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

2460 SPECIAL EDUCATION

The Freehold Township Board of Education assures compliance with Part B of the Individuals with Disabilities Education Act (IDEA) and the New Jersey Administrative Code 6A:14-1.1 et seq. Furthermore, the Board will have programs and procedures in effect to ensure the following:

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

2. Homeless students are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq.

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

4. An Individualized Education Program (IEP) is developed, reviewed and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.

5. To the maximum extent appropriate, students with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.

6. Students with disabilities are included in State-wide and district-wide assessment programs with appropriate accommodations, where necessary according to N.J.A.C. 6A:14-4.10. All students with disabilities will participate in State-wide assessments or the applicable alternative assessment in grades three, four, five, six, seven, eight, and high school in the applicable courses.
7. Students with disabilities are afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent as set forth in N.J.A.C. 6A:14-2.2 and Policy 2467, when appropriate.

8. The rules set forth in N.J.A.C. 6A:14 ensure a free appropriate public education is available to all students with disabilities between the ages of three and twenty-one, including students with disabilities who have been suspended or expelled from school:

a. The obligation to make a free, appropriate public education available to each eligible student begins no later than the student’s third birthday and that an individualized education program (IEP) is in effect for the student by that date;

b. If a child’s third birthday occurs during the summer, the child’s IEP Team shall determine the date when services under the IEP will begin;

c. A free appropriate public education is available to any student with a disability who needs special education and related services, even though the student is advancing from grade to grade;

d. The services and placement needed by each student with a disability to receive a free, appropriate public education are based on the student’s unique needs and not on the student’s disability; and

e. The services and placement needed by each student with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the student’s home as possible and, when the IEP does not describe specific restrictions, the student is educated in the school he or she would attend if not a student with a disability.
9. Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14 will experience a smooth transition and have an IEP developed and implemented according to N.J.A.C. 6A:14-3.3(c) and N.J.A.C. 6A:14-3.7.

10. Full educational opportunity to all students with disabilities is provided.

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

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

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

14. All personnel serving students with disabilities are appropriately certified and licensed, where a license is required, in accordance with State and Federal law, pursuant to N.J.A.C. 6A:14-1.2(b)13.

15. Pursuant to N.J.A.C. 6A:14-1.2(b)4, the in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified; and that appropriate in-service training is provided. The district Board shall maintain information to demonstrate its efforts to:

   a. Prepare general and special education personnel with content knowledge and collaborative skills needed to meet the needs of children with disabilities;

   b. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;
e. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;

d. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and

e. Provide for joint training activities of parent(s) and special education, related services and general education personnel.

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

17. For students with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services, the district will provide, pursuant to the Developmentally Disabled Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., and N.J.A.C. 6A:14-1.2(b)17, the necessary materials to the parent to apply for such services.

18. The school district will not accept the use of electronic mail from the parent(s) to submit requests to a school official regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education.

19. The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student’s IEP, pursuant to N.J.A.C. 6A:14-4.5(d).

20. The school district has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of special education services as required by N.J.A.C. 6A:14-3.7(c)4.
21. The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities in accordance with N.J.S.A. 18A:40-5.1 et seq. and Policy 5339.

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

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

(Second Reading January 16, 2018)

(Revised Alert 211)

Adopted:
REGULATION GUIDE


R 2460  SPECIAL EDUCATION

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

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

Definitions:

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

(Second Reading January 16, 2018)

(Revised Alert 211)

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

R 2460.1 SPECIAL EDUCATION - LOCATION, IDENTIFICATION, AND REFERRAL

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

A. Procedures for Locating Students With Disabilities

1. The Director of Educational Services will coordinate the child find activities to locate, identify and evaluate all children, ages three through twenty-one, who reside within the school district or attend nonpublic schools within the school district and who may have a disability.

2. By March of each school year, the Director of Educational Services or his/her designee will conduct child find activities, in the native language of the population, as appropriate, including but not limited to:
   b. Broadcasting of child find information on the school district cable television station.
   c. Distribution of flyers to the parents of all students enrolled in the school district.
   d. Mailing of child find material to nonpublic schools in the area.
   e. Mailing of child find material to local pediatricians, hospitals and clergy.
f. Public service announcements on the local foreign language radio stations and cable television stations.

g. Public service announcements in local newspapers.

h. Distribution of child find materials in supermarkets, convenience stores, shelters for the homeless, public and private social service agency locations and nursery school providers.

i. Mailing information letters to local physicians, hospitals, nursery schools, non-public schools, health departments, community centers, rescue squads and churches.

j. A guide to preschool services for potentially disabled children ages three to five is made available.

k. Posting of State developed child find materials for potentially disabled students and/or early intervention program.

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

m. Listings of Early Intervention Program (EIP), local nursery schools and pediatricians are maintained. The district’s preschool coordinator (or other) maintains contact with EIP coordinator and nursery school director.

n. Information is distributed through the Parent Advisory Committee.

o. School handbooks distributed to parents contain information describing special education services.

p. Distribution of information to the school district’s ESL/Bilingual teachers describing child find activities.
q. Students entering Kindergarten are screened to identify students who may have a disability.

r. Intervention and Referral Services Committees (I&RS) have been established in all school buildings.

B. Procedures for Intervention in the General Education Program

A staff member or agency shall provide in writing a request for intervention services for students ages 3 to 15, (indicate ages of students present in the school district) to the Building Principal or designee. The request shall contain the following:

1. Reason for request (including parental or adult student request);

2. Descriptive behavior of student performance; and

3. Indication of the prior interventions.

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

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

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

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

1. The implementation and effectiveness of building level I&RS Committee;
2. Will identify the roles and responsibilities of building staff who participate in planning and providing intervention services; and

3. Review, assess and document the effectiveness of the services provided in achieving the outcome identified in the intervention plan.

4. The I&RS Committee shall:
   a. Plan and provide appropriate intervention services;
   b. Actively involve the parent(s) in the development and implementation of intervention plans;
   c. Develop an action plan for an identified student which specifies specific tasks, resources, persons responsible, completion dates, date for review;
   d. Coordinate the services of community based social and health provider agencies;
   e. Process and complete the documentation forms;
   f. Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan; and
   g. Ensure the type, frequency, duration, and effectiveness of the interventions are documented.

5. The Building Principal will insure that:
   a. I&RS Committee receive in-service training by the Building Principal or designee by October each school year;
   b. Staff handbooks are updated by September and include information regarding intervention procedures;
c. New instructional staff attend the district’s orientation program commencing in the month of August which includes information on I&RS Committee;

d. School calendars are distributed in the month of September and provide information on intervention services; and

e. Parent/student handbooks distributed in the month of September and include information on intervention services.

C. Procedures for Referral

Referral procedures are included in professional staff handbooks and referral forms are available in the Principal’s office, the Child Study Team (CST) office, and the Office of Educational Services.

1. Parental Notification of Referral Procedures

Referral procedures shall be included in the Parent Handbook. 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 Secretary of Educational Services;

b. The written request shall be immediately forwarded to the office of special services/special education;

c. A file will be initiated to include a timeline for processing the referral including the date that initiates the twenty-day timeline for conducting the referral/identification meeting and any forms used to open a case;
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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 incoming CST case manager will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date the request was received by the district;

f. A “Notice of a Referral/Identification Meeting” will be sent to the parent(s);

g. The notice will contain “Parental Rights in Special Education” (PRISE) Booklet; and

h. The referral/identification meeting will be attended by the parent(s), CST, and regular education teacher.

3. School Initiated Referral

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

a. It is determined through the I&RS Committee that interventions in the general education program have not been effective in alleviating the student’s educational difficulties.

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

c. The Director of Educational Services, through in-service training, shall ensure that students are referred who may have a disability, but are advancing from grade to grade.

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

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

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

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

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

b. I&RS documentation including, but not limited to: teacher reports, grades and other relevant data (optional: the intervention record) shall be forwarded with the referral to the CST along with any other relevant data;

c. I&RS documentation does not need to be forwarded for direct referral when the nature of the student’s problem is such that the evaluation is warranted without delay;

d. The referral should be dated upon receipt by the CST;

e. A file will be initiated to include a timeline for processing the referral including the date that initiates the twenty-day timeline for conducting the referral/identification meeting;

f. Upon receipt of the referral, a request for a summary and review of health and medical information regarding the student shall be forwarded to the school nurse who will transmit the summary to the CST;
g. The CST will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date recorded on the referral;

h. A “Notice of a Referral/Identification Meeting” will be sent to the parent(s);

i. The notice shall contain “Parental Rights in Special Education” (PRISE); and

j. The referral/identification meeting will be attended by the parent(s), CST, and regular education teacher.

4. The district may use community rehabilitation programs approved by the New Jersey Department of Labor, Division of Vocational Rehabilitation Services or any other State agency empowered to accept secondary level student placement according to N.J.A.C. 6A:14-4.7(i).

5. Each evaluation of the student requires an assessment to determine appropriate post-secondary outcomes as part of transition services planning.

6. Each IEP Team member is required to certify in writing whether the IEP Team report reflects his or her conclusions. In the event the IEP Team report does not reflect the IEP Team member’s conclusion, the IEP Team member must submit a dissenting opinion in order to ensure the parent(s) is aware of dissenting opinions regarding the determination of eligibility for a specific learning disability.

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

(Second Reading January 16, 2018)

(Revised Alert 211)

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

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

1. School officials responsible for implementing suspensions/expulsions in the district are the following:
   a. Grades Six – Eight Principal/Vice Principal or designee;
   b. Grades Pre-Kindergarten – Five Principal/Vice Principal or designee.

2. Each time a student with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager by the Principal or designee. (Notification must be in written format for documentation.)
   a. Removal for at least half of the school day shall be reported via the 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.

   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). Written documentation of the consultation between the school administration and the case manager shall be maintained by the case manager.

b. If it is determined that there is no change in placement, the Principal/Vice Principal or designee, the case manager, and special education teacher will consult to determine the extent to which services are necessary to:

   (1) Enable the student to participate and progress appropriately in the general education curriculum; and

   (2) Advance appropriately toward achieving the goals set out in the student’s IEP.

c. Written documentation of the consultation and services provided shall be maintained in the student’s file.

7. When a disabled student is removed from his/her current placement for more than ten days and the removal does not constitute a change in placement, the case manager shall convene a meeting of the IEP Team and, as necessary or required, conduct a functional behavior assessment and review the behavioral intervention plan according to N.J.A.C. 6A:14 Appendix A, Individuals with Disabilities Education Act Amendments of 2004, 20 U.S.C. §1415(k). The IEP Team shall:

   a. Review the behavioral intervention plan and its implementation;

   b. Determine if modifications are necessary; and

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

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

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

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

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

The following procedures will be followed:

1. A parent of a preschool-age student suspected of having a disability, who requests a Child Study Team (CST) evaluation by telephone, will be advised to submit a written request for an evaluation to the Preschool Coordinator or Director of Educational Services.

2. Upon receipt of the written request, the request shall be dated and signed by the recipient.

3. The district will respond to referrals of preschoolers according to N.J.A.C. 6A:14-3.3(e).

4. A file will be initiated for the potentially disabled preschooler:

   a. The incoming CST case manager 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

c. A program shall be in place no later than ninety calendar days from the date of consent.

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

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

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

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

(Second Reading January 16, 2018)

(Revised Alert 211)

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

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

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

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

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

2. The district will work collaboratively with the EIP designated Part C service coordinator or early intervention system to eliminate barriers regarding meeting times and locations.
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 EI P to preschool programs.

4. The Part C service coordinator shall be invited to the initial IEP meeting for a student transitioning from Part C to Part B.

(Second Reading January 16, 2018)

(Revised Alert 211)

Adopted:
[See POLICY ALERT No. 211]

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

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

The district will maintain information to demonstrate its efforts to:

1. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;

2. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;

3. Acquire and disseminate to teachers, administrators, Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials, and technology;

4. Insure that the in-service training is integrated to the maximum extent possible with other professional development activities; and

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

(Second Reading January 16, 2018)

(New Alert 211)

Adopted:
[See POLICY ALERT Nos. 185 and 211]

(No Revision Required/Readopt)

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

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.

(Second Reading January 16, 2018)

(Readoption Alert 211)

Adopted:
[See POLICY ALERT Nos. 111, 120, 142, 144, 147, 165 and 213]

2700 SERVICES TO NONPUBLIC SCHOOL STUDENTS

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

For the purpose of this Policy, "district of attendance" shall mean the school district in which the nonpublic school is located.


The Board of Education of the district of attendance, as required by Federal law and regulation under Part B of the Individuals with Disabilities Education Act (IDEA), shall provide a genuine opportunity for the equitable participation of students with disabilities who are enrolled in nonpublic schools or early childhood programs by their parents. The district of attendance shall make the final decisions with respect to the services to be provided to eligible students with disabilities enrolled in nonpublic schools or early childhood programs. Services shall be provided only upon the written consent of the parent and shall be provided in a location determined by the Board pursuant to N.J.S.A. 18A:46-19.5. The district of attendance shall spend an amount of money equal to a proportionate amount of Federal funds available under Part B of the IDEA for the provision of services to students with disabilities who are attending nonpublic schools.

The district of attendance, after timely and meaningful consultation with representatives of the nonpublic school, shall undertake a child find process in accordance with IDEA and its implementing regulations to determine the number of parentally placed children with disabilities attending nonpublic schools located within the district. As part of the child find process the district shall consult with private school representatives and representatives of parents of parentally placed nonpublic school children with disabilities in the design and development
of special education and related services for such children in accordance with N.J.A.C. 6A:14-6.1(c)1. Furthermore, services may be provided by district personnel or through contracts with individuals, approved clinics, or agencies. In addition, services provided shall be secular, neutral, and non-ideological. Those procedural safeguards available to nonpublic school students with disabilities and their parents as specified by Federal law and rules under Part B of the IDEA shall apply in accordance with N.J.A.C. 6A:14-6.1(c).

If a nonpublic school student with a disability will receive special education or related services from the district, the district shall initiate and conduct meetings according to N.J.A.C. 6A:14-2.3(k) to develop, review, and revise a service plan for the student and ensure a representative of the nonpublic school or early childhood program attends each meeting pursuant to N.J.A.C. 6A:14-6.1(f)2.

The Board shall provide for the services of a certified speech-language specialist for each child attending a nonpublic school located in the school district and classified pursuant to N.J.S.A. 18A:46-8 as requiring the services of a certified speech-language specialist. Services for children enrolled in nonpublic schools shall be provided only upon the consent of the parent or guardian and shall be provided in a location determined by the Board pursuant to rules and regulations of the State Board of Education. The Board shall provide for such transportation and maintenance and the cost shall be paid from State aid received by the district in accordance with N.J.S.A. 18A:46-19.6. Contracts for speech correction services shall be in accordance with N.J.S.A. 18A:46-19.7. Costs and provisions for speech correction services shall be managed in accordance with N.J.S.A. 18A:46-19.7 and N.J.S.A. 18A:46-19.8.

The Board shall provide for the receipt of auxiliary services by children between the ages of five and twenty residing in the State and enrolled full-time in a nonpublic school located in the district in accordance with N.J.S.A. 18A:46A-3. Auxiliary services shall mean compensatory education services for the improvement of students’ communication skills; supportive services acquiring communication proficiency in the English language for children of limited English-speaking ability; and home instruction services. Services for children enrolled in nonpublic schools shall be provided only upon the consent of the parent and in a location


The Board shall provide nursing services for students who are enrolled full-time in a nonpublic school located in their district pursuant to N.J.S.A. 18A:40-23. The services shall include assistance with medical examinations; including dental screening, conducting screening of hearing examinations, the maintenance of student health records, and notification of local or county health officials of any student who has not been properly immunized; and conducting examinations of students between the ages of ten and eighteen for the condition known as scoliosis. The Board shall adopt written policies and procedures extending the emergency care provided to public school students to those students who are enrolled full-time in the nonpublic school or are injured or become ill at school or during participation on a school team or squad in accordance with N.J.A.C. 6A:16-2.5(b).

Nursing services funded by the Board pursuant to N.J.S.A. 18A:40-23 et seq. shall be provided by a registered nurse licensed by the New Jersey State Board of Nursing who is an employee of the school district or a third-party contractor or is an independent contractor. The Board shall either employ a qualified independent contractor to provide nursing services or shall contract, pursuant to N.J.S.A. 18A:40-28, with other district Boards of Education or with a public or private agency approved by the Commissioner to provide nursing services, pursuant to N.J.A.C. 6A:14-5.2. Prior to any change in the provision of nursing services, the Board shall provide timely and meaningful consultation with appropriate nonpublic school representatives, including parents, pursuant to N.J.S.A. 18A:40-28.
The nursing services provided to nonpublic school students shall not include instructional services in accordance with N.J.A.C. 6A:16-2.5(f). A nonpublic school may decline nursing services required or permitted by submitting to the district of attendance notification in accordance with N.J.A.C. 6A:16-2.5(g). A student who is enrolled in a nonpublic school and whose parent objects to the student receiving any service provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the service except for a physical or medical examination to determine whether the student is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.

The Board of Education shall provide health services based upon the following: the funding for services shall be based upon the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year; a report provided to the New Jersey Department of Education (NJDOE) by the district of attendance or nonpublic school that includes the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year; and the funds expended by the district of attendance for administrative costs shall be limited to the actual costs or six percent of the funds allocated annually for each participating nonpublic school, whichever is less. Administrative costs shall include, but not be limited to, the costs related to the district of attendance annual consultation, bidding, program and contract management, and oversight and quality control.

The Superintendent or designee of the district of attendance in which a nonpublic school is located shall confer annually with the administrator of the nonpublic school for the following purposes: to advise the nonpublic school of the amount of funds allocated to it by the NJDOE for the provision of health services for full-time students enrolled in the nonpublic school; to agree on the basic health services that shall be provided; the additional medical services, equipment, or supplies that may be provided as set forth in N.J.S.A. 18A:40-23 et seq.; to discuss the criteria to be used in the selection of a nursing service provider by the district of attendance for the nonpublic school; and to ascertain the level of satisfaction of the nonpublic school with the current nursing service provider. If the Superintendent or designee and the nonpublic school administrator cannot reach agreement regarding the health services and additional medical services to be provided, the County Office of Education shall provide
assistance; to assure that a description of the provision of nursing services is reflected in the nursing services plan of the district of attendance; and to ensure nonpublic school students in the district of attendance who are knowingly without medical coverage have access to the New Jersey FamilyCare program and to make information accessible regarding the program to the nonpublic school students, pursuant to N.J.S.A. 18A:40-34. The Superintendent or designee must submit a report to the Executive County Superintendent on or before October 1 annually in accordance with N.J.A.C. 6A:16-2.5(k).


N.J.S.A. 18A:58-37.3 requires the Board in which a nonpublic school is located to purchase and to loan, without charge, upon individual requests, textbooks to students in the nonpublic school or schools located within the district of attendance when such students are residents of the State. The Board shall not be required to expend funds for the purchase and loan of textbooks in excess of the amounts provided in State aid. Students who are enrolled in a nonpublic school whose parents do not maintain a residence in this State are not eligible to receive such textbooks. Students who are enrolled in a nonpublic school whose tuition is paid by the district of attendance are not eligible to receive such textbooks. The Board shall distribute to all students on an equitable basis existing book stocks and newly purchased textbooks purchased pursuant to N.J.S.A. 18A:58-37.1 et seq. The Board shall not discriminate against students in either public or nonpublic schools.

An individual written request for the loan of textbooks shall be signed by the parent(s) of nonpublic school students and shall be submitted directly to the Board of the district of attendance or may be forwarded collectively by the nonpublic school. Requests must be received by the Board by March 1 preceding the school year. All individual requests must be made in accordance with N.J.A.C. 6A:23A-20.3.

In accordance with N.J.A.C. 6A:23A-20.4, all textbooks purchased under the provisions of N.J.S.A. 18A:58-37.1 et seq. shall remain the property of the district which shall indicate such ownership in each book by a label. The Board shall be responsible for the receipt of the textbooks from the
vendor and inventory of such textbooks. The Board may require that the textbooks be returned to the district at the end of the school year or may enter into agreements with the nonpublic schools to store such books. In the event of such an agreement, the Board shall not pay storage charges of any kind to a nonpublic school for this service.

The Board’s accounting entries in relation to expenditures for the purchase of textbooks shall be managed in accordance with N.J.A.C. 23A-20.5.

N.J.A.C. 6A:14-6; 6A:16-2.5; 6A:23A-20 et seq.

(Second Reading January 16, 2018)

(Revised Alert 213)

Adopted:
POLICY GUIDE

7446 SCHOOL SECURITY PROGRAM

The safety of students, staff members, and visitors on school grounds is an important concern for the Board of Education.

School Safety Officer Program

The Board of Education authorizes a School Safety Officer Program in partnership with the municipality and local law enforcement. The Program is designed for municipal officials, law enforcement officers, and school authorities to work together to identify major problems faced by their schools and to create a more secure school environment through the presence of law enforcement officers within the school district. A School Safety Officer assigned to the school district shall remain an employee of the municipality and its Police Department.

The School Safety Officer may be a full-time Police Officer or a Class Two or Three Special Law Enforcement Officer employed by the municipality in accordance with the provisions of N.J.S.A. 40A:14-146.11. A Class Two or Three Special Law Enforcement Officer is authorized to exercise full powers and duties similar to those of a permanent regularly appointed full-time police officer while providing security at a public school during hours when school is normally in session or when occupied by students or school staff members. The use of a firearm by a Class Two or Three Officer is authorized pursuant to the provisions of N.J.S.A. 40A:14-146.14. A Class Two or Three Officer shall not carry a firearm except when engaged in the actual performance of the Officer's official duties as a School Safety Officer and when specifically authorized by the Chief of Police or in the absence of the Chief, a designee. The Board of Education and the municipality shall enter into a partnership agreement that sets forth the respective obligations of the municipality, local law enforcement, and the school district. The agreement shall include, but is not limited to, the following terms: the number of police officers assigned to the school district; the school(s) to be covered; the days of police coverage in the school district; the process for the Police Department to assign and the process for the Board of Education to approve a School Safety Officer(s); the duties of the assigned School Safety Officer(s); the reporting requirements for the School Safety Officer; and the financial obligations of the parties. The School Safety Officer Program Agreement shall be approved by the Board of Education.
A School Safety Officer who is a full-time Police Officer or a Class Three Special Law Enforcement Officer must comply with all statutes and codes regarding their law enforcement status and all other statutory and administrative code responsibilities.

This Policy will be reviewed and approved by the Board attorney for compliance with applicable statutes and administrative code provisions before initial adoption and subsequent re-adoptions by the Board.


(Second Reading January 16, 2018)

(New Alert 211)

Adopted:
[See POLICY ALERT No. 211]

8350 RECORDS RETENTION

The New Jersey Department of the Treasury - Records Management Services places all public records on Records Retention Schedules that list the minimum legal and fiscal time periods public records must be retained by State and local governmental and educational agencies. Records Management Services determines these retention periods in conformance with State and Federal codes, regulations, and statutes of limitation. Final approval of the schedules comes from the State Records Committee, which is comprised of representatives of the Attorney General, State Treasurer, State Auditor, Director of Local Government Services, and the director of the division.

Part and parcel to a good records management program is the timely destruction of records once their retention period has expired. This pertains to the destruction of paper records as well as those that are microfilmed, have been imaged, or are electronic. Unique records disposal request (such as the disposal of fire damaged records which have not yet outlived their retention period) require specific authorization from the State Records Committee.

As per the Destruction of Public Records Act of 1953 (P.L. 1953, c. 410), the Board of Education must receive prior written authorization from Records Management Services to dispose of their public records regardless of the medium in which the information is maintained. Authorization to dispose public records shall be submitted electronically by the school district custodian of such records to Records Management Services. Records must be retained in accordance with the Records Retention Schedules and shall not be disposed until approval for such disposal is obtained from Records Management Services.

(Second Reading January 16, 2018)

(New Alert 211)

Adopted: