Team. If the district uses this model, the district must ensure representation of those staff members from the involved school as identified by the law to the fullest extent possible when conducting an assessment.
- (3) **District-Level Team and School-Based Teams:** The district may have one central team that provides oversight, consistency, and accountability for all threat assessment processes including threats impacting the entire district. School-Based Teams address cases in each school building, while ensuring all information is shared with the District-Level Team.

C. Building a K-12 Behavioral Threat Assessment and Management Program

The district shall implement the following steps in developing a Behavioral Threat Assessment and Management Program.

- 1. Step 1: Establish a Multidisciplinary Team

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION PROGRAM

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

Page 4 of 13

- a. Identify team membership pursuant to N.J.S.A. 18A:17-3.4.
 - b. Designate a team leader.
 - c. Establish team procedures and protocols.
 - d. Meet on a regular basis and as needed.
2. Step 2: Define Prohibited and Concerning Behaviors
- a. Establish policy defining prohibited behaviors
 - (1) These definitions should be included in the code of student conduct policy and shared with staff, parents, and students.
 - b. Identify other behaviors for screening or intervention.
 - c. Define threshold for intervention.
 - (1) The threshold should be relatively low so that teams can identify individuals in distress before the behavior escalates into a violent behavior.
3. Step 3: Create a Central Reporting Mechanism
- a. Establish one or more anonymous reporting mechanisms.
 - (1) Examples include a mobile application, a dedicated email address or phone number, or on the district website.
 - b. Provide training and guidance to encourage reporting.
 - (1) Students, teachers, staff, school resource officers, and parents should be provided awareness training and guidance on recognizing behaviors of concern, their roles and responsibilities in reporting the behavior, and how to report the information.
 - c. Ensure availability to respond.
 - d. Utilize an Initial Report to collect the threat, concerning behavior, etc.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION PROGRAM

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

Page 5 of 13

4. Step 4: Define Threshold for Law Enforcement Intervention
 - a. Most reports can be handled by the School-Based Team.
 - b. Establish which behaviors should be referred for law enforcement intervention (e.g., physical violence, threats of violence, etc.).
5. Step 5: Establish Threat Assessment Procedures
 - a. Decide how to document cases.
 - b. Create procedures to screen reports, gather information, make assessments, and decide on interventions.
 - c. Develop/adapt threat assessment forms to organize information around the 11 Investigative Questions referenced in D.4. below.
6. Step 6: Develop Risk Management Options
 - a. Identify all available resources for creating individualized management plans.
 - (1) The resources and supports the student needs will differ depending on the information gathered during the assessment.
 - (2) Resources to assist the student could take the form of peer support programs or therapeutic counseling to enhance social learning or emotional competency, life skills classes, tutoring in specific academic subjects, or mental health care. Most programs and supports will be available within the school, but the team may need to also access community resources to assist with the managing the student. Identify resources to assist targets/victims.
 - (3) Make efforts to address the safety of any potential targets by altering or improving security procedures for schools or individuals and providing guidance on how to avoid the concerning person.
 - b. Establish points of contact for all resources.
7. Step 7: Create and Promote Safe School Climates

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION PROGRAM

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

Page 6 of 13

- a. Assess current school climate.
 - (1) Anti-Bullying Bill of Rights Act (N.J.S.A. 18A:37-21) requires the school safety team in each school in the district "...to develop, foster, and maintain a positive school climate by focusing on the ongoing, systemic process and practices in the school and to address school climate issues..." and to "review and strengthen school climate and the policies of the school.
 - b. Enhance current school climate.
 - c. Strengthen students' connectedness.
 - (1) Encourage teachers and staff to build positive, trusting relationships with students by actively listening to students and taking an interest in what students say.
 - d. Break down "codes of silence" and help students feel empowered to come forward and share concerns and problems with a trusted adult.
 - e. Identify clubs or teams at school students can join or encourage students to start their own special interest group.
8. Step 8: Conduct Training for all Stakeholders
- a. The training is for new threat assessment team members, refresher training, and professional development. This includes training on the screening and threat assessment forms and procedures.
 - b. Training must be coordinated with the New Jersey Department of Education (NJDOE), Office of School Preparedness and Emergency Planning (OSPEP) to ensure that the threat assessment team is able to accurately assess student behavior and to ensure that threat assessment teams do not have a disparate impact on students based on their race, ethnicity, homelessness status, religious belief, gender, gender identity, sexual orientation, or socioeconomic status. This training includes training on adverse childhood experiences, childhood trauma, cultural competency, and implicit bias.
 - c. Awareness training for students, teaching staff members, and all school staff members regarding the recognition of concerning or aberrant

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

Page 7 of 13

behavior in an individual that may represent a threat to the school community.

(1) Requests for awareness training can be coordinated by the district's School Safety Specialists through the OSPEP.

d. Training for parents and other community stakeholders to anonymously report dangerous, violent, or unlawful activity to the district or school.

D. Threat Assessment and Management Process

The district shall implement the following steps in the threat assessment and management process.

1. Step 1: Receive a Report of Concern

a. When the threat assessment team first learns of a new report of a threat or aberrant or concerning behavior, the team (or one member of the team) should collect initial intake information about the behavior, the concerning person (i.e., the person who engaged in the threatening behavior; the person to be assessed), and other information that is readily available.

2. Step 2: Screen the Case

a. Screen for imminency (of the threat or concerning behavior) and whether there is a need for a full threat assessment.

(1) If the threat assessment team believes the report does present an imminent danger or safety concern, immediately notify law enforcement. Once the emergency has been contained, the team should complete a full threat assessment and make all necessary notifications (i.e., anyone that is or may be directly impacted).

b. If the team does not believe the report presents an imminent danger or safety concern, determine if there is a need for full threat assessment. If not, document the initial report and screening.

c. If there is a need for a threat assessment, the team shall proceed with a full threat assessment using the steps outlined in D.3. through 8. below.

d. The district's Title IX Coordinator must be notified immediately if a report involves sexual harassment, sexual assault, dating violence,

stalking, or a domestic violence assault, or if engagement in these actions is uncovered when gathering additional information during the threat assessment process. Notifying the district's Title IX Coordinator is completed parallel to the threat assessment process and does not stop a team from moving forward with gathering information and initiating risk management strategies.

3. Step 3: Gather Information from Multiple Sources
 - a. Gather information about the person displaying the concerning behavior and situation from various sources. These sources can include, but are not limited to, teachers, coaches, parents, and peers.
4. Step 4: Organize and Analyze
 - a. Organize and analyze information using the 11 Investigative Questions detailed in the U.S. Secret Service and U.S. Department of Education threat assessment guide. The form is comprised of 11 investigative questions adapted from the U.S. Secret Services and U.S. Department of Education Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates and can be found at www.secretservice.gov/nod/2559.
5. Step 5: Make the Assessment
 - a. Make an assessment about whether the individual of concern poses a threat of violence or self-harm, or if they are otherwise in need of intervention.
6. Step 6: Develop and Implement a Case Management/Intervention Plan
 - a. Develop and implement a case management plan to reduce risk.
 - b. As needed, refer individual of concern to the local mental health authority or healthcare provider for evaluation and/or treatment.
 - c. As needed, refer individual of concern for a full and individual evaluation (FIE) for special education services.
7. Step 7: Re-Assess (Case Monitoring)

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

Page 9 of 13

- a. Monitor, re-evaluate, and modify plan as needed to ensure that the identified intervention(s) is effective, and the individual of concern no longer poses a threat of violence or self-harm.
 - b. Re-assessing the person of concern, going through the assessment questions again.
 - c. If there are still concerns, the team shall continue to monitor, adjust plan, and re-assess as needed until there is no longer a concern of harm to self and/or others, and the individual is on a better path.
8. Step 8: Document and Close the Case
- a. When the team's assessment is that the concerning person no longer poses a threat of violence or self-harm, the team can close the case or place it on the in-active status.
 - b. The threat assessment team should be sure to document the case, including scheduling any future dates to check-in or follow-up, as needed.
 - c. The documentation should be stored in a confidential file, with only authorized personnel having access.
- E. Training
1. Each member of the threat assessment team must attend training in accordance with N.J.S.A. 18A:17-43.4. The district may also choose to provide awareness training to school community members on the threat assessment process. The awareness training is also outlined as part of one of the steps of the Building a K-12 Behavior Threat Assessment and Management Program.
 2. Threat assessment team membership:
 - a. In accordance with N.J.S.A. 18A:17-43.4, the NJDOE shall provide training through the New Jersey School Safety Specialist Academy. All threat assessment team members must receive training consistent with the training and guidelines provided by the NJDOE. The school safety specialist, is a member of the threat assessment team and will assist in ensuring this training is provided to school staff in coordination with OSPEP.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION PROGRAM

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

Page 10 of 13

- b. Each new threat assessment team member must complete training by the OSPEP, which shall include training sessions as instructed by *Ontic/SIGMA as part of the Bureau of Justice Assistance (BJA) STOP School Violence Grant Program*.
 - c. The district shall determine membership on the threat assessment team in accordance with N.J.S.A. 18A:17-43.4, including adding and ensuring the training of new members, as needed. The district must ensure all threat assessment team members attend the required initial training and refresher training provided by OSPEP to advance their competency in conducting assessments.
 - (1) These trainings will be offered through the OSPEP for both in person and online platforms.
 - (2) Refresher training will be developed and facilitated by the OSPEP and will be made available through in-person and online platforms, as necessary.
3. Awareness Training for Other School Community Stakeholders
- a. Request for awareness training for school staff members should be directed to the OSPEP email at school.security@doe.nj.gov, which will provide training or coordinate sessions with approved instructors from the U.S. Department of Homeland Security National Threat Evaluation and Reporting Office's Certified Master Training Program.
- F. Other Considerations
1. Individualized Education Program (IEP) or 504 Plans
 - a. The district is required by law to meet the needs of students with special needs, who are afforded disciplinary protections not provided to the general education population, to reduce exclusionary practices for special education students. When assessing a student whose behavior may pose a threat to the safety of the school community, in the case of a student with an IEP or 504 plan, the threat assessment team shall consult with the IEP team or 504 team to determine whether the aberrant or concerning behavior is a threat to school safety and is being properly addressed in a manner that is required by N.J.A.C. 6A:14 and all Federal and State special education laws. Working with the IEP team or 504 team, the threat assessment team shall determine if the behavior is part of known

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION PROGRAM

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

Page 11 of 13

baseline behavior, or is already being managed under the student's IEP, 504 plan, or FBA plan. If the behavior is not consistent with baseline behaviors or is not able to be effectively managed through current programming, then a threat assessment would need to be conducted. A special education representative must be part of the team and shall engage throughout the process.

2. Allegations of Harassment, Intimidation, & Bullying (HIB) or Bias-Related Acts
 - a. Should the threat assessment team become aware of an allegation of HIB when considering or conducting assessments, they must follow Policy 5512 for addressing allegations of HIB in alignment with the Anti-Bullying Bill of Rights Act. Additionally, during the threat assessment process, it is important to recognize that the student may need remedial services (e.g., counseling) to address behavior that may have prompted the need for the threat assessment and to ensure their well-being.
 - b. Should a threat assessment team become aware of a bias-related act, they should implement Policy and Regulation 8465 on reporting bias-related acts to law enforcement in accordance with the Memorandum of Agreement Between Education and Law Enforcement Officials and Policy and Regulation 9320.
3. Information Sharing
 - a. The Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA) are two Federal laws protecting the privacy of an individual's personal records. FERPA refers specifically to educational records while HIPAA refers to medical records. Questions and concerns about FERPA and/or the HIPAA protections often arise as part of the threat assessment planning process. It is critical that threat assessment teams understand how to balance the safety of the school with the privacy of individual students. These laws should not be an impediment to threat assessment and management.
 - b. Threat assessment teams should consult with the Board Attorney on these elements as needed.
4. Family Education Rights & Privacy Act (FERPA) – Educational Records
 - a. FERPA is a Federal law that protects the privacy of student education records. FERPA does, however, authorize school officials to disclose

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

Page 12 of 13

information without consent in emergency situations where the health and/or safety of students is at risk. Relevant information can be released to law enforcement, public health, and medical officials, as well as other schools in the event a student transfers or matriculates. The U.S. Department of Education would not find a school in violation of FERPA for disclosing FERPA-protected information under the health or safety exception as long as the school had a rational basis, based on the information available at the time, for making its determination that there was an articulable and significant threat to the health or safety of the student or other individuals.

5. Health Insurance Portability and Accountability Act (HIPAA) – Medical and Mental Health Records
 - a. HIPAA protects the confidentiality of information in health records. Confidentiality is held by the patient, not the mental health provider. In cases where HIPAA applies, the following strategies below may assist threat assessment teams in eliminating potential barriers to critical data collection:
 - (1) Ask permission from the student and parent to disclose medical records;
 - (2) Provide information to health and mental professionals; and
 - (3) Ask about duty to warn or duty to protect.
 - b. Additionally, medical and mental health providers may disclose protected health information when disclosure:
 - (1) Is necessary to prevent or lessen a serious and imminent threat to health or safety of patient or others and is to someone reasonably able to prevent or lessen the threat; and
 - (2) May include disclosure to law enforcement, or others who can mitigate the threat and disclosure must be consistent with applicable law and standards of ethical conduct.

6. Record Keeping

All documentation from the threat assessment process must be maintained in a confidential and secure location. Maintaining records and preserving evidence

REGULATION

ROCKAWAY BOROUGH

BOARD OF EDUCATION

PROGRAM

R 2419 SCHOOL THREAT ASSESSMENT TEAMS (M)

Page **13** of **13**

throughout the process, assists in the establishment of a legal and behavioral justification for the intervention. Records may be electronic or paper and must be maintained in accordance with record retention rules established by the Department of Treasury.

Adopted: 26 September 2023

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 1 of 19

R 2423 BILINGUAL EDUCATION

A. Definitions – N.J.A.C. 6A:15-1.2

1. “Alternate English language proficiency assessment” (alternate ELP assessment) means a New Jersey Department of Education (Department)-approved assessment for students with the most significant cognitive disabilities that assesses a student’s English language proficiency (ELP) on the four domains of listening, speaking, reading, and writing, and that is aligned with the English Language Development (ELD) standards and the Individuals with Disabilities Education Act (IDEA).
2. “Bilingual education program” means a full-time language instruction educational program (LIEP) in all courses or subjects provided in accordance with N.J.S.A. 18A:35-18. Students in a bilingual education program receive instruction in the primary language of multilingual learners (ML) enrolled in the program and in English, while also receiving English as a second language (ESL) instruction. Educators use the primary language of instruction to enhance literacy in the primary language and as a support in the development of listening, speaking, reading, and writing skills in English. Students also receive instruction in the history and culture of the country, territory, or geographic area that is the native land of the parents and families of MLs enrolled in the program, and in the history and culture of the United States.
3. “Bilingual part-time program” means an instructional program alternative in which students receive their academic content area classes in English language arts (ELA) and mathematics instruction with a certified bilingual teacher who provides instruction in the primary language of the MLs in the program, as well as ESL instruction.
4. “Bilingual resource program” means an instructional program alternative in which students receive instruction and resources that are individualized for each student, daily instruction from a certified bilingual teacher in academic content areas as identified by the school district, as well as ESL instruction.
5. “Bilingual tutorial program” means an instructional program alternative in which students receive one period of instruction from a certified bilingual teacher in an academic content area required for graduation, a second period of tutoring in another required content area, as well as ESL instruction.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 2 of 19

6. “Class period” means the time allocated for instruction in academic content areas as part of the regular school schedule for each day in session as set forth at N.J.A.C. 6A:32-8.3. In a block schedule, weekly instruction is equivalent to one class period for each day of school in a given week.
7. “Cut score” means the same as that term is defined pursuant to N.J.A.C. 6A:8-1.3.
8. “Dual language immersion program” means, for the purpose of meeting the LIEP requirements at N.J.S.A. 18A:35-18 and N.J.A.C. 6A:15, a full-time LIEP that provides students structured English language instruction and instruction in a second language in all academic content areas. MLs in the program receive instruction in their primary language, as well as ESL instruction. A dual language immersion program provides daily instruction in English and a minimum of fifty percent of instruction in the primary language of enrolled MLs. A dual language immersion program that is designed to support MLs is sometimes referred to as a two-way bilingual education program.
9. “Early Language Development Standards” means the preschool English language development standards for preschool students developed by WIDA. The standards correspond to five domains of children’s development and learning: approaches to learning, language and communication development, cognition and general knowledge, physical well-being and motor development, and social and emotional development. The standards incorporated herein by reference, are published by the Board of Regents of the University of Wisconsin System, on behalf of the WIDA Consortium and are available at <https://wida.wisc.edu/teach/early>.
10. “Educational activities and programs” means the same as that term is defined pursuant to N.J.A.C. 6A:7-1.3.
11. “Educational equity” means the same as that term is defined pursuant to N.J.A.C. 6A:7-1.3.
12. “Educational needs” means the particular educational requirements of MLs; the fulfillment of which will provide them with equal educational opportunities.
13. “English as a second language (ESL) program” means a daily class period of second-language acquisition instruction within a LIEP and based on a

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 3 of 19

student's English language proficiency that teaches the English language development standards and incorporates the cultural aspects of the students' experiences in their ESL instruction.

14. "English language development standards" or "ELD standards" means the 2020 Amplification of the English Language Development Standards, Kindergarten – Grade 12 incorporated herein by reference, as amended and supplemented, developed by WIDA. They are the standards and language competencies in listening, speaking, reading, and writing that MLs in preschool programs, and elementary and secondary schools, need to become fully proficient in English and to have unrestricted access to grade-appropriate instruction in challenging academic content areas. The standards are a version of ELA that have been crafted to address the specific developmental stages of students learning English. The standards are published by the Board of Regents of the University of Wisconsin System, on behalf of the WIDA Consortium (www.wida.us) and are available for review at <https://wida.wisc.edu/sites/default/files/resource/WIDA-ELD-Standards-Framework-2020.pdf>.
15. "English language proficiency assessment" or "ELP assessment" means a Department-approved assessment that evaluates a student's English language proficiency on the four domains of listening, speaking, reading, and writing, and that is aligned with the ELD standards.
16. "English language services" means services designed to improve the English language skills of MLs. The services, provided in school districts with less than ten MLs in Kindergarten through twelfth-grade, are part of the regular school program and are designed to develop proficiency in the ELD standards.
17. "Equal educational opportunity" means the same as that term is defined pursuant to N.J.A.C. 6A:7-1.3.
18. "Exit criteria" means the criteria that must be applied before a student may be exited from a LIEP.
19. "High-intensity ESL program" means an instructional program alternative in which students receive two or more class periods each day in session of ESL instruction. One period is the standard ESL class, and the other period is a tutorial or ESL reading class.
20. "Instructional program alternative" means a LIEP, other than bilingual education and/or dual language immersion, that may be established by the Board of Education in consultation with, and approval of, the New Jersey Department of Education through a waiver request pursuant to N.J.S.A.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 4 of 19

18A:35-18. All students in an instructional program alternative receive an ESL class period each day in session.

21. “Language instruction educational program” or “LIEP” means the program of services in which a ML receives instruction and support to develop and attain English language proficiency while meeting or exceeding the New Jersey Student Learning Standards (NJSLS) in academic content areas. MLs in a LIEP develop proficiency in the English language while they develop skills and knowledge within the academic content areas. A LIEP includes the services that all MLs are entitled to receive, pursuant to N.J.S.A. 18A:35-16 and N.J.A.C. 6A:15. LIEP includes “programs of bilingual education,” pursuant to N.J.S.A. 18A:35-16, and “instructional alternative programs,” pursuant to N.J.S.A. 18A:35-18.
22. “Multicultural curriculum” means the same as that term is defined pursuant to N.J.A.C. 6A:7.
23. “Multilingual learner” or “ML” means a student whose primary language is not English, who is identified through the process set forth in N.J.A.C. 6A:15, and who is developing proficiency in multiple languages (e.g., English and a primary language). The term is synonymous with “English learner” or “English language learner”.
24. “Newcomer” means any student born outside of the United States who has recently arrived in the United States. Newcomer is an umbrella term that includes a heterogenous group of immigrants; some newcomers may also be MLs or students with interrupted formal education (SIFE).
25. “NJSLS” means the New Jersey Student Learning Standards as defined at N.J.A.C. 6A:8-1.3.
26. “Parent(s)” means the natural or adoptive parent, legal guardian, surrogate parent appointed pursuant to N.J.A.C. 6A:14-2.2, or a person acting in the 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). Unless parental rights have been terminated by a court of appropriate jurisdiction, the parent retains all rights pursuant to N.J.A.C. 6A:32. In addition, a resource family parent may act as a parent pursuant to N.J.A.C. 6A:32 if the parent’s authority to make education decisions on the student’s behalf has been terminated by a court of appropriate jurisdiction.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 5 of 19

27. “Primary language” means the language or mode of communication in which a ML is most fluent or speaks more regularly than any other language. In the case of a student, the primary language is the language normally used by the student’s parent.
 28. “Sheltered English instruction” means an instructional program alternative to make academic instruction in English understandable to MLs. Sheltered English classes are taught by classroom teachers who deliver instruction in English, may not hold a bilingual/ESL endorsement, but have received training on strategies for instructional adaptation, pursuant to N.J.A.C. 6A:8-1.3, to make academic content areas comprehensible for MLs.
 29. “State Seal of Biliteracy” means a recognition awarded pursuant to N.J.A.C. 6A:8-5.3.
 30. “Statewide home-language survey” or “Statewide HLS” means a standardized questionnaire developed by the Department for school districts to use to help identify which students are potential MLs and which students will require a record review and an ELP assessment to determine whether they are eligible for placement in a LIEP.
 31. “Student with interrupted formal education” or “SIFE” means a ML in grades four to twelve who has experienced disruptions in their formal education that took place outside of the United States.
- B. Identification of Eligible Multilingual Learners – N.J.A.C. 6A:15-1.3
1. The school district shall use, at the time of enrollment, the multi-step process set forth at N.J.A.C. 6A:15-1.3(a)1 through (a)3 and B.1.a. through B.1.c. below to identify MLs enrolled in the school district.
 - a. The district shall administer to each student enrolled in the school district the Statewide HLS. The district shall use the Statewide HLS to determine which students in preschool to twelfth-grade have a primary language(s) other than English and, therefore, may be a ML. The Statewide HLS shall be completed, in writing, or by verbal interview by an individual with knowledge of the student, such as a parent(s), trained school district personnel, or a bilingual or ESL teacher;

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 6 of 19

- b. Following the administration of the Statewide HLS, the district shall conduct a records review process to determine whether the student is a ML.
 - (1) The records review process may include, but is not limited to, reviewing available information about the student's overall academic performance from current or prior years; observations of teaching staff members who have worked with the student; interviews with the student or the student's parent or family in their primary language; and/or additional school records as needed in compliance with State and Federal student privacy laws; and
 - c. The district shall then determine the English language proficiency of all Kindergarten to twelfth-grade students who are found eligible through N.J.A.C. 6A:15-1.3(a)1 or (a)2 and B.1.a. or B.1.b. above and whose primary language is other than English by administering an ELP assessment. Students who do not meet the Department-established cut score on the ELP assessment shall be considered MLs and shall be offered entry into the district's LIEP.
 - (1) Preschool students who are identified, pursuant to the processes set forth at N.J.A.C. 6A:15-1.3(a)1 and (a)2 and B.1.a. and B.1.b. above, as having a primary language other than English shall be identified as MLs. Prior to the start of their Kindergarten year, the district shall administer an ELP assessment to preschool MLs as part of the screener process to determine the ML's English language proficiency level.
 - (2) The district shall also use age-appropriate methodologies to identify preschool MLs to determine their individual language development needs.
 - 2. The district shall maintain a roster indicating all identified students whose primary language is other than English and who are MLs.
- C. Board Requirements, Including Language Instruction Educational Programs for Multilingual Learners – N.J.A.C. 6A:15-1.4
- 1. The district shall provide all preschool to twelfth-grade MLs enrolled in the school district pursuant to N.J.S.A. 18A:7F-46 and 18A:7F-54 with equal educational opportunities and all educational activities and

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 7 of 19

programs, including required courses and support services defined at N.J.A.C. 6A:15-1.4(b) through (e) and C.2. through C.5. below to prepare MLs to meet or exceed the NJSLs for high school graduation. The instructional opportunities shall be designed to assist MLs to fully comprehend all subject matter and demonstrate their mastery of all NJSLs academic content areas.

- a. Instructional opportunities may also include individualized and targeted supports, as needed by MLs.
 - b. The district shall ensure that all educational services, activities, and programs incorporate a linguistically and culturally responsive, multicultural curriculum in accordance with N.J.S.A. 18A:35-4.35, 18A:35-4.36, and 18A:35-4.36a. to ensure educational equity aligned to the Board of Education's Comprehensive Equity Plan, pursuant to N.J.A.C. 6A:7.
2. The Board shall provide all MLs with a LIEP.
- a. The Board shall provide appropriate instructional programs to preschool MLs pursuant to N.J.A.C. 6A:15-1.4(c) and C.3. below.
 - b. Whenever there are twenty or more MLs in Kindergarten through twelfth-grade in any one language classification enrolled in the school district, a LIEP shall include bilingual education or dual language immersion programs pursuant to N.J.A.C. 6A:15-1.4(e) and C.5. below, unless waived pursuant to N.J.A.C. 6A:15-1.15 and N. below.
 - c. Whenever there are ten or more MLs in Kindergarten through twelfth-grade enrolled in the school district, an ESL program shall be provided.
 - d. Whenever there are at least one, but fewer than ten MLs in Kindergarten through twelfth-grade enrolled in the school district, the Board shall provide the MLs with English language services. English language services shall be provided as part of the regular school program.
 - e. Instructional program alternatives may be implemented pursuant to N.J.A.C. 6A:15-1.15 and N. below.
3. The Board shall provide appropriate instructional programs to eligible preschool MLs based on the New Jersey Preschool Program

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 8 of 19

Implementation Guidelines and the New Jersey Preschool Teaching and Learning Standards of Quality, pursuant to N.J.A.C. 6A:13A – Elements of High-Quality Preschool Programs.

- a. A program that meets the New Jersey Preschool Teaching and Learning Standards of Quality and is approved, pursuant to N.J.A.C. 6A:13A, will be considered a preschool LIEP.
4. The Board shall establish bilingual education or dual language immersion programs whenever there are twenty or more MLs in any one language classification enrolled in the school district in Kindergarten through twelfth-grade, pursuant to N.J.S.A. 18A:35-18. Bilingual education or dual language immersion programs shall:
 - a. Be designed to prepare MLs to acquire sufficient English knowledge and skills to meet the NJSLs. All MLs participating in bilingual and dual language immersion programs shall also receive a class period of ESL instruction each day in session;
 - b. Include a curriculum that is aligned to the NJSLs and the ELD standards and includes primary language instruction delivered to further master literacy in the primary language and as a support in the development of English proficiency;
 - c. Include the full range of required courses and activities offered on the same basis and under the same rules that apply to all students within the school district; and
 - d. Utilize a curriculum for bilingual education programs that is adopted by the Board.
 5. The Board shall provide at least one class period of ESL instruction each day in session based on a student's English language level to all MLs placed in a LIEP.
 - a. The Board shall develop and adopt an ESL curriculum that addresses the ELD standards to address the instructional needs of MLs.
 - b. The ESL curriculum shall be cross-referenced to the school district's bilingual education and academic content area curricula to ensure that ESL instruction is correlated to all academic content areas taught.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 9 of 19

6. The Board may establish dual language immersion programs to meet the requirement at N.J.A.C. 6A:15-1.4(b)2. and C.2.b. above and N.J.S.A. 18A:35-15 through 18A:35-26.
 - a. Dual language immersion programs shall be designed to help students achieve proficiency in English and in a second language while mastering academic content area skills.
 - b. Instruction shall be in all courses or subjects of study that allow students to meet all grade promotion and graduation standards.
 - c. Classes in dual language immersion programs shall be comprised of at least fifty percent MLs.
 - d. The program may be coordinated with the school district's world languages program.
 - e. Dual language immersion programs that are not established to provide the LIEP services required pursuant to N.J.S.A. 18A:35-15 through 18A:35-26 do not have to comply with the requirements of N.J.A.C. 6A:15, Policy 2423, and this Regulation.
7. The Board may establish a newcomer program for a limited duration in time to address the needs of recent immigrant students, particularly SIFEs, before the students transition to a general education classroom. A high-quality newcomer program shall:
 - a. Be age-appropriate;
 - b. Include content that relates to the NJSLS;
 - c. Include social-emotional learning; and
 - d. Include courses that are credit-bearing and count toward graduation pursuant to N.J.A.C. 6A:8, or promotion requirements to allow students to meet grade-level standards within a reasonable period of time.
8. The Board shall offer sufficient courses and other relevant supplemental instructional opportunities in grades nine through twelve to enable MLs to meet or exceed the NJSLS for graduation. When sufficient numbers of students are not available to form a bilingual class in an academic content

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 10 of 19

area, the Board shall develop, in consultation with and approved by the Department, plans to meet the needs of the students.

9. In addition to N.J.A.C. 6A:15-1.4(a) through (h) and C.1. through C.8. above, the Board shall design additional programs and services to meet the special needs of eligible MLs. The additional programs and services shall include, but not be limited to, individualized and targeted supports through Title I programs; special education; career and technical education programs; gifted and talented education services; supports to help MLs earn a State Seal of Biliteracy pursuant to N.J.A.C. 6A:8-5.3; and individualized learning opportunities pursuant to N.J.A.C. 6A:8-5.1.
10. The Board may establish a program in bilingual education or dual language immersion for any language classification with fewer than twenty students.
11. The Board shall establish a process for how MLs in high school may meet the world language or ELA course graduation requirements, pursuant to N.J.A.C. 6A:8-5.1, by applying credits earned in an ESL course. The Board shall verify on a student's record that the applicable ESL credits meet or exceed the NJSLS at the high school level.

D. Approval Procedures – N.J.A.C. 6A:15-1.5

1. The school district providing a LIEP shall submit a plan every three years to the Department for approval.
2. The Board of Education's LIEP plan shall demonstrate that:
 - a. For Kindergarten through twelfth-grade, LIEP curricula include or are aligned with:
 - (1) The NJSLS;
 - (2) The ELD standards; and
 - (3) A multicultural curriculum, pursuant to N.J.S.A. 18A:35-4.36a and N.J.A.C. 6A:7.
 - b. For preschool, the ML instruction and support meets the language instruction requirements in the New Jersey Preschool Program Implementation Guidelines and the New Jersey Preschool

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 11 of 19

Teaching and Learning Standards of Quality, pursuant to N.J.A.C. 6A:13A and the curricula include or are aligned with:

- (1) The NJSLS;
 - (2) The ELD standards for preschool; and
 - (3) A multicultural curriculum, pursuant to N.J.S.A. 18A:35-4.36a and N.J.A.C. 6A:7.
- c. MLs have equitable access to educational activities and programs in a manner aligned to the Board's Comprehensive Equity Plan, pursuant to N.J.A.C. 6A:7.
 - d. School district staff engage in ongoing and continuous program evaluations that shall include regular reviews of student performance data (for example, graduation rates and assessment results) and other measures (for example, absenteeism, disciplinary records, and course enrollment) to evaluate whether MLs in the district have equitable access to educational opportunities, including, but not limited to, gifted and talented programs; advanced coursework and dual enrollment; work-based learning opportunities; extra-curricular activities; and career counseling.
 - e. Preschool students participate in instructional activities pursuant to N.J.A.C. 6A:13A.
 - f. Bilingual and dual language immersion programs promote bilingualism, biliteracy, cross-cultural competency, high levels of academic achievement in both languages, and a path, if available, toward attaining the State Seal of Biliteracy.
3. The Board's LIEP plan submitted to the Department for approval shall include information on the following:
 - a. Identification of MLs in preschool through twelfth-grade;
 - b. LIEP description;
 - c. The number of staff hired for the LIEP by certificate type;
 - d. Bilingual and ESL curriculum;

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 12 of 19

- e. Evaluation design;
 - f. Review process for a student's exit from ML status; and
 - g. A budget for all components of the LIEP.
4. The Department will review the plan to ensure the Board has a system of support for all MLs that is aligned to N.J.A.C. 6A:15, Policy 2423, and this Regulation. The Department may request modifications of the plan, as appropriate, and shall determine whether to approve the Board's plan.
- E. Supportive Services – N.J.A.C. 6A:15-1.6
1. Students enrolled in a LIEP shall have equal educational opportunities, including full access to educational opportunities and services available to other students in the district.
 2. The school district shall provide MLs with linguistically and culturally responsive supportive services, such as academic counseling; tutoring; career guidance; and mental health counseling. Bilingual personnel who are trained in social-emotional learning and are familiar with and knowledgeable about the unique assets and needs of the MLs, including newcomers and SIFEs, and their parents, shall provide the services.
- F. Professional Development – N.J.A.C. 6A:15-1.7
1. As part of the district- and school-level plans for professional development requirements at N.J.A.C. 6A:9C-4.2, the Board of Education shall describe professional learning for bilingual, ESL, and academic content teachers whose classroom instruction is in English; administrators who supervise bilingual/ESL programs; and administrators and any personnel who observe and evaluate teachers of MLs.
 2. The district- and school-level professional development plan shall:
 - a. Include instructional adaptational strategies, pursuant to N.J.A.C. 6A:8-3.1, and training on appropriate assessments to help MLs meet the NJSLS and the ELD standards;
 - b. Address the needs of bilingual and ESL teachers, who shall receive training in the use of the ESL curriculum and the ELD standards; and

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 13 of 19

- c. Ensure all teachers receive training on the ELD standards and how to provide linguistically and culturally accessible instruction and appropriate modifications and accommodations for MLs.

G. Certification – N.J.A.C. 6A:15-1.8

1. All teachers of bilingual programs shall hold a valid New Jersey instructional certificate with an endorsement for the appropriate grade level and/or academic content area and a standard certificate with a bilingual/bicultural education endorsement, pursuant to N.J.S.A. 18A:6-38 et seq., N.J.S.A. 18A:35-15 to 26, and N.J.A.C. 6A:9B-11.5.
2. Dual language immersion programs, for the purpose of meeting the LIEP requirements at N.J.S.A. 18A:35-18; N.J.A.C. 6A:15; Policy 2423; and this Regulation may be taught by one or more teaching staff members. In these dual language immersion programs, the following endorsements to an instructional certificate shall be fulfilled by one or more teaching staff members:
 - a. An endorsement for the appropriate grade level and/or academic content area being taught; and
 - b. An endorsement in bilingual/bicultural education or world languages.
 - (1) A teaching staff member of a language other than English has demonstrated linguistic competence in the language of their instruction, pursuant to N.J.A.C. 6A:9B-10.5 or 11.5(a)2.
3. All teaching staff members of ESL classes shall hold a valid New Jersey instructional certificate with an ESL endorsement, pursuant to N.J.S.A. 18A:6-38 et seq. and N.J.A.C. 6A:9B-11.6.
4. All teaching staff members providing English language services shall hold a valid New Jersey instructional certificate.

H. Language Instruction Educational Program Placement, Assessment, Exit, and Reentry – N.J.A.C. 6A:15-1.9

1. All MLs from Kindergarten through twelfth-grade shall be enrolled in a LIEP established by the Board of Education in accordance with N.J.A.C.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 14 of 19

6A:15-1.4(b) through (f) and C.2. through C.6. above, N.J.A.C. 6A:15-1.15(a) and N.1. below, and N.J.S.A. 18A:35-18 and N.J.S.A. 18A:35-22.

2. Students identified as MLs shall be assessed annually using ELP assessments to measure the progress toward English language proficiency and to determine readiness for exiting the LIEP. Students who meet the criteria for Statewide alternate assessments, pursuant to N.J.A.C. 6A:14-4.10(a)2, shall be assessed annually using an alternate ELP assessment.
3. A ML enrolled in the LIEP shall be placed in a classroom(s) where the primary language of instruction is English when the ML has demonstrated readiness to exit a LIEP first by achieving the Department-established cut score on an ELP or alternate ELP assessment. The student's readiness shall be further assessed by the use of a Department-established English language observation form that considers, at a minimum: classroom performance; the student's reading level in English; the observations of the teaching staff members responsible for the educational program of the student; and performance on achievement tests in English.
 - a. Pursuant to 34 CFR §200.6(h)(4)(ii), a ML with a disability whose disability makes it impossible for the student to be assessed in a particular domain because there are no appropriate accommodations for assessing the student in that domain may be exited from ML status based on the student meeting the Department-determined cut score on the remaining domains in which the student was assessed.
4. When the review process for exiting a student from a LIEP has been completed, the district shall notify, by written communication, the student's parent of the placement determination. If the parent or a teaching staff member disagrees with the student's placement, the parent or teaching staff member may appeal the placement to the Commissioner of Education, pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:3, after exhausting the school district's appeal process.
5. A parent may remove a student who is enrolled in a LIEP pursuant to N.J.S.A. 18A:35-22.1.
 - a. A student who is identified as a ML and whose parent refuses placement in a LIEP shall still access and meet the academic expectations of the NJSLS. Pursuant to N.J.A.C. 6A:8, N.J.A.C. 6A:15-1.6, and E. above, the district shall ensure that students

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 15 of 19

whose parents refuse placement are provided the appropriate instructional adaptations and appropriate assessment modifications and accommodations for Statewide assessments.

6. The district shall monitor, for a minimum of two years, the academic progress of students who are exited from a LIEP to ensure that the students are continually meeting or exceeding the NJSLs when the curriculum and instruction are delivered in English.
7. Newly exited students who are not academically progressing in classes where English is the primary language of instruction may be considered for reentry to a LIEP as follows:
 - a. After a minimum of one-half an academic year and within two years of exit, the teaching staff member delivering instruction in English may recommend retesting with the approval of the Principal.
 - b. A waiver of the minimum time limitation may be approved by the Executive County Superintendent upon request of the Superintendent if the student is experiencing extreme difficulty in adjusting to classes where English is the primary language of instruction.
 - c. The recommendation for retesting shall be based on the teaching staff member's documented observation of a student's academic performance and data-based determination that the student is experiencing difficulties due to problems in using the English language to communicate effectively with peers and adults; understand directions given by the teaching staff member; and/or comprehend basic verbal and written materials.
 - d. The student shall be tested using a different form of the English language proficiency assessment than the one used to exit the student from the LIEP.
 - e. If the student scores below the Department-determined cut score on the English language proficiency assessment, the student shall be reenrolled into a LIEP.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 16 of 19

I. Graduation Requirements for Multilingual Learners – N.J.A.C. 6A:15-1.10

All MLs shall satisfy requirements for high school graduation pursuant to N.J.A.C. 6A:8-5.1(a).

J. Location – N.J.A.C. 6A:15-1.11

1. All Kindergarten through twelfth-grade LIEPs shall be conducted within classrooms within the school district pursuant to N.J.S.A. 18A:35-20, except under the following circumstances:

- a. A LIEP is conducted in another school district as part of a joint program, pursuant to N.J.A.C. 6A:15-1.13 and L. below; or
- b. A ML's individualized learning opportunity, pursuant to N.J.A.C. 6A:8-5.1(a)2, occurs outside of the school district's classrooms.

K. Notification – N.J.A.C. 6A:15-1.12

1. The district shall notify, by written communication, the parent of a ML of the fact that their child has been identified as eligible for placement in a LIEP.

- a. The district shall issue the notification within thirty calendar days of the start of the school year.
- b. For a student who enrolls after the beginning of the school year, the district shall issue the notification within fourteen calendar days of the student being placed in a LIEP.

2. The notice shall be in writing and in the language in which the parent possesses a primary speaking ability, and in English, and shall include the following information:

- a. Why the student was identified as a ML;
- b. Why the school district determined the student needs to be placed in a LIEP that will help the student develop and attain English proficiency and meet the NJSLS;
- c. The student's level of English language proficiency, how the level of English language proficiency was assessed, and the student's performance in academic content areas;

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 17 of 19

- d. The method of instruction the school district will use to serve the student, including a description of other instruction methods available and how those methods differ in content, instructional goals, and the use of English and a primary language, if applicable;
 - e. How the program will meet the student's specific needs in attaining English language proficiency and meeting or exceeding the NJSLS;
 - f. The program's exit requirements, the expected amount of time that the ML will need to successfully achieve in classrooms where the language of instruction is English, and, in the case of high school students, the expected rate of graduation;
 - g. How the LIEP will meet the objectives of the individualized education program of a student with a disability; and
 - h. A statement that the parent may decline the child's enrollment in a LIEP, and that the parent shall be given an opportunity to do so or to select a different type of LIEP service available at the child's school.
3. The district shall send progress reports to the parents of students enrolled in a LIEP in the same manner and frequency as progress reports are sent to the parent of other students enrolled in the school district.
 4. Progress reports shall be written in English and in the primary language spoken by the parent of students enrolled in the LIEP.
 5. The district shall notify the parent when the student meets the exit criteria and is placed in a monolingual English program. The notice shall be in English and in the language in which the parent possesses a primary speaking ability.
- L. Joint Programs – N.J.A.C. 6A:15-1.13
1. With approval of the Executive County Superintendent on a case-by-case basis, the Board of Education may join with another district Board to provide:
 - a. A LIEP; and

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 18 of 19

- b. An individualized learning opportunity, pursuant to N.J.A.C. 6A:8-5.1(a)2, to a ML who chooses to utilize it to meet the 120-credit graduation requirement, in whole or in part.

M. Parental and Family Engagement – N.J.A.C. 6A:15-1.14

1. The Superintendent or designee shall provide for the maximum practicable engagement of the parent of MLs in the development and review of program objectives and dissemination of information to and from the Boards of Education and communities served by the LIEP.
 - a. This duty includes ensuring all information regarding a ML’s educational experience is available in the language in which the parent possesses a primary speaking ability, and in English. This information includes, but it not limited to: district- and school-level policies; invitational letters regarding school or district programs; information regarding student discipline policies and procedures; registration and enrollment; report cards; requests for parent permission for student participation in district or school activities; parent-teacher conferences; parent handbooks; and gifted and talented programs.
2. With the exception of a Board implementing an English language services or ESL program, each Board implementing a LIEP shall establish a parent advisory committee on bilingual education of which the majority membership shall be the parents of MLs.

N. Waiver Process Provided by Statute – N.J.A.C. 6A:15-1.15

1. A school district that has twenty or more students eligible for the bilingual education program in Kindergarten through twelfth-grade may request annual approval from the Department to waive the requirement at N.J.A.C. 6A:15-1.4(d) and C.4. above and, instead, to establish an instructional program alternative if the school district is able to demonstrate that it would be impractical to provide a full-time bilingual program due to the age range, grade span, and/or geographic location of eligible students.
 - a. Instructional program alternatives that shall be established include, but are not limited to: the bilingual part-time program; the bilingual resource program; the bilingual tutorial program; the sheltered English instruction program; and the high-intensity ESL program.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2423 / Bilingual Education

Page 19 of 19

- b. All instructional program alternatives shall be designed to assist MLs to develop English language proficiency while learning the knowledge and skills for academic content areas to meet or exceed the NJSLs.
- c. Instructional program alternatives shall be developed in consultation with the Department based on student enrollment and achievement data.
- d. A Board of Education implementing instructional program alternatives annually shall submit to the Department student enrollment and achievement data that demonstrate the continued need for the programs.
- e. Instructional program alternatives shall be approved annually by the Department based on the Department's review of student enrollment and achievement data.

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REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2425

Emergency Virtual or Remote Instruction Program (M)

Page 1 of 6

R 2425 EMERGENCY VIRTUAL OR REMOTE INSTRUCTION PROGRAM

A. Definitions

1. “Remote instruction” means the provision of instruction occurring when the student and the instructor are in different locations due to the closure of the facility(ies) of the Board of Education, charter school, renaissance school project, or approved private school for students with disabilities. The closure of the facility(ies) shall be pursuant to N.J.S.A. 18A:7F-9 or 18A:46-21.1 and for more than three consecutive school days due to a declared state of emergency, a declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure.
 2. “Virtual instruction” means the provision of active instruction when the student and the instructor are in different locations and instruction is facilitated through the internet and computer technologies due to the closure of the facility(ies) of the Board of Education, charter school, renaissance school project, or approved private school for students with disabilities. The closure of the facility(ies) shall be pursuant to N.J.S.A. 18A:7F-9 or 18A:46-21.1 and for more than three consecutive school days due to a declared state of emergency, a declared public-health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure.
- B. Pursuant to N.J.A.C. 6A:32-13.1, if the State or local health department determines that it is advisable to close, or mandates closure of, the schools of a school district due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure for more than three consecutive school days, the Superintendent shall have the authority to implement the school district’s program of virtual or remote instruction, pursuant to N.J.S.A. 18A:7F-9.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2425

Emergency Virtual or Remote Instruction Program (M)

Page 2 of 6

1. If implemented by the Superintendent, the school district's program of virtual or remote instruction shall be provided to an enrolled student, whether a general education student in preschool through grade twelve or a student with a disability aged three to twenty-one.
 - a. The school district shall provide students with a disability with the same educational opportunities provided to general education students to the extent appropriate and practicable.
 - b. Related services may be delivered to general education students and students with a disability through the use of electronic communication or a virtual or online platform, as appropriate.

2. The Board of Education may apply to the 180-day requirement established pursuant to N.J.S.A. 18A:7F-9.b., one or more days of virtual or remote instruction under the following conditions and in accordance with N.J.A.C. 6A:32-13.1(c)1. through 4. and B.2.a. through d. below:
 - a. Virtual or remote instruction is provided to students on the day(s) that some or all of the programs of instruction of the district were closed to in-person instruction;
 - b. The virtual or remote instruction meets the Commissioner-established criteria for the occurrence of one of the events at N.J.A.C. 6A:32-13.1(b) and B. above;
 - c. The school district's program of virtual or remote instruction:
 - (1) Explains, to the greatest extent possible, the equitable delivery of, and access to, virtual and remote instruction, including descriptions of the following:

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2425

Emergency Virtual or Remote Instruction Program (M)

Page 3 of 6

- (a) The design of synchronous and/or asynchronous virtual or remote learning plans that will maximize student growth and learning;
 - (b) How the school district will continuously measure student growth and learning in a virtual or remote instruction environment; and
 - (c) The school district's plan for measuring and addressing any ongoing digital divide issue(s), including a lack of access to the internet, network access, or devices;
- (2) Addresses the needs of students with disabilities and includes descriptions of the following:
- (a) The delivery of virtual or remote instruction in order to implement, to the greatest extent possible, students' individualized education programs (IEPs), including material and platform access;
 - (b) The methods used to document IEP implementation, including the tracking of student progress, accommodations, and modifications;
 - (c) How case managers follow up with parents to ensure services are implemented, to the greatest extent possible, in accordance with IEPs; and
 - (d) How the school district plans to conduct IEP meetings, evaluations, and other meetings to identify, evaluate, and/or reevaluate students with disabilities;

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2425

Emergency Virtual or Remote Instruction Program (M)

Page 4 of 6

- (3) Addresses the needs of English language learners (ELLs) and includes descriptions of the following:
 - (a) How the school district includes an English as a Second Language and/or bilingual education program aligned with State and Federal requirements to meet the needs of ELLs;
 - (b) The process to communicate with parents of ELLs, including providing translation materials, interpretative services, and information available at the parent's literacy level;
 - (c) The use of instructional adaptations, for example, differentiation, sheltered instruction, Universal Design for Learning, access to technology, and strategies to ensure that ELLs access the same standard of education as non-ELL peers; and
 - (d) The training for teachers, administrators, and counselors to learn strategies related to culturally responsive teaching and learning, social-emotional learning, and trauma-informed teaching for students affected by forced migration from their home country;
- (4) Accounts for student attendance in accordance with N.J.A.C. 6A:32-13.1(d) and B.3. below and include the following:
 - (a) A description or copy of the school district's attendance policies, including how the school district will determine whether a student is present or absent during virtual or remote instruction, and how a student's attendance will factor into promotion,

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2425

Emergency Virtual or Remote Instruction Program (M)

Page 5 of 6

retention, graduation, discipline, and any other decisions that will reflect the student's performance;

- (5) Describes how the school district is communicating with the parents when a student is not participating in virtual or remote instruction and/or submitting assignments;
 - (6) Includes a plan for the continued safe delivery of meals to eligible students;
 - (7) Includes an outline of how buildings will be maintained throughout an extended period of closure; and
 - (8) Includes district-specific factors, including, but not limited to, considerations for Title I extended learning programs, 21st Century Community Learning Center Programs, credit recovery, other extended student learning opportunities, accelerated learning, and social and emotional health of staff and students, transportation, extra-curricular programs, childcare, and community programming; and
- d. The Board of Education submitted a proposed program of virtual or remote instruction to the Commissioner annually.
- (1) If the Board is unable to complete and submit a proposed program annually in accordance with the timeline established by the Commissioner, and the school district is required to close its schools for a declared state of emergency, declared public-health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure, the Commissioner may retroactively approve the program.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2425

Emergency Virtual or Remote Instruction Program (M)

Page **6** of **6**

3. If provided under the Board's program that has been approved by the Commissioner, student attendance for a day of virtual or remote instruction shall be accounted for in accordance with N.J.A.C. 6A:32-8.4 for the purpose of meeting State and local graduation requirements, the awarding of course credit, and other matters as determined by the Commissioner.

Adopted: April 25, 2023

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R2431/page 1 of 2
Athletic Competition

R 2431 ATHLETIC COMPETITION

The Rockaway Borough School District believes that extra-curricular/interscholastic activities are a valuable part of the entire education of each student. Participation in these programs, however, is considered a privilege and therefore students must adhere to the district's policy regarding academic eligibility, attendance, and good citizenship in and out of the classroom. Participation in extra-curricular/interscholastic athletic activities should be maintained and supported by academic standards. Each student should maintain high academic standards while pursuing extracurricular activities that contribute to a well-rounded education. Therefore, extra-curricular/interscholastic athletic eligibility requirements have been established to monitor and encourage student academic progress. The District must also hold itself accountable as educators, coaches, and club advisors to provide the students with opportunities to reach and maintain these standards and academic progress.

Extracurricular activities are defined as all activities EXCEPT those in which student participation is necessary to receive a grade in a course in which the student is currently enrolled. The Extra-Curricular Policy will affect participation in all extra-curricular/interscholastic athletic programs and activities, including, but not limited to, the following: All clubs, athletics including cheerleading, Student Government officers, Mathletes, musicals, Stage Crew, School Newspaper, Yearbook, etc.

The following guidelines pertain to all students participating in extra-curricular/interscholastic athletic activities:

- Any student that has earned an "F" or 2 "D's" in any subject prior to try-outs will be permitted to try-out or participate in the extra-curricular/interscholastic athletic activity. However, they will begin the season on probation.
- Academic progress for all students participating in extra-curricular/interscholastic athletic activities will be reported to the principal every two weeks by the advisor/coach.
- Students who are receiving two D's or one or more failures in ANY subject will be placed on academic probation for a period of two weeks. While on probation, students may participate in the activity. During this two-week period, the student must report to the academic assistance program (AAP) twice per week to work towards raising their grades to meet the eligibility standards. Failure to report to AAP will result in a two-week suspension from the extra-curricular/interscholastic activity.
- After the probation period, students who have met the eligibility standards will be removed from probation and restored to full eligibility.
- Students who did not meet the eligibility standards will be placed on suspension for a period of two weeks. During the two-week suspension, the student may not participate in the extra-curricular/interscholastic athletic activity. The student must attend the AAP twice per week to work towards raising their grades to meet the eligibility standards. Failure to report to the AAP will result in removal from the extra-curricular/interscholastic athletic activity.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R2431/page 2 of 2
Athletic Competition

- After the two-week suspension period, students who meet the eligibility standards will be removed from suspension and placed on probation for the remainder of the extra-curricular/interscholastic athletic activity and will be placed back on suspension if they do not meet eligibility standards any time during the remainder of the activity.
- Students who do not meet the eligibility standards will be removed from the extra-curricular/interscholastic activity for the remainder of the activity.
- A student must be in attendance at school by 10:30 AM in order to participate or practice in any extra-curricular/interscholastic athletic activity. A student must be in attendance at school on Friday by 10:30 AM in order to participate or practice in any extra-curricular/interscholastic activity occurring that weekend. Students should be present for a minimum of 4 hours in order to participate in the practice/event. Any exception must be approved by the administration.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
R 2431.1/page 1 of 4
Emergency Procedures for Athletic
Practices and Competitions
M

R 2431.1 EMERGENCY PROCEDURES FOR ATHLETIC PRACTICES AND COMPETITIONS

A. Definitions

1. “Athletic competition” and “athletic activities” mean all practice sessions and competitive contests, games, events, and exhibitions with individual pupils or teams of one or more schools of this district or of other districts and include cheerleading.
2. “Health personnel” means the school nurse, the school medical inspector, the designated team doctor, a licensed physician, and members of the first aid squad or ambulance team.
3. “Parent” means the parent(s) or legal guardian(s) having legal custody and control of a pupil.
4. “Pupil” means a pupil enrolled in this district and a pupil enrolled in any district who is present in this district for the purpose of participating in a program of athletic competition sponsored by the Board of Education.

B. Precautions

1. All athletic coaches, including assistant coaches, will be trained in first aid and in the identification of injured and disabled pupil athletes.
2. Athletic coaches are responsible at all times for the supervision of pupils to whom they have been assigned. Pupils shall not be left unattended at any time.
3. Pupils who participate in athletic competition shall be trained in proper athletic procedures, in the proper use of athletic equipment, and in the proper use of protective equipment and clothing.
4. Pupil athletes shall be required to report promptly to the athletic coach any injury or disability occurring to the pupil himself/herself or to another pupil.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2431.1/page 2 of 4
Emergency Procedures for Athletic
Practices and Competitions

5. First aid supplies and equipment shall be readily available at all athletic activities and shall be maintained in proper condition.
6. First aid and emergency medical procedures will utilize universal precautions in handling blood and body fluids as indicated in Policy and Regulation No. 7420 and Regulation No. 7420.1.
7. Health personnel shall be present at athletic activities.

C. Emergency Procedures

The following procedures shall be implemented whenever a pupil athlete is injured or disabled in the course of an athletic practice or competition sponsored by this district.

1. The athletic coach shall immediately notify the health personnel present at the activity and the health personnel shall assume responsibility for the emergency treatment of the pupil.
2. If no health personnel are present, or if none can be immediately summoned to the pupil's aid, the athletic coach shall administer such first aid as may be necessary.
3. If the pupil's injury or disability requires more than routine first aid, the athletic coach shall:
 - a. Summon an ambulance by calling 911, or
 - b. Arrange for the pupil's transportation to the nearest hospital or the office of the school medical inspector.
4. The athletic coach or his/her designee shall promptly notify the Building Principal, the Superintendent, and the pupil's parent(s) or legal guardian(s) of the pupil's injury or disability and the condition and location of the pupil.
5. An injured or disabled pupil who has been transported away from school premises must be accompanied by the athletic coach, a member of the athletic department, a health professional, or other responsible adult known to the athletic coach.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2431.1/page 3 of 4
Emergency Procedures for Athletic
Practices and Competitions

6. These procedures shall be followed when the injured or disabled pupil is a member of a visiting team or district, and every effort shall be made to cooperate with the staff of the district in which the pupil is enrolled.

D. Reports

1. The athletic coach shall complete and file a report of every injury or disability that occurs to a pupil in the course of his/her participation in the athletic program of this district, regardless of the severity of the injury or disability. The report shall include:
 - a. The date of the incident,
 - b. The name, age, grade level, and gender of each injured or disabled pupil,
 - c. The district in which the pupil is enrolled,
 - d. The name and district of each pupil involved in the incident,
 - e. A narrative account of the incident,
 - f. A detailed description of the injury or disability,
 - g. The treatment given on school premises and the names of the health personnel, if any, who treated the pupil,
 - h. The place, if any, to which the pupil was taken and the persons who accompanied the pupil, and
 - i. A memorandum of the notice given to the pupil's parent(s) or legal guardian(s).
2. Copies of the report shall be filed with the school nurse and the Building Principal within twenty-four hours of the incident.
3. The Building Principal shall report the incident to the Superintendent, who shall report to the Board.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2431.1/page 4 of 4
Emergency Procedures for Athletic
Practices and Competitions

4. A copy of each report of an incident of pupil injury or disability that occurs in the course of athletic activities shall be maintained by the athletic director, who shall analyze reports for patterns that indicate a need for revision of the district's safety and/or athletics program. The athletic director shall report the findings of his/her analysis to the Superintendent at the close of each sport season.
5. The parent(s) or legal guardian(s) of each injured or disabled pupil will be given assistance in the completion and filing of insurance claim forms.

E. Readmission to Athletic Activities

A pupil injured or disabled in the course of an athletic activity will be permitted to participate in athletic competition only on the written permission of the school medical inspector or designated team doctor, who must first examine the pupil to determine his/her fitness to participate in athletics. Written notice of that determination, signed by the school medical inspector or designated team doctor as appropriate, shall be given to the pupil's parent(s) or legal guardian(s).

Adopted: 15 January 2008

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2431.2/page 1 of 3
Medical Examination to Determine Fitness for
Participation in Athletics
M

R 2431.2 MEDICAL EXAMINATION TO DETERMINE FITNESS FOR
PARTICIPATION IN ATHLETICS

A. The medical examination conducted to determine the fitness of a pupil for participation in athletics shall include, as a minimum, the following:

1. Medical History Questionnaire

A medical history questionnaire will be completed and signed by the parent(s) or legal guardian(s) of the pupil, to determine whether the pupil:

- a. Has been medically advised not to participate in any sport, and the reason for such advice,
- b. Is under physician's care and the reasons for such care,
- c. Has experienced loss of consciousness after an injury,
- d. Has experienced a fracture or dislocation,
- e. Has undergone any surgery,
- f. Takes any medication on a regular basis, the names of such medication, and the reasons for such medication,
- g. Has allergies including, but not limited to: hives, asthma, or reactions to bee stings,
- h. Has experienced frequent chest pains or palpitations,
- i. Has a recent history of fatigue and undue tiredness,
- j. Has a history of fainting with exercise, and
- k. Has a history of a family member who died suddenly.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2431.2/page 2 of 3
Medical Examination to Determine Fitness for
Participation in Athletics

2. Medical Examination/Physical Examination

The medical examination shall include a physical examination which includes, at a minimum, the following:

- a. Measurement of weight, height, and blood pressure,
- b. Examination of the skin to determine the presence of infection, scars of previous surgery or trauma, jaundice, and purpura,
- c. Examination of the eyes to determine visual acuity, use of eyeglasses or contact lenses and examination of the sclera for the presence of jaundice,
- d. Examination of the ears to determine the presence of acute or chronic infection, perforation of the eardrum, and gross hearing loss,
- e. Examination of the nose to assess the presence of deformity which may affect endurance,
- f. Assessment of the neck to determine range of motion and the presence of pain association with such motion,
- g. Examination of chest contour,
- h. Auscultation and percussion of the lungs,
- i. Assessment of the heart with attention to the presence of murmurs, noting rhythm and rate before and after exercise,
- j. Assessment of the abdomen with attention to the possible presence of hepatomegaly, splenomegaly, or abnormal masses,
- k. Assessment of the back to determine range of motion and abnormal curvature of the spine,

REGULATION

ROCKAWAY BOROUGH SCHOOL DISTRICT

PROGRAM

R 2431.2/page 3 of 3

Medical Examination to Determine Fitness for
Participation in Athletics

- l. Examination of extremities to determine abnormal mobility or immobility, deformity, instability, muscle weakness or atrophy, surgical scars, and varicosities,
- m. Examination of the testes to determine presence and descent of both testes, abnormal masses or configurations, or hernia,
- n. Assessment of physiological maturation, and
- o. Neurological examination to assess balance and coordination and the presence of abnormal reflexes.

B. Health History Update

A health history update, completed by the pupil's parent(s) or legal guardian(s), shall provide information about any medical problems experienced by the pupil since the last medical examination. As a minimum, the health history update shall include information, if any, about the pupil's:

1. Hospitalizations and operations,
2. Illnesses,
3. Injuries,
4. Care administered by a physician, and
5. Medications.

Adopted: 15 January 2008

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2431.4 / Prevention and Treatment of Sport-Related Concussions and Head Injuries

Page 1 of 12

M

R 2431.4 PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES

The following procedures shall be followed to implement N.J.S.A. 18A:40-41.1 et seq., the New Jersey Department of Education Model Policy and Guidance for Districts on the Prevention and Treatment of Sports-Related Head Injuries and Concussions, and Policy 2431.4.

A. Prevention

1. The following steps may be taken to prevent concussions and head injuries and ensure the safety of student-athletes:
 - a. Limit the number of stunts during cheerleading practice.
 - (1) When stunting is performed, spotters shall be used and the surface shall be soft and in good condition; and
 - (2) Safe stunting techniques shall be taught and student-athletes shall not be permitted to attempt new or difficult stunts without proper instruction and a coach on hand.
 - b. Ensure student-athletes have appropriate supervision during practices and a designated safe practice facility in good condition for the activity.
 - c. Ensure the use of appropriate fitted and maintained safety equipment.
 - d. Ensure student-athletes avoid unsafe actions such as:
 - (1) Hitting another student-athlete in the head;
 - (2) Using their head to contact another student-athlete;
 - (3) Making illegal contacts; and

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2431.4 / Prevention and Treatment of Sport-Related Concussions and Head Injuries

Page 2 of 12

- (4) Trying to injure or put another student-athlete at risk for injury.
- e. Limit the amount of contact during practices. This may include:
 - (1) Limiting the amount of practice time that includes scrimmages or full-speed drills.
- f. Teach student-athletes' proper techniques and ways to avoid hits to the head.
- g. Keep a close eye on student-athletes in positions that are at increased risk for concussion to help spot a potential concussion.

B. Possible Signs or Symptoms of Concussion

- 1. Some mild traumatic brain injuries and concussion symptoms may appear right away, while others may not appear for hours or days after the injury. These symptoms may be observed by coaches, licensed athletic trainers, school/team physicians, school nurses, teachers, parents, or a teammate. Below are a few examples of possible signs and symptoms of a concussion:
 - a. The student-athlete grabs or holds head after a play or hit - "Hands to Head";
 - b. The student-athlete appears to be "shaking it off";
 - c. The student-athlete appears dazed or "foggy";
 - d. The student-athlete forgets plays or demonstrates short term memory difficulty;
 - e. The student-athlete cannot recall injury or events just before or just after the injury;
 - f. The student-athlete answers questions slowly or inaccurately;
 - g. The student-athlete has a headache;

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2431.4 / Prevention and Treatment of Sport-Related Concussions and Head Injuries

Page 3 of 12

- h. The student-athlete is nauseous or is vomiting;
 - i. The student-athlete is experiencing balance problems or dizziness;
 - j. The student-athlete is experiencing double vision or changes in vision;
 - k. The student-athlete is experiencing sensitivity to light or sound/noise;
 - l. The student-athlete is feeling sluggish or foggy;
 - m. The student-athlete is having difficulty with concentration and short-term memory;
 - n. The student-athlete is experiencing sleep disturbance; and
 - o. The student-athlete is experiencing irritability and/or mood changes.
2. Any possible signs or symptoms of a concussion shall be reported by the student-athlete participating in a program of athletic competition to the coach(es), athletic trainer, school or team physician, school nurse, and/or parent.

C. Treatment

- 1. Pursuant to N.J.S.A.18A:40-41.4, a student-athlete who participates in a program of athletic competition and who sustains or is suspected of having sustained a concussion or other head injury while engaged in a program of athletic competition shall be immediately removed from the program of athletic competition by the staff member supervising the program of athletic competition.
- 2. The staff member supervising the student-athlete during the program of athletic competition shall immediately contact the school physician, athletic trainer, or school nurse to examine the student-athlete.
- 3. Emergency medical responders (911) shall be called if the student-athlete is experiencing a deterioration of symptoms, loss of

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2431.4 / Prevention and Treatment of Sport-Related Concussions and Head Injuries

Page 4 of 12

consciousness, or direct neck pain associated with the injury pursuant to D. below.

4. A student-athlete who is removed from a program of athletic competition shall not participate in further programs of athletic competition until:
 - a. The student-athlete is evaluated by a physician or other licensed healthcare provider trained in the evaluation and management of concussions and receives written clearance from a physician trained in the evaluation and management of concussions to return to the program of athletic competition; and
 - (1) The student-athletes written medical clearance from a physician must indicate a medical examination has determined:
 - (a) The student-athlete's injury was not a concussion or other head injury, the student-athlete is asymptomatic at rest, and the student-athlete may return to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities; or
 - (b) The student-athlete's injury was a concussion or other head injury and the student-athlete's physician will monitor the student-athlete to determine when the student-athlete is asymptomatic at rest and when the student-athlete may return to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities.
 - (2) The student-athletes written medical clearance shall be reviewed and approved by the school physician.
 - (3) A student-athlete who has suffered a concussion or other head injury may not begin the CDC's Six-Step Return to Play Progression as outlined in E. below until the student-athlete receives a medical

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2431.4 / Prevention and Treatment of Sport-Related Concussions and Head Injuries

Page 5 of 12

examination and provides the required written medical clearance to the Principal or designee.

(4) A written medical clearance not in compliance with the provisions of C.4.a. above will not be accepted.

b. A student-athlete who has suffered a concussion or other head injury returns to regular school activities without the need for additional support and is no longer experiencing symptoms of the injury when conducting those activities.

(1) If school is in session, a student-athlete who has suffered a concussion or other head injury must return to regular school activities without symptoms or need for additional support before returning to a program of athletic competition as part of the CDC's Six-Step Return to Play Progression.

(2) If school is not in session, a student-athlete who has suffered a concussion or other head injury must return to their normal daily activities without symptoms as part of the CDC's Six-Step Return to Play Progression.

D. Symptoms Requiring Immediate Medical Assessment (911/Emergency Evaluation)

1. The following symptoms requiring immediate medical assessment include, but are not limited to:

a. The student-athlete loses consciousness;

b. The student-athlete has a headache that gets worse and does not go away;

c. The student-athlete is experiencing weakness, numbness, decreased coordination, convulsions, or seizure;

d. The student-athlete is experiencing repeated vomiting and/or intractable retching;

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2431.4 / Prevention and Treatment of Sport-Related Concussions and Head Injuries

Page 6 of 12

- e. The student-athlete is slurring speech or exhibiting unusual behavior (disoriented);
 - f. The student-athlete has one pupil (the black part in the middle of the eye) larger than the other; and
 - g. The student-athlete cannot recognize people or places and/or gets confused, restless, or agitated.
- E. CDC's Six-Step Return to Play Progression for Students Who Have Suffered a Concussion or Other Head Injury
- 1. The return of a student-athlete to a program of athletic competition shall be in accordance with the CDC's Six-Step Return to Play Progression recommendations and any subsequent changes or other updates to those recommendations as developed by the CDC. Recovery is individual.
 - a. As applicable, the student-athlete's treating healthcare provider may guide the student-athlete through the return to play protocol while experiencing mild symptoms as part of the treatment.
 - b. In addition, the student-athlete's treating healthcare provider may adjust the treatment plan prior to Step Six, full return to competition.
 - c. Clearance from a student-athlete's physician trained in the evaluation and management of concussions is required before returning to full competition.
 - 2. Six-Step Return to Play Progression
 - a. Step 1: Back to Regular Activities

The student-athlete is back to their regular activities (such as school).
 - b. Step 2: Light Aerobic Activity

The student-athlete shall begin with light aerobic exercise only to increase a student-athlete's heart rate. This means

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2431.4 / Prevention and Treatment of Sport-Related Concussions and Head Injuries

Page 7 of 12

about five to ten minutes on an exercise bike, walking, or light jogging. No weightlifting at this point.

c. Step 3: Moderate Activity

The student-athlete shall continue with activities to increase a student-athlete's heart rate with body or head movement. This includes moderate jogging, brief running, moderate-intensity stationary biking, or moderate-intensity weightlifting (less time and/or less weight from their typical routine).

d. Step 4: Heavy, Non-Contact Activity

The student-athlete shall add heavy, non-contact physical activity, such as sprinting/running, high-intensity stationary biking, regular weightlifting routine, or non-contact sport-specific drills (in three planes of movement).

e. Step 5: Practice & Full Contact

The student-athlete may return to practice and full contact (if appropriate for the sport) in controlled practice.

f. Step 6: Competition

The student-athlete may return to competition.

3. It is important for a student-athlete's parent(s), coach(es), and teachers to watch for concussion symptoms after each day's Six-Step Return to Play Progression activity.
4. A student-athlete should only move to the next step if they do not exhibit any new symptoms at the current step.
5. If a student-athlete's symptoms return or if they develop new symptoms, this could be a sign the student-athlete is overexerting. The student-athlete shall stop these activities and the student-athlete's medical provider shall be contacted. After more rest and no concussion symptoms, the student-athlete can start at the previous step.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2431.4 / Prevention and Treatment of Sport-Related Concussions and Head Injuries

Page 8 of 12

- F. Temporary Supports for Student-Athletes with Sports-Related Head Injuries or Concussions
1. Initial rest followed by a gradual return to activity during healing is recommended. Accordingly, consideration of the cognitive effects in returning to the classroom is also an important part of the treatment of sports-related concussions and head injuries.
 2. Mental exertion increases the symptoms from concussions and affects recovery. To recover, cognitive rest is just as important as physical rest. Reading, studying, computer usage, texting, even watching movies if a student-athlete is sensitive to light/sound, can slow a student-athlete's recovery. Managing the symptoms through a balance of rest and activity is the key to recovery.
 - a. The district will provide support for student-athletes diagnosed with a concussion.
 - b. The student-athlete's health care provider will handle short-term medical accommodations.
 3. Collaboration between the student-athlete's health care provider and the school may be necessary. If accommodations are needed for an extended time, the district may want to consider implementing accommodations via a formalized 504 plan.
 4. The Principal or designee may address the student-athlete's cognitive needs in the following ways:
 - a. Limit the student-athlete's screen time;
 - b. Have the student-athlete take rest breaks as needed;
 - c. Have the student-athlete spend fewer hours at school;
 - d. Provide the student-athlete more time to take tests or complete assignments. (All courses should be considered);
 - e. Provide the student-athlete help with schoolwork;
 - f. Reduce the student-athlete's time spent on the computer, reading, and writing;

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2431.4 / Prevention and Treatment of Sport-Related Concussions and Head Injuries

Page 10 of 12

2. The importance of early identification and treatment of concussions to improve recovery shall be reinforced.
 3. School personnel shall contact the student-athlete's parent and inform them of the suspected sports-related concussion or head injury before allowing the student-athlete to go home after a program of athletic competition.
 4. School personnel shall provide the parent of the student-athlete with a checklist or copy of the return to play protocols including the requirement of written clearance from a physician trained in the evaluation and management of concussions before the student-athlete is able to return to a program of athletic competition.
- I. Interscholastic Head Injury Training Program
1. The district will adopt an Interscholastic Head Injury Training Program to be completed by the school/team physician, licensed athletic trainer, coaches, and other appropriate district personnel pursuant to N.J.S.A. 18A:40-41.2. The training program shall include:
 - a. The recognition of the signs of head and neck injuries, concussions, and second impact syndrome; and
 - (1) Pursuant to N.J.S.A. 18A:40-41.1.d., if a student-athlete sustains a second concussion while still having symptoms of a previous concussion, it can lead to the severe impairment and even the death of the student-athlete, and is referred to as second-impact syndrome.
 - b. The CDC's Six-Step Return to Play Progression or any subsequent changes or other updates developed by the CDC.
- J. "Return to Play Progressions" vs. "Therapeutic Progressions"
1. In many cases, after the initial rest period, concussed individuals may be encouraged to resume limited activities, including light physical and cognitive activities, even in the presence of some

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2431.4 / Prevention and Treatment of Sport-Related Concussions and Head Injuries

Page 11 of 12

continued symptoms. This may be referred to as "therapeutic progressions," and while some of the activities may overlap with the CDC's Six-Step Return to Play Progression, it is different in the goals and intent from "return to play."

- a. "Return to play" progressions are intended to test the concussed individual's readiness to perform the activity correctly, and to do so with no symptoms.
- b. "Therapeutic" progressions are intended to help the individual recover and to help them improve their performance and tolerance to those activities. This may take several days, or longer, at any given step.
- c. "Therapeutic progressions" should be recommended and supervised by a health care provider familiar with the evaluation and management of concussions, and monitored by a team including the student-athlete, parents, health care provider, and school personnel. Adjustments to the program should be in response to the student-athlete's overall symptom load and progress. It should be remembered that student-athletes may progress at different rates for various aspects of their injury, such as tolerating light to moderate aerobic activity before tolerating being in the classroom, or tolerating schoolwork done at home before tolerating the classroom and school environment. Of note, progressions in one aspect of the treatment plan can have a positive effect on other areas as the brain is returning to a more typical overall level of function. A successful treatment plan is one that can adapt appropriately for each student-athlete.

K. Educating the Community on the District Sports-Related Concussions and Head Injuries Policy

1. The Board shall review Policy 2431.4 and this Regulation annually, and update as necessary to ensure Policy 2431.4 and this Regulation reflect the most current information available on the prevention, risk, and treatment of sports-related concussions and head injuries.
2. The district may provide regular education and training for staff including administrators, teachers, paraprofessionals, and school

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2431.4 / Prevention and Treatment of Sport-Related Concussions and Head Injuries

Page 12 of 12

counselors regarding concussions and other head injuries as head injuries can happen at any time during the school day or outside of school.

3. The district is in a unique position to promote healthy behaviors. The district can embed education related to the prevention and treatment of concussions and head injuries through the New Jersey Student Learning Standards Comprehensive Health and Physical Education Standard 2.3 – Safety. In addition, N.J.S.A. 18A:6-2 requires education in accident and fire prevention and N.J.S.A. 18A:35-5 requires education in injury or illness emergencies.

Adopted: April 16, 2024

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2432/page 1 of 4
School Sponsored Publications

R 2432 SCHOOL SPONSORED PUBLICATIONS

A. Objectives

The program of school sponsored publications is intended to:

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

B. Guidelines

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

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2432/page 2 of 4
School Sponsored Publications

C. Prohibited Material

No school sponsored publication may contain materials that:

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

D. Review Procedures

1. To ensure compliance with these rules, all material intended for publication in a school sponsored publication will be reviewed by the advisor.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2432/page 3 of 4
School Sponsored Publications

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

E. Faculty Duties

Faculty advisors to school sponsored publications shall:

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

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2432/page 4 of 4
School Sponsored Publications

F. Distribution

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

Issued: 15 January 2008

REGULATION

ROCKAWAY BOROUGH SCHOOL DISTRICT

PROGRAM
R 2440/page 1 of 6
Summer Session
Mar 89
May 11

R 2440 SUMMER SESSION

A. Definitions

1. “Summer session” means the instructional program operated by this school district during the summer months.
2. “Remedial course” means any course or subject that is a review of a course or subject the pupil has previously taken and for which credits or placement may be awarded upon successful completion of the course.
3. “Advancement course” means any course or subject the pupil has not previously taken in an approved school district program and for which additional credits or advanced placement may be awarded upon successful completion of the course.
4. “Enrichment course” means any course or subject of a vocational nature for which no credits are to be awarded.

B. Instructional Program

1. Summer session will be staffed in accordance with the provisions of N.J.A.C. 6A:32-10.4.
2. Remedial, advancement, and enrichment courses may be offered by the school district during the summer session to meet pupil needs.
3. Summer session classes will meet the following standards:
 - a. To receive advanced credit for a subject not previously taken, the pupil shall receive class instruction in the summer session under standards equal to those during the regular term:
 - (1) 3600 minutes for two and one-half high school credits, or
 - (2) 7200 minutes for five high school credits.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2440/page 3 of 6
Summer Session

3. The Board of Education shall approve the district's summer session. Upon Board approval, the Superintendent of Schools shall obtain approval for the summer session from the Executive County Superintendent of Schools.
4. Summer session teachers will be bound by all Board policies applicable to instruction and teacher responsibility.

E. Eligibility of Pupils

1. Teaching staff members in the regular school program will be alert to those pupils who would benefit from attendance at remedial or advancement courses in the summer session and will report such pupils to the Principal who will recommend summer session enrollment to the pupil.
2. Pupils may be enrolled in a remedial course only with the recommendation of the Principal of the school in which the pupil regularly attends.
3. The Principal's recommendation shall state in writing the name of the subject(s) which the pupil may take and the purpose for which the subject is taken.
4. Pupils may be enrolled in advancement courses only on the recommendation of a teacher and with the recommendation of the Principal of the school in which the pupil regularly attends. A pupil may be enrolled in no more than the equivalent of one year's work in a subject in an advancement course.
5. Enrichment courses in the summer session are open to all resident pupils and may be open, upon Board approval, to nonresident pupils as space permits. A pupil may be enrolled in no more than the equivalent of one year's work in a subject in an enrichment course.
6. No pupil will be required to attend the summer session as a condition of promotion or for any other reason.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2440/page 4 of 6
Summer Session

F. Pupil Conduct

1. Summer session pupils will be governed by the rules of conduct established for pupils in the regular school session. Rules regarding substance abuse, smoking, and aggressive, assaultive, insulting, and insubordinate behavior, among others, will be in full force and effect.
2. Pupils who violate the rules of conduct or disobey persons in authority will be subject to discipline, which may include expulsion from the summer session. A pupil recommended for expulsion from the summer session will be given an administrative hearing in which the pupil will be given an opportunity to explain his/her conduct. Summer session is not a part of the thorough and efficient system of free education to which the pupil is entitled by law, and expulsion from the summer session does not involve the deprivation of a right.
3. The school dress code policy will be applicable for the summer session; however, the Superintendent of Schools may adjust the dress code policy to take into account warmer temperatures.

G. Attendance

1. Although the compulsory attendance statutes do not apply to summer session, summer session pupils are expected to attend regularly and promptly.
2. In general, no pupil will receive credit for a remedial or advancement course if he/she has missed more than _____ classes in the subject. The pupil's parent(s) or legal guardian(s) will be notified after the _____ absence. _____ instances of tardiness will constitute one absence for this purpose.

H. Grading and Credit

1. Work in remedial and advancement courses will be evaluated and graded, in accordance with Policy No. 2624 for grading in the regular program.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2440/page 5 of 6
Summer Session

2. A narrative report of each pupil's attitude, strengths, and weaknesses will be given to the pupil's parent(s) or legal guardian(s) at the end of the summer session.
3. Credit will be given for successful completion of approved remedial and advancement courses that have met the standards of instruction set forth in rules of the State Board of Education and at paragraph B.3. of this regulation.
4. Credit for work taken in an approved elementary or secondary school summer session will be transferable in the same manner as work taken in any approved elementary or secondary school in accordance with Board of Education policy.
5. The Principal of the school which the pupil regularly attends shall give prior approval for work to be taken at other educational institutions or environments. These shall include, but not be limited to, other public and private schools, institutions of higher education, and on-line courses.

I. Tuition

1. Tuition may be charged for the enrollment of a resident pupil in a remedial or advancement course taken for credit in accordance with the provisions of N.J.S.A. 18A:11-15. Tuition may be charged to a resident pupil enrolled in an enrichment(s) course which carry no credit and are determined by the Executive County Superintendent of Schools to have no direct relationship to the curriculum.
2. The Board of Education, upon the recommendation of the Superintendent of Schools, shall approve the tuition to be charged for the enrollment of any pupil, resident or nonresident, in an enrichment course.
3. The Board of Education, upon the recommendation of the Superintendent of Schools, shall approve the tuition to be charged for the enrollment of a nonresident pupil in a remedial or advancement course.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2440/page 6 of 6
Summer Session

4. Payment of tuition must be made in full to the _____ before the first day of the summer session.
5. Tuition will be refunded if the request for refund is received by the staff member responsible for the administration and supervision of the summer session within _____ days before the first day of the summer session.

J. Records

1. The permanent/cumulative record of each pupil who completes a program of study in the summer session will include:
 - a. The amount of time the pupil spent in receiving class instruction in the summer session; and
 - b. An evaluation and a description of work completed in the summer session, including the pupil's grade and the credit earned, if any.
2. The amount of time which a pupil has spent in receiving class instruction shall become part of the pupil's permanent/cumulative record and shall be included whenever the record is transferred to another school.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460 SPECIAL EDUCATION (M)

R 2460 SPECIAL EDUCATION (M)

M

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

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

Definitions:

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

Adopted: 15 August 2017

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.1 SPECIAL EDUCATION – LOCATION, IDENTIFICATION, AND REFERRAL (M)

Page 1 of 8

R 2460.1 SPECIAL EDUCATION – LOCATION, IDENTIFICATION, AND REFERRAL (M)

M

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

A. Procedures for Locating Students With Disabilities

1. The Child Study Team 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.
2. By January 31 of each school year, the Child Study Team 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.
 - f. Public service announcements on the local foreign language radio stations and cable television stations.
 - g. Public service announcements in local newspapers.
 - h. Distribution of child find materials in supermarkets, convenience stores, shelters for the homeless, public and private social service agency locations and nursery school providers.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.1 SPECIAL EDUCATION – LOCATION, IDENTIFICATION, AND REFERRAL (M)

Page 2 of 8

- 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 parents or other appropriate persons.
 - k. Posting of State developed child find materials in community centers, doctors' offices/hospitals, local pre-schools, non-public schools, houses of worship, local businesses, and other appropriate location for potentially disabled students and/or early intervention program.
 - l. Training of home school advocate/school community liaisons or others to assist in the identification of potentially disabled students.
 - m. Listings of Early Intervention Program (EIP), local nursery schools and pediatricians are maintained. The district's preschool coordinator (or other) maintains contact with EIP coordinator and nursery school director.
 - n. Information is distributed through the Parent Advisory Committee.
 - o. School handbooks distributed to parents contain information describing special education services.
 - p. Distribution of information to the school district's ESL/Bilingual teachers describing child find activities.
 - q. Students entering Kindergarten are screened to identify students who may have a disability.
 - r. Intervention and Referral Services Committees (I&RS) have been established in all school buildings.
3. No later than _____ of each school year the Child Study Team Supervisor will contact by mail the principals 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

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.1 SPECIAL EDUCATION – LOCATION, IDENTIFICATION, AND REFERRAL (M)

Page 3 of 8

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>
Devine Mercy Academy	Principal

Based on the suggestions from the representatives of the nonpublic schools and parent(s), the Child Study Team 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 15 to the Building Principal or designee. The request shall contain the following:

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

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

The Superintendent or designee will oversee the district's implementation/evaluation of the interventions identified.

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

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

1. The implementation and effectiveness of building level I&RS Committee;

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.1 SPECIAL EDUCATION – LOCATION, IDENTIFICATION, AND REFERRAL (M)

Page 4 of 8

2. Will identify the roles and responsibilities of building staff who participate in planning and providing intervention services; and
3. Review, assess and document the effectiveness of the services provided in achieving the outcome identified in the intervention plan.
4. The I&RS Committee shall:
 - a. Plan and provide appropriate intervention services;
 - b. Actively involve the parent(s) in the development and implementation of intervention plans;
 - c. Develop an action plan for an identified student which specifies specific tasks, resources, persons responsible, completion dates, date for review;
 - d. Coordinate the services of community based social and health provider agencies;
 - e. Process and complete the documentation forms;
 - f. Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan; and
 - g. Ensure the type, frequency, duration, and effectiveness of the interventions are documented.
5. The Building Principal will insure that:
 - a. I&RS Committee receive in-service training by the Building Principal or designee by October 1 each school year;
 - b. Staff handbooks are updated by August 31 and include information regarding intervention procedures;
 - c. New instructional staff attend the district's orientation program commencing in the month of August which includes information on I&RS Committee; and
 - e. Parent/student handbooks distributed in the month of September and include information on intervention services.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.1 SPECIAL EDUCATION – LOCATION, IDENTIFICATION, AND REFERRAL (M)

Page 5 of 8

C. Procedures for Referral

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

1. Parental Notification of Referral Procedures

Referral procedures shall be included in Rockaway Borough student handbooks, newsletters, special education brochures 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 Child Study Team Secretary;
- b. The written request shall be immediately forwarded to the office of special services/special education;
- c. A file will be initiated to include a timeline for processing the referral including the date that initiates the twenty-day timeline for conducting the referral/identification meeting and any forms used to open a case;
- d. Upon receipt of the referral a request for a summary and review of health and medical information regarding the student shall be forwarded to the school nurse who will transmit the summary to the CST;
- e. The Child Study Team will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date the request was received by the district;
- f. A "Notice of a Referral/Identification Meeting" will be sent to the parent(s);

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.1 SPECIAL EDUCATION – LOCATION, IDENTIFICATION, AND REFERRAL (M)

Page 6 of 8

- g. The notice will contain “Parental Rights in Special Education” (PRISE) Booklet; and
- h. The referral/identification meeting will be attended by the parent(s), CST, and regular education teacher.

3. School Initiated Referral

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

- a. It is determined (optional: through the I&RS Committee) that interventions in the general education program have not been effective in alleviating the student’s educational difficulties.
- b. It can be documented that the nature of the student’s educational problem(s) is such that an evaluation to determine eligibility for services is warranted without delay.
- c. The instructional staff, through in-service training, shall ensure that students are referred who may have a disability, but are advancing from grade to grade.
 - (1) A student with a disability, who is advancing from grade to grade with the support of specially designed services, may continue to be eligible when:
 - (a) As part of the re-evaluation, the Individualized Education Plan (IEP) team determines that the student continues to require specially designed services to progress in the general education curriculum; and
 - (b) The use of functional assessment information supports the IEP team’s determination.

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

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

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.1 SPECIAL EDUCATION – LOCATION, IDENTIFICATION, AND REFERRAL (M)

Page 7 of 8

- 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 Child Study Team will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date recorded on the referral;
 - h. A "Notice of a Referral/Identification Meeting" will be sent to the parent(s);
 - i. The notice shall contain "Parental Rights in Special Education" (PRISE); and
 - j. The referral/identification meeting will be attended by the parent(s), CST, and regular education teacher.
4. The district may use community rehabilitation programs approved by the New Jersey Department of Labor, Division of Vocational Rehabilitation Services or any other State agency empowered to accept secondary level student placement according to N.J.A.C. 6A:14-4.7(i).
5. Each evaluation of the student requires an assessment to determine appropriate post-secondary outcomes as part of transition services planning.
6. Each IEP Team member is required to certify in writing whether the IEP Team report reflects his or her conclusions. In the event the IEP Team report does not reflect the IEP

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.1 SPECIAL EDUCATION – LOCATION, IDENTIFICATION, AND REFERRAL (M)

Page 8 of 8

Team member's conclusion, the IEP Team member must submit a dissenting opinion in order to ensure the parent(s) is aware of dissenting opinions regarding the determination of eligibility for a specific learning disability.

7. The parent(s) must receive a copy of their child's evaluation report and any documentation leading to a determination of eligibility not less than ten calendar days prior to the eligibility conference in order to ensure the parent(s) has a reasonable amount of time to review documentation prior to an eligibility conference.
8. A student may be referred directly to the CST when warranted.

Adopted: 15 August 2017

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.15 SPECIAL EDUCATION – IN-SERVICE TRAINING NEEDS FOR PROFESSIONAL AND
PARAPROFESSIONAL STAFF (M)

R 2460.15 SPECIAL EDUCATION – IN-SERVICE TRAINING NEEDS FOR PROFESSIONAL AND
PARAPROFESSIONAL STAFF (M)

M

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: 15 August 2017

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.16 SPECIAL EDUCATION - INSTRUCTIONAL MATERIAL TO BLIND OR PRINT-DISABLED STUDENTS
(M)

R 2460.16 SPECIAL EDUCATION - INSTRUCTIONAL MATERIAL TO BLIND OR PRINT-DISABLED STUDENTS
(M)

M

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

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

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

Adopted: 15 August 2017

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.30/page 1 of 4

Additional/Compensatory Special Education
and Related Services

M

R 2460.30 ADDITIONAL/COMPENSATORY SPECIAL EDUCATION AND RELATED SERVICES

The Board of Education shall provide additional or compensatory special education and related services to students with disabilities beyond the age of twenty-one pursuant to N.J.S.A. 18A:46-6.3.

As used in N.J.A.C. 18A:46-6.3(h) and this Regulation, “parent” means the natural or adoptive parent, the legal guardian, resource family parent when willing to so serve, a surrogate parent, or a person acting in the 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. “Parent” shall also include an adult student who has attained the age of eighteen, who is not under legal guardianship, and who is entitled to receive special education and related services.

A. Additional Special Education and Related Services

1. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
 - a. In the 2021-2022 school year, provide special education and related services contained in an Individualized Education Program (IEP) to a student with disabilities who attains the age of twenty-one during the 2020-2021 school year, provided the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2021-2022 school year.
 - (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.a. and A.1. shall not be eligible to receive such education and services beyond June 30, 2022, unless otherwise provided in a student’s IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.30/page 2 of 4

Additional/Compensatory Special Education and Related Services

2. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
 - a. In the 2022-2023 school year, provide special education and related services contained in an IEP to a student with disabilities who attains the age of twenty-one during the 2021-2022 school year, provided the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2022-2023 school year.
 - (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.b. and A.2. shall not be eligible to receive such education and services beyond June 30, 2023, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.
3. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
 - a. In the 2023-2024 school year, provide special education and related services contained in an IEP to a student with disabilities who attains the age of twenty-one during the 2022-2023 school year, provided that the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2023-2024 school year.
 - (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.c. and A.3. shall not be eligible to receive such education and services beyond June 30, 2024, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.30/page 3 of 4

Additional/Compensatory Special Education
and Related Services

B. Rights, Privileges, and Remedies

1. A student receiving special education and related services, including transition services, pursuant to N.J.S.A. 18A:46-6.3 and this Regulation shall be afforded the same rights, privileges, and remedies provided to students with disabilities pursuant to State law, New Jersey State Board of Education regulations concerning special education, and the Federal “Individuals with Disabilities Education Act,” (IDEA) 20 USC §1400 et seq.
2. Any disputes that arise with respect to the provision or nature of services provided to a student with disabilities in the additional year as provided in accordance with N.J.S.A. 18A:46-6.3.a., b. and c., and A. above may be addressed as determined by the parent of the student with disabilities, by either:
 - a. Mediation;
 - b. A written request for a complaint investigation submitted to the Director of the Office of Special Education Policy and Dispute Resolution in the New Jersey Department of Education; or
 - c. A special education due process hearing pursuant to IDEA, N.J.S.A. 18A:46, or administrative code.

C. Funding

1. The special education and related services, including transition services, provided to students with disabilities pursuant to the provisions of N.J.S.A. 18A:46-6.3 and this Regulation, to the extent permitted by Federal law, be paid for from the monies received by the State or a school district under the Federal “Coronavirus Aid, Relief, and Economic Security (CARES) Act,” Pub.L.116-136, the Federal “Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, 2021,” Pub.L.116-260, the Federal “American Rescue Plan (ARP) Act,” Pub.L.117-2, or any other Federal funding provided to address the impact of the coronavirus pandemic on elementary and secondary schools as it becomes available.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.30/page 4 of 4

Additional/Compensatory Special Education
and Related Services

2. To the extent the Federal funds described in N.J.S.A. 18A:46-6.3.e.(1) and C.1. above do not cover the costs borne by the school district to provide the special education and related services, including transition services, to students with disabilities pursuant to the provisions of N.J.S.A. 18A:46-6.3 and this Regulation, the State of New Jersey shall appropriate funds as necessary from the Property Tax Relief Fund to reimburse the school district for these costs.
3. The special education and related services funded pursuant to the provisions of N.J.S.A. 18A:46-6.3.e. may include, but are not limited to, the additional staff, programs, and facilities deemed necessary by the school district to provide the special education and related services, including transition services, required under N.J.S.A. 18A:46-6.

Adopted: 12 April 2022

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2460.7/page 1 of 4
Special Education - Free and
Appropriate Public Education
M

R 2460.7 SPECIAL EDUCATION - FREE AND APPROPRIATE PUBLIC EDUCATION

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

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

1. School officials responsible for implementing suspensions/expulsions in the district are the following:

Grades 6-8 Principal/designee;
2. Each time a pupil with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager by the Principal or designee. (Notification must be in written format for documentation — Attach form)
3. Each Principal or designee will ensure that a system is in place to track the number of days a pupil with disabilities has been removed for disciplinary reasons. Documentation will include: (Attach form)
 - a. Pupil's name;
 - b. The infraction;
 - c. Time suspended; and
 - d. The cumulative days suspended including removal for a portion of the school day which is counted proportionately.
4. When a pupil is suspended from transportation:
 - a. Suspension from transportation is not counted as a day of removal if the pupil attended school.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2460.7/page 2 of 4
Special Education - Free and
Appropriate Public Education

- b. Suspension from transportation is counted as a day of removal if the school district does not make available an alternate means of transportation and the pupil does not attend school.
 - c. Suspension from transportation may be counted as a day of absence rather than a day of removal if the district made available an alternate means of transportation and the pupil does not attend school.
5. When a pupil with a disability participates in an in-school suspension program, the Principal or designee shall ensure that participation in the program is not counted as a day of removal if the program meets the following criteria:
 - a. The pupil has the opportunity to progress in the general curriculum,
 - b. Services and modifications specified in the pupil's IEP can be provided in the in-school suspension program,
 - c. Interaction with non—disabled peers to the extent they would have in the current placement, and
 - d. The pupil is counted as present for the time spent in the in-school suspension program.
6. When a series of short-term removals 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(b)2. Written documentation of the consultation 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 and the case manager, and special education teacher will consult to determine the extent to which services are necessary to:
 - (1) Enable the pupil to progress appropriately in the general education curriculum;

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2460.7/page 3 of 4
Special Education - Free and
Appropriate Public Education

- (2) Advance appropriately toward achieving the goals set out in the pupil's IEP; and
 - (3) Written documentation of the consultation and services provided is maintained in the pupil's file. (Attach any relevant forms).
7. When a disabled pupil is removed from his/her current placement for more than ten days and the removal does not constitute a change in placement, the case manager shall convene an IEP meeting to:
 - a. Review the behavioral intervention plan and its implementation;
 - b. Determine if modifications are necessary; and
 - c. Modify the behavioral intervention plan and its implementation as appropriate. The plan will be modified to the extent necessary if at least one member of the team determines that modifications are necessary.

The case manager will document the date and the outcome of the meeting (Attach any relevant forms).

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

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

To ensure that preschoolers with disabilities who are not participating in an early intervention program have their initial IEP's implemented no later than age three, a written request for an initial evaluation shall be forwarded to the district.

The following procedures will be followed:

1. A parent of a preschool-age pupil suspected of having a disability, who requests a Child Study Team (CST) evaluation by telephone, will be advised to submit a written request for an evaluation to the Preschool Coordinator or the Supervisor of Special Education;
2. Upon receipt of the written request the request shall be dated and signed by the recipient;

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2460.7/page 4 of 4
Special Education - Free and
Appropriate Public Education

3. A file will be initiated for the potentially disabled preschooler (Attach any forms used to open a case);
 - a. The Supervisor of Special Education (though not required, a case manager may be assigned) will convene a planning meeting within twenty calendar days (excluding school holidays but not summer vacation) of the date recorded on the request;
 - b. A “Notice of Planning Meeting” (Identification Meeting) will be sent to the parent(s) (Identify Form);
 - c. The notice will contain “Parental Rights in Special Education” (PRISE) Booklet;
 - d. The meeting will be attended by the CST, including a speech language specialist, the parent(s), and a teacher who is knowledgeable about the district’s program; and
 - e. A program shall be in place no later than ninety calendar days from the date of consent.

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

The Supervisor of Special Education through in—service training shall ensure pupils with disabilities who are advancing from grade to grade with the support of specially designed services, continue to be eligible when as part of a reevaluation, the IEP team determines the pupil continues to require specially designed services to benefit from education and progress in the general education curriculum; and the IEP team will use functional assessment information to support the determination to continue eligibility.

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

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

Issued: 15 January 2008

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.8 SPECIAL EDUCATION - FREE AND APPROPRIATE PUBLIC EDUCATION (M)

R 2460.8 SPECIAL EDUCATION - FREE AND APPROPRIATE PUBLIC EDUCATION (M) / Page 1 of 5

M

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

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

1. **School Principals will be responsible for implementing suspensions/expulsions in their respective schools.**
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:
 - 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.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.8 SPECIAL EDUCATION - FREE AND APPROPRIATE PUBLIC EDUCATION (M)

Page 2 of 5

- b. Suspension from transportation is counted as a day of removal if the student does not attend school.
 - c. If transportation is included in the student's IEP as a required related service, the school district shall provide alternate transportation during the period of suspension from the typical means of transportation.
 - d. Suspension from transportation may be counted as a day of absence rather than a day of removal if the district made available an alternate means of transportation and the student does not attend school.
 5. When a student with a disability participates in an in-school suspension program, the Principal or designee shall ensure that participation in the program is not considered removal when determining whether a manifestation determination must be conducted if the program provides the following:
 - a. Opportunity for the student to participate and progress in the general curriculum,
 - b. Services and modifications specified in the student's IEP,
 - c. Interaction with peers who are not disabled to the extent they would have in the current placement, and
 - d. The student is counted as present for the time spent in the in-school suspension program.
 6. When a series of short-term removals will accumulate to more than ten school days in the year:
 - a. The Principal/Vice Principal or designee and the case manager will consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(c)2. Written documentation of the consultation between the school administration and the case manager shall be maintained by the case manager.
 - b. If it is determined that there is no change in placement, the Principal/Vice Principal or designee, the case manager, and special education teacher will consult to determine the extent to which services are necessary to:

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.8 SPECIAL EDUCATION - FREE AND APPROPRIATE PUBLIC EDUCATION (M)

Page 3 of 5

- (1) Enable the student to participate and progress appropriately in the general education curriculum; and
 - (2) Advance appropriately toward achieving the goals set out in the student's IEP.
 - c. Written documentation of the consultation and services provided shall be maintained in the student's file.
7. When a disabled student is removed from his/her current placement for more than ten days and the removal does not constitute a change in placement, the case manager shall convene a meeting of the IEP Team and, as necessary or required, conduct a functional behavior assessment and review the behavioral intervention plan according to N.J.A.C. 6A:14 Appendix A, Individuals with Disabilities Education Act Amendments of 2004, 20 U.S.C. §1415(k). The IEP Team shall:
- a. Review the behavioral intervention plan and its implementation;
 - b. Determine if modifications are necessary; and
 - c. Modify the behavioral intervention plan and its implementation as appropriate. The plan will be modified to the extent necessary if at least one member of the team determines that modifications are necessary.

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

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

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

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

The following procedures will be followed:

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.8 SPECIAL EDUCATION - FREE AND APPROPRIATE PUBLIC EDUCATION (M)

Page 4 of 5

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 **Child Study Team Secretary**.
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 **Child Study Team** will convene a referral/identification meeting within twenty calendar days (excluding school holidays but not summer vacation) of the date recorded on the request;
 - b. A "Notice of Referral/Identification Meeting" will be sent to the parent(s);
 - c. The notice will contain "Parental Rights in Special Education" (PRISE) Booklet;
 - d. The meeting will be attended by the CST, including a speech language specialist, the parent(s), and a teacher who is knowledgeable about the district's program; and
 - e. A program shall be in place no later than ninety calendar days from the date of consent.

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

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

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

Disciplinary procedural safeguards will apply to students not yet eligible for special education. The parent and/or adult student may assert any of the protections of the law if the district had knowledge the

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2460.8 SPECIAL EDUCATION - FREE AND APPROPRIATE PUBLIC EDUCATION (M)

Page 5 of 5

student was a student with a disability before the behavior that precipitated the disciplinary action occurred.

Adopted: 15 August 2017

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

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

R 2460.9 SPECIAL EDUCATION - TRANSITION FROM EARLY INTERVENTION PROGRAMS TO PRESCHOOL PROGRAMS (M) / Page 1 of 2

M

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

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

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

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

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

Page 2 of 2

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: 15 August 2017

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2460.16/page 1 of 1
Special Education – Instructional Material to
Blind or Print Disabled Pupils
M

2460.16 SPECIAL EDUCATION - INSTRUCTIONAL MATERIAL TO BLIND OR PRINT-DISABLED PUPILS

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

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

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

Adopted: 27 April 2010

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2461/page 1 of 1
Special Education/Receiving Districts
M

R 2461 SPECIAL EDUCATION/RECEIVING DISTRICTS

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 2461.01 Special Education/Receiving Schools –
IEP Implementation
- R 2461.02 Special Education/Receiving Schools –
Suspension/Expulsion
- R 2461.03 Special Education/Receiving Schools –
Pupil Records
- R 2461.05 Special Education/Receiving Schools –
IEP Compliance
- R 2461.08 Special Education/Receiving Schools –
In-Service Training

Definitions:

Refer to N.J.A.C. 6A:14 and the Individuals with Disabilities Education Act for definitions of terms used in Regulations 2461.01 through 2461.08.

Issued: 15 January 2008

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2461.01/page 1 of 1
Special Education/Receiving Schools –
IEP Implementation
M

R 2461.01 SPECIAL EDUCATION/RECEIVING SCHOOLS – IEP IMPLEMENTATION

The receiving school district, in order to be in compliance with N.J.A.C. 6A:14, will provide all special education services to all special education pupils in accordance with New Jersey Administrative Code, the Individuals with Disabilities Act, Board Policies 2460 and 2461 and corresponding Regulations.

Pupils with disabilities who are placed in a receiving school by a district Board of Education must have an Individualized Education Program (IEP) in effect prior to the delivery of services.

- A. Procedures for Ensuring the Pupil's Individualized Education Program (IEP) Can Be Implemented
 - 1. The following procedures will be used to ensure the pupil's IEP can be implemented in the receiving school setting prior to accepting the pupil. [N.J.A.C. 6A:14-7.5(b)1]:
 - a. The Supervisor of Special Education in the receiving school district will review the IEP.
 - b. The receiving district will only accept the pupil if the Supervisor of Special Education determines the pupil's IEP can be implemented. The receiving district will not accept the pupil if the Supervisor of Special Education determines the receiving district cannot implement the IEP.
- B. Meetings According to N.J.A.C. 6A:14-2.3(i)2.
 - 1. The pupil's teacher and, if appropriate, the pupil and other representatives of the receiving school, will participate in meetings according to N.J.A.C. 6A:14-2.3(i)2.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2461.02/page 1 of 2
Special Education/Receiving Schools –
Suspension/Expulsion
M

R 2461.02 SPECIAL EDUCATION/RECEIVING SCHOOLS – SUSPENSION/EXPULSION

The receiving school district, in order to be in compliance with N.J.A.C. 6A:14, will provide all special education services to all special education pupils in accordance with New Jersey Administrative Code, the Individuals with Disabilities Act, Board Policies 2460 and 2461 and corresponding Regulations.

Procedures for Collaboration For Pupils With Disabilities Who Are Suspended/Expelled

The receiving school will collaborate with the district Board of Education in the provision for a free, appropriate public education for the population served including pupils with disabilities who are suspended.

1. The Supervisor of Special Education is responsible for implementing suspensions/expulsions in the receiving school.
2. Each time a pupil with a disability is removed from his/her current placement for disciplinary reasons, the Supervisor of Special Education will notify the case manager of the sending district.
3. The Building Principal or his/her designee will have a system in place to track the number of days a pupil with disabilities has been removed for disciplinary reasons.
4. Suspension from transportation will be counted as a day of removal if the pupil does not attend school.
5. Removal for a portion of the school day will be counted proportionately.
6. If the receiving school has an in-school suspension program, participation in the program will not be counted as a day of removal if the program provides the following:
 - a. An opportunity for the pupil to progress in the general curriculum;
 - b. The services and modifications specified in the pupil's IEP;

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2461.02/page 2 of 2
Special Education/Receiving Schools
– Suspension/Expulsion

- c. Interaction with peers who are not disabled to the extent they would have interaction with in the current placement; and
 - d. The pupil is counted as present for the time spent in the in-school suspension program.
7. When a series of short-term removals will accumulate to more than ten school days in the year:
- a. The Supervisor of Special Education of the receiving school and the sending district case manager will consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(b)2;
 - b. Written documentation of the consultation between school officials and the case manager of the sending district will be maintained by the Supervisor of Special Education;
 - c. If it is determined that there is no change in placement, the Supervisor of Special Education of the receiving district, the case manager of the sending district and special education teacher will consult to determine the extent to which services are necessary to:
 - (1) Enable the pupil to progress appropriately in the general education curriculum; and
 - (2) Advance appropriately toward achieving the goals set out in the pupil's IEP.
 - d. Written documentation of the consultation and services provided will be maintained by the Supervisor of Special Education of the receiving district.
 - e. Steps will be in place to review the behavioral intervention plan and if necessary convene the IEP team as required according to N.J.A.C. 6A:14 Appendix D, 34 C.F.R. §300-520(c)(1) and (2).

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2461.03/page 1 of 1
Special Education/Receiving Schools –
Pupil Records
M

R 2461.03 SPECIAL EDUCATION/RECEIVING SCHOOLS – PUPIL RECORDS

The receiving school district, in order to be in compliance with N.J.A.C. 6A:14, will provide all special education services to all special education pupils in accordance with New Jersey Administrative Code, the Individuals with Disabilities Act, Board Policies 2460 and 2461 and corresponding Regulations.

- A. Procedures to Ensure the Individualized Education Program (IEP) is Accessible
1. Procedures regarding pupil records will be developed and implemented to ensure that the IEP is accessible to each teacher or service provider in accordance with N.J.A.C. 6A:14-3.7(a)2.
 2. The compilation, maintenance, access to and confidentiality of pupil records will be in accordance with N.J.A.C. 6:3-6. Access means the right to view, to make notes, and/or have a reproduction of the record.
 3. All pupil records will be returned to the sending district within fifteen calendar days of a pupil's last day of enrollment.
 4. If the IEP is copied, the receiving district will be sure the IEP is kept confidential and is maintained according to N.J.A.C. 6:3-6.4(b). The IEP will be maintained in a central file at the school attended by the pupil and if the records are maintained in a different location, there will be a notation on the central file as to where such other records are located.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2461.05/page 1 of 1
Special Education/Receiving Schools –
IEP Compliance
M

R 2461.05 SPECIAL EDUCATION/RECEIVING SCHOOLS – IEP COMPLIANCE

The receiving school district, in order to be in compliance with N.J.A.C. 6A:14, will provide all special education services to all special education pupils in accordance with New Jersey Administrative Code, the Individuals with Disabilities Act, Board Policies 2460 and 2461 and corresponding Regulations.

- A. Procedures Regarding the Provision of Services Required by the Individualized Education Program (IEP)
1. The programs and services provided by the receiving school will be in accordance with the requirements of N.J.A.C. 6A:14-1.1 et seq.; and
 2. If a change in the delivery of special education or related services is necessary due to a change in personnel or pupil need, the receiving school will contact the sending district to convene an IEP team meeting to review and, if appropriate, revise the IEP.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2461.08/page 1 of 2
Special Education/Receiving Schools –
In-Service Training
M

R 2461.08 SPECIAL EDUCATION/RECEIVING SCHOOLS – IN-SERVICE TRAINING

The receiving school district, in order to be in compliance with N.J.A.C. 6A:14, will provide all special education services to all special education pupils in accordance with New Jersey Administrative Code, the Individuals with Disabilities Act, Board Policies 2460 and 2461 and corresponding Regulations.

- A. Procedures to Meet the Training Needs of Paraprofessionals, Professionals and Parents of Pupils with Disabilities
 - 1. 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 training will be provided. The receiving school shall maintain information to demonstrate its efforts to address training as defined in the five following areas:
 - a. To prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;
 - b. To enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of pupils with disabilities that impedes the learning of pupils with disabilities and others;
 - c. To 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;
 - (1) The adoption of promising practices will be addressed through the review and dissemination by the school building curriculum committee, through

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2461.08/page 2 of 2
Special Education/Receiving Schools –
In-Service Training

turnkey trainings, presentations at Board meetings, Parent-Teacher Association meetings and other methods as determined by the receiving district.

- d To insure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
 - e To provide for joint training activities of parents, special education, and related services and general education personnel [34 C.F.R. § 300.380].
- 2 The Supervisor of Special Education in the receiving district will conduct a needs assessment on an annual basis to identify the in-service training needs as part of the district-wide development activities.
 - 3 The effectiveness of the in-service program will be evaluated at least once at the end of each year by a written survey administered and compiled by the Supervisor of Special Education.
 - 4 Documentation of the needs assessment, training activities and evaluation procedures will be maintained by the Supervisor of Special Education in the receiving district for three years after the activities are completed.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2464/page 1 of 1
Gifted and Talented Pupils
M

R 2464 GIFTED AND TALENTED PUPILS

In the fall of each school year, the teacher of the Gifted and Talented program will evaluate pupils in Kindergarten through eighth grade to determine eligibility for entrance into the program.

Pupils in Kindergarten through second grade will be recommended for evaluation by the teacher and must meet the following entrance standards:

1. Rockaway Borough Schools pupil observation checklist (85% total score);
2. Cognitive Abilities score – Otis/Lennon test score of 127 or better;

Pupils in third through eighth grade evaluated by the Gifted and Talented teacher and must meet the following entrance criteria:

1. Gifted and Talented checklist (90% of items must be checked)
2. Renzulli Scale/characteristics of superior pupils;
3. Cognitive Abilities score – Otis/Lennon test score of 127 or better;
4. Rockaway Borough School District Identification Matrix score (24+);
5. Math score – advanced proficient on the NJASK*; and
6. Language Arts Literacy score – advanced proficient on the NJASK*.

*A child may not score in the less than proficient range in any assessment area of the NJASK.

*The Otis/Lennon Test of Cognitive Abilities will be administered to all third and fifth grade pupils and any incoming pupils on a case by case basis.

REGULATION

ROCKAWAY BOROUGH SCHOOL DISTRICT

PROGRAM

R 2481/page 1 of 4
Home or Out-of-School Instruction for General
Education Pupils

R 2481 HOME OR OUT-OF-SCHOOL INSTRUCTION FOR GENERAL EDUCATION PUPILS

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

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

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

B. Providing Services

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

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

1. The Supervisor of Special Services shall coordinate the development of an Individualized Program Plan (IPP) for delivery of instruction and maintain a record of delivery of instructional services and pupil progress.

REGULATION

ROCKAWAY BOROUGH SCHOOL DISTRICT

PROGRAM

R 2481/page 2 of 4
Home or Out-of-School Instruction for General
Education Pupils

- a. For a pupil expected to be on home instruction for thirty calendar days or more, the IPP shall be developed within thirty calendar days after placement;
 - (1) For a pupil on short-term suspension from the general education program pursuant to N.J.A.C. 6A:16-7.2, development of an IPP is not required.
 - (2) For a pupil on long-term suspension from the general education program pursuant to N.J.A.C. 6A:16-7.3, the IPP shall be developed within thirty days following a determination by the school district.
 - b. The IPP shall be based upon consultation with the pupil's parent(s) or legal guardian(s) and a multi-disciplinary team of professionals with appropriate instructional and educational services credentials to assess the educational, behavioral, emotional, social, and health needs of the pupil and recommend a program to address both educational and behavioral goals;
 - c. The IPP shall incorporate any prior findings and actions recommended through the school building system of Intervention and Referral Services, pursuant to N.J.A.C. 6A:16-8, Intervention and Referral Services;
 - d. The IPP shall recommend placement in an appropriate educational program, including supports for transition back to the general education setting; and
 - e. The Supervisor of Special Services shall review the pupil's progress, consult with the pupil's parent(s) or legal guardian(s), and coordinate the revision of the IPP no less than every sixty calendar days.
2. The teacher providing instruction shall be appropriately certified for the subject and grade level of the pupil pursuant to N.J.A.C. 6A:9, Professional Licensure and Standards.

REGULATION

ROCKAWAY BOROUGH SCHOOL DISTRICT

PROGRAM

R 2481/page 3 of 4

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

3. The teacher shall provide one-on-one instruction for no fewer than ten hours per week on three separate days of the week and no fewer than ten hours per week of additional guided learning experiences that may include the use of technology to provide audio and visual connections to the pupil's classroom.
 - a. If home instruction is provided to pupils in a small group rather than through one-on-one instruction, direct instruction, that may include guided learning experiences, shall be provided for no fewer than twenty hours per week provided on no fewer than three separate days during the week and the pupil to teacher ratio shall not exceed 10:1.
4. The instruction shall meet the Core Curriculum Content Standards in accordance with N.J.A.C. 6A:8 and the district's requirements for promotion and graduation.
5. If instruction is delivered in the pupil's home, a parent(s) or legal guardian(s) or other adult twenty-one years of age or older who has been designated by the parent(s) or legal guardian(s) shall be present during all periods of home instruction.
6. Refusal or failure by a parent(s) or legal guardian(s) to participate in the development and revision of the pupil's IPP as required or to be present in the home as required in 5. above may be deemed a violation of compulsory education laws, pursuant to N.J.S.A. 18A:38-25 through 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq.

D. Record Keeping

1. The Supervisor of Special Services shall maintain a summary record concerning pupils receiving home or out-of-school instruction because they could not be placed in the setting recommended as most appropriate in the pupils' IPPs.

REGULATION

ROCKAWAY BOROUGH SCHOOL DISTRICT

PROGRAM

R 2481/page 4 of 4

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

- a. The summary record shall provide information concerning the number of pupils categorized by age, grade and gender, the number of weeks on home instruction before placement in the recommended setting, and the reasons for delay.
- b. The Superintendent shall provide the summary report annually to the County Superintendent of Schools.

Issued: 15 January 2008

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2510/page 1 of 3
Adoption of Textbooks

R 2510 ADOPTION OF TEXTBOOKS

A. Definition

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

B. Textbook Selection Committee

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

C. Recommendation Procedures

1. Any teaching staff member may request the textbook selection committee’s consideration of a possible textbook.
2. The textbook selection committee will investigate current textbooks on the market.
3. A textbook recommended for screening should be read and examined by each of the textbook selection committee members or, in a departmentalized school, by the appropriate subject area representatives. The committee members should have examined, wherever possible, at least three other books similar in nature to the textbook recommended for adoption.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2510/page 2 of 3
Adoption of Textbooks

4. Each textbook selection committee member should submit to the chairperson a written evaluation of the textbook.
5. The committee chairperson will also read and examine each recommended textbook.
6. The committee chairperson or the person initiating the request for consideration will prepare an evaluation report for submission to the Superintendent.
7. The Superintendent will forward the recommendation to the Board. He/She may first convene the textbook selection committee or confer with the chairman of the committee to discuss the evaluation report and the merits of the recommended textbook.

D. Review of Textbooks Currently In Use

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

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2510/page 3 of 3
Adoption of Textbooks

E. Standards of Review

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

1. The reliability and reputation for scholarship of its author and publisher;
2. Whether the content of the textbook
 - a. Relates to the course of study in which it will be used,
 - b. Can be read and understood by the pupils for which its use is intended,
 - c. Is accurate and up to date,
 - d. Clearly distinguishes fact from opinion,
 - e. Is well organized and presented,
 - f. Includes helpful and thoughtfully prepared indexes, graphic materials, references, bibliographies, glossaries, and appendices, and
 - g. Is biased.
3. The ways in which a proposed textbook improves on the book it replaces;
4. Whether the proposed textbook's binding, paper, and typeface are appropriate and durable;
5. The cost and probable life of the proposed textbook;
6. Whether the presentation of any controversial subject is objective and suitable to the maturity of the pupils for whose use the book is intended;
7. The experience other schools and/or districts may have had with the use of the proposed textbook; and
8. The textbook's compliance with the district's affirmative action plan for school and classroom practices, as set forth in Policy No. 2260.

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REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2520 INSTRUCTIONAL SUPPLIES (M)

Page 1 of 2

R 2520 INSTRUCTIONAL SUPPLIES (M)

A. Definition

“Supplies” are the consumable materials distributed to teachers and students for the successful implementation of the instructional program.

B. Supply Procedures

1. Each staff member will be able to request supplies by submitting a request to the Principal or designee.
2. Supplies will be kept in a secure location. The Principal or designee will be responsible to approve the request of supplies for their school and staff.
3. The staff member’s request will be retained by the staff member and the Principal or designee.
4. At the end of each school year, a record of the inventory of supplies retained by the staff member shall be reported by the staff member to the Principal or designee.
5. The Principal will encourage all staff members to suggest additional supplies and/or replacements for the supplies used.

C. Cost of Supplies

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

1. Where non-reusable clothing or personal equipment, such as gym outfits, is required for the safety, health, or the protection of school property, students will be requested to provide their own clothing or equipment. The Principal may require that such clothing or equipment meet school standards and may recommend a suitable vendor for the clothing or equipment.
2. Where a student enrolled in a class or activity in which an item is made, such as woodshop or home economics, chooses to prepare and keep a useful item, the student may be required to pay the costs of the materials used. Students shall always be given the option of preparing an item for use by the school, for which no charge will be made. Any charge made under this regulation will be presented in writing by the teacher with a copy to the Principal or designee and the moneys collected will be deposited with the Business Office.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2520 INSTRUCTIONAL SUPPLIES (M)

Page 2 of 2

3. Students may be required to provide supplies for their participation in co-curricular activities.
4. A student who is eligible for free and reduced rate meals will not be required to pay for any supplies, including those exempted from free distribution in paragraph C.1., 2., and 3. above.
5. Staff members shall report to the Principal or designee any student who is suspected of being unable to pay for supplies.

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REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2530/page 1 of 3
Resource Materials

R 2530 RESOURCE MATERIALS

A. Definition

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

B. Selection Process

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

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2530/page 2 of 3
Resource Materials

5. The Building Principal will present to the Superintendent a list of recommended purchases, no later than May each year. The list will include multiple copies of material for which a high level of interest and need is anticipated.

C. Selection Standards

Standards to be applied in the selection of resource materials are those set forth in Policy No. 2530, repeated here.

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

D. Removal of Reference Materials

1. The Building Principal will conduct a periodic review of reference collections for their:
 - a. Continuing usefulness,
 - b. Relevance to the curriculum,
 - c. Representation of the needs and interests of all grade levels, subject areas, and departments, and
 - d. Balance of content, types of material, and manner of presentation.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2530/page 3 of 3
Resource Materials

2. Standard materials subject to frequent use that are worn or missing should be replaced periodically.
3. Outdated materials and materials no longer relevant to the curriculum may be withdrawn from the collection on Board approval.
4. A complaint about reference materials shall be handled in accordance with Policy No. 9130 and Regulation No. 9130.

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REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2531/page 1 of 8
Use of Copyrighted Materials

R 2531 USE OF COPYRIGHTED MATERIALS

A. Literary Material

1. A single copy may be made of any of the following by or for a teacher at his/her individual request for scholarly research or for use in teaching or in preparation for teaching a class:
 - a. A chapter from a book;
 - b. An article from a periodical or newspaper;
 - c. A short story, short essay or short poem; whether or not from a collective work; or
 - d. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper.
2. Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:
 - a. Each copy includes a notice of copyright; and
 - b. The material copied is brief and the copying is spontaneous and noncumulative as measured by the following definitions of brevity, spontaneity, and noncumulative effect.
 - (1) Brevity: A reproduced work is brief if it consists of the following:
 - (a) Poetry: Not more than a complete poem if fewer than 250 words and if printed on not more than two pages, or an excerpt from a longer poem if the excerpt is not more than 250 words. These numerical limits may be expanded to permit completion of an unfinished line of poetry.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2531/page 2 of 8
Use of Copyrighted Materials

- (b) Prose: Not more than a complete article, story, or essay of fewer than 2,500 words; or an excerpt from any prose work of not more than 1,000 words or ten percent of the work, whichever is less, but in any event a minimum of 500 words. These numerical limits may be expanded to permit completion of an unfinished prose paragraph.
 - (c) Illustration: Not more than one chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.
 - (d) Special Works: Certain works in poetry, prose or in poetic prose which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience often fall short of 2,500 words in their entirety. Paragraph 2b(1)(b) above notwithstanding, such special works may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than ten percent of the words found in the text thereof may be reproduced.
- (2) Spontaneity: Reproduction of a copyrighted work is spontaneous if:
- (a) The copying is at the instance and inspiration of the individual teacher; and
 - (b) The inspiration and decision to use the work and the moment of its use of maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission to use the work.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2531/page 3 of 8
Use of Copyrighted Materials

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

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2531/page 4 of 8
Use of Copyrighted Materials

d. No charge shall be made to the pupil for the copied material.

B. Televised Material

1. A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained for a retention period of forty-five calendar days after the date of the recording; at the expiration of the retention period the recording must be erased or destroyed.
2. An off-air recording may be used once by individual teachers in the course of relevant teaching activities and may be repeated once only when instructional reinforcement is necessary, in the classroom or similar place of instruction or the home of a pupil receiving home instruction, during the first ten school days in the retention period. After the first ten school days, an off-air recording may be used during the remainder of the retention period only to permit teachers to evaluate its effectiveness in the instructional period.
3. Off-air recordings may be made only at the request of and used by individual teachers and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.
4. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recording. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.
5. Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2531/page 5 of 8
Use of Copyrighted Materials

C. Pre-recorded Video

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

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

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

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

D. Music

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

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2531/page 6 of 8
Use of Copyrighted Materials

- (2) A single copy of an entire performable unit (section, movement, aria, etc.) that is
 - (a) Confirmed by the copyright proprietor to be out of print, or
 - (b) Unavailable except in a larger work, may be made by or for a teacher solely for the purpose of scholarly research or in preparation to teach a class.
 - c. Printed copies that have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist.
 - d. A single copy of recordings of performances by pupils may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.
 - e. A single copy of a sound recording (such as a tape, disc, or cassette) of copyrighted music may be made from sound recordings owned by the school district or by an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the district or the teacher. (This pertains only to the copyright of the music itself and not to any copyright that may exist in the sound recording.)
2. The following uses of copies of copyrighted music are prohibited.
 - a. Copying to create or replace or substitute for anthologies, compilations, or collective works;
 - b. Copying of or from works intended to be consumable in the course of study or of teaching such as workbooks, exercises, standardized tests, answer sheets, and like material;
 - c. Copying for the purpose of performance, except as permitted in paragraph C1a;

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2531/page 7 of 8
Use of Copyrighted Materials

- d. Copying for the purpose of substituting for the purchase of music, except as permitted in paragraph C1a and paragraph C1b; and
- e. Copying without inclusion of the copyright notice that appears on the printed copy.

E. Computer Software and The Internet

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

F. Obtaining Permission for Copying

- 1. A teacher may request and obtain permission to copy material from a copyrighted work; the teacher may then use the work as expressly permitted and will not be bound by the limitations and prohibitions set forth above.
- 2. Request for permission must be in writing and should be sent, together with an envelope addressed to the sender, to the permissions department of the publisher of the work. The request should include:
 - a. The title, author or editor, and edition of materials for which permission is sought;
 - b. The exact material to be used, with specification of amount, page numbers, chapters, including, if possible, a photocopy of the material;
 - c. The number of copies the requestor proposes to make;

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2531/page 8 of 8
Use of Copyrighted Materials

- d. The use to be made of the duplicated materials;
 - e. The form of distribution;
 - f. Whether or not the copies will be sold; and
 - g. The process by which the material will be reproduced.
3. A copy of the written permission granted by the publisher or copyright owner shall be preserved by the teacher who may be required to present the written permission to the Principal or designee.
 4. Teachers shall inform pupils on the limitations of the use of copyrighted material.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2560/page 1 of 2
Live Animals in School

R 2560 LIVE ANIMALS IN SCHOOL

A. Standards for Use

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

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
2560/ page 2 of 2

Live Animals in School

B. Injury to Persons

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

1. Take immediate and prudent steps to prevent further injury;
2. Follow Regulation No. 8441 for The Care of Injured and Ill Persons; and
3. Capture and impound the animal, pending a determination of the Board of Health regarding any further action.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM
R 2622/page 1 of 5
Student Assessment
M

R 2622 STUDENT ASSESSMENT

- A. Statewide Assessment System – N.J.A.C. 6A:8-4.1
1. The school district shall, according to a schedule prescribed by the Commissioner of Education, administer the applicable Statewide assessments, including the following major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight; the high school assessment component; and the alternative State assessment for students with disabilities; and provide notification to each student entering grades three through twelve of the Statewide assessment schedule.
 2. Pursuant to N.J.A.C. 6A:8-4.1(c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner of Education pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled.
 - a. The school district shall provide all appropriate accommodations or modifications to the Statewide assessment system as specified by the New Jersey Department of Education (NJDOE) for English language learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act as specified in a student's Individualized Education Program (IEP) or 504 plan in accordance with N.J.A.C. 6A:8-4.1(d)1.
 - (1) The school district may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or English.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM

R 2622/page 2 of 5
Student Assessment

- (2) The school district shall have the option for a first-year ELL of substituting a NJDOE-approved language proficiency test only for the English language arts component of the Statewide assessment, when the student has entered the United States after June 1 of the calendar year prior to the test administration.
 - b. The school district shall ensure students with disabilities as defined in N.J.A.C. 6A:14-1.3 participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10.
 - c. At specific times prescribed by the Commissioner of Education, the school district shall administer the alternative State assessment for students with disabilities to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities in accordance with N.J.A.C. 6A:8-4.1(d)3.
 - d. The school district shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, (f), (g), (h), or (i), as applicable.
3. Test Administration Procedures and Security Measures
 - a. The school district shall be responsible for ensuring the security of all components of the Statewide assessment system that are administered within the school district.
 - b. All Statewide assessments shall be administered in accordance with the NJDOE's required test administration procedures and security measures.
 - c. Any breach of such procedures or measures shall be immediately reported to the Superintendent or designee.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM
R 2622/page 3 of 5
Student Assessment

- B. Documentation of Student Achievement – N.J.A.C. 6A:8-4.2
1. After each test administration, the NJDOE shall provide the Superintendent the following:
 - a. Rosters of student performance in each content area;
 - b. Individual student reports; and
 - c. School and school district summary data, including school and school district means, numbers tested, and percent achieving at each performance level.
 - (1) The school district summary data shall be aggregated and disaggregated, and school summary data shall be disaggregated, for students with disabilities as defined in N.J.A.C. 6A:14-1.3 and for ELLs.
 2. The school district shall transmit within ten business days any official records, including transcripts, of students who transfer to other school districts or institutions.
 3. The school district shall maintain an accurate record of each student's performance on Statewide assessments.
 4. The school district shall maintain for every student a ninth grade through graduation transcript that contains the following, as available:
 - a. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth at N.J.A.C. 6A:8-5.1(a)6;
 - b. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);
 - c. Evidence of instructional experience and performance in the New Jersey Student Learning Standards (NJSLS);
 - d. Evidence of technological literacy;

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM
R 2622/page 4 of 5
Student Assessment

- e. Evidence of career education instructional experiences and career development activities;
- f. Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in NJDOE-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and
- g. Any other information deemed appropriate by the school district.

C. Accountability – N.J.A.C. 6A:8-4.3

- 1. The Superintendent shall report final results of annual assessments to the Board and members of the public at a public meeting within sixty days of receipt of the information from the NJDOE.
- 2. The Superintendent shall provide educators, parents, and students with results of annual assessments as required under N.J.A.C. 6A:8-4.2(a) and B.1. above, within thirty days of receipt of information from the NJDOE.
- 3. The school district shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area either on the Statewide or local assessments.
- 4. All students shall be expected to demonstrate the knowledge and skills of the NJSLS as measured by the Statewide assessment system.

D. Annual Review and Evaluation of School Districts – N.J.A.C. 6A:8-4.4

- 1. The NJDOE shall review the performance of schools and school districts by using a percent of students performing at the proficient level as one measure of annual measurable objective (AMO) and incorporating a progress criterion indicative of systemic reform.

REGULATION

ROCKAWAY BOROUGH BOARD OF EDUCATION

PROGRAM
R 2622/page 5 of 5
Student Assessment

- a. The review shall include the performance of all students, including students with disabilities as defined by N.J.A.C. 6A:14-1.3, students from major racial and ethnic groups, economically disadvantaged students, and ELLs.
 - b. The review shall take place at each grade level in which Statewide assessments are administered, using the AMO targets.
- E. Public Reporting – N.J.A.C. 6A:8-4.5
1. In accordance with the requirements of N.J.A.C. 6A:8-4.5, the NJDOE shall report annually to the New Jersey State Board of Education and the public on the progress of all students and student subgroups in meeting the NJSLS as measured by the Statewide assessment system by publishing and distributing the NJDOE’s annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 5.
 2. After each test administration, the NJDOE shall report to the Board on the performance of all students and of student subgroups.
- F. Parental Notification
- Parents shall be informed of the school district assessment system and of any special tests that are to be administered to their children.

Adopted: 12 April 2022

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2624/page 1 of 5
Grading System

R 2624 GRADING SYSTEM

A. Purpose of Grading

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

B. Preparation for Grading

1. Each pupil must be informed of the behavior and achievements expected of him/her at the outset of each course of study or unit of study.
2. Each pupil must be kept informed of his/her progress during the course of a unit of study. Pupils who so request are entitled to see the grades resulting from their performance during the grading period.

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2624/page 2 of 5
Grading System

3. Each method of grading shall be appropriate to the course of study and the maturity and abilities of the pupils.
4. Pupils should be encouraged to evaluate their own achievements.
5. The process of review and revision will involve teaching staff members, parent(s) or legal guardian(s), and, as appropriate, pupils.

C. Grading Periods

1. Grades will be awarded at the end of four marking periods in each school year.
2. Pupils will be given notice of their mid-term grades at mid-point of each marking period.
3. Pupils will be given a final grade in each subject at the end of the school year.
4. Grades will be recorded on report cards for parent(s) or legal guardian(s) notification in accordance with Policy No. 5420 and Regulation No. 5420.

D. Basis for Grading

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

1. Completion of written assignments prepared in the classroom or elsewhere;
2. Oral contributions in class, including discussion responses, observations, panel participation, presentations, initiation of topics;
3. Performance on oral and written tests and quizzes;
4. Research into standard references and other background materials;
5. Oral and written reports on materials read by the pupil;
6. Laboratory work;
7. Term papers;
8. Special oral or written reports;

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2624/page 3 of 5
Grading System

9. Other evidences of the pupil's constructive efforts and achievements in learning;
and
 10. For the final grade, the pupil's attendance record, in accordance with Policy Nos. 5200, 5410, and 5460.
- E. Meaning of Grades
1. The following grades will be given in each academic subject at the end of each marking period:
 - a. A grade of A indicates superior performance. It may be given to a pupil whose achievement is significantly above grade level; whose work achieves a quality and quantity that consistently excels; and who demonstrates a high degree of initiative, application, and purpose.
 - b. A grade of B indicates above average performance. It should be given to a pupil whose achievement is above grade level; whose work frequently excels; and who generally demonstrates strength in the subject.
 - c. A grade of C indicates average performance. It should be given to a pupil whose achievement in most areas of the subject are average; whose work is acceptable; and who demonstrates a satisfactory degree of proficiency.
 - d. A grade of D indicates below average performance. It should be given to a pupil whose achievement in the subject is barely passing; whose work is the minimum acceptable for credit; and who demonstrates only weak proficiencies in the subject.
 - e. A grade of F indicates failing performance and that no credit can be given for the subject. It should be given to a pupil who has not met the minimum requirements of the course; who has demonstrated an inability or unwillingness to master the basic elements of the course; or who has failed to meet the minimum attendance standards necessary to pass a course of study.

REGULATION

- f. Letter grades may be modified by plus or minus signs.
- 2. The following grading scales and indicators shall be used:

Grades Kindergarten – Two

E = Exceeds expectations at this time

M = Meets expectations at this time

S = Still developing at this time

N = Needs improvement at this time

Blank = Not evaluated this quarter

Grades Three – Eight

_____ = _____

_____ = _____

_____ = _____

_____ = _____

_____ = _____

F. Grade Validation

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

- 1. The daily attendance and tardiness record;
- 2. All grades earned for classroom activities such as quizzes, tests, reports, and class recitations;
- 3. All grades earned for activities conducted elsewhere, such as homework assignments and term papers;
- 4. Any notation regarding the meaning of each grade and its relation to the type of activity or material covered;

REGULATION

ROCKAWAY BOROUGH
SCHOOL DISTRICT
PROGRAM
R 2624/page 5 of 5
Grading System

5. Any notation of discussions with the pupil on a grade or the pupil's cumulative grade average;
6. Any referrals for guidance, discipline, and the like; and
7. Any notations recording communications between the teacher and the parent(s) or legal guardian(s), the Principal, or other teaching staff members.

G. Appeal

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