

Work Session

Attachments

March 1, 2016

Part 1

CL&CC

COMMUNITY LIAISON & COMMUNICATIONS

RIGHTS OF PERSONS WITH HANDICAPS OR DISABILITIES/POLICY ON
NON-DISCRIMINATION (M)

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

(M)

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

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

Employment

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

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

Reasonable accommodations, not directly affecting the educational and/or instructional program, shall be made to accommodate employment conditions to the needs of qualified persons with handicaps/disabilities. Such accommodations may include, but are not limited to rescheduling; restructuring jobs; making facilities accessible; acquiring or modifying equipment; modifying examinations, training materials, policies and procedures; and providing readers or interpreters.



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

Facilities Accessibility

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

Educational Program Accessibility

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

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

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



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

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

Enforcement

The Affirmative Action Officer is designated as district coordinator for matters dealing with §504. The district coordinator shall act as a compliance officer. A complaint regarding a violation of law and this policy will be subject to a complaint procedure that provides for the prompt and equitable resolution of disputes.

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

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

Guarantee of Rights

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

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



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Evaluation and Compliance

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

Annual Publication

This Policy will be published yearly prior to the beginning of the school year in a regional newspaper, magazine and/or other written communication that is available to the public.

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

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

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

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

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

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

34 CFR Part 104

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(M)

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

DEFINITIONS

Handicapped/Disabled person – means any person who (1) has a physical or mental impairment that substantially limits one or more of a person's major life activities and includes specific learning and disabilities, (2) has a record of such impairment, or (3) is regarded as having such an impairment. (34 CFR sec. 104.3 (j))

Disability – means a student with mental retardation, hearing impairments including deafness, speech or language impairments, visual impairments including blindness, serious emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments or specific learning disabilities and who by reason thereof, needs special education and related services 20 U.S.C. 1401 §602(A), or an individual who has a physical or mental impairment that substantially limits one or more major life activities of such individual. 42 U.S.C. §1201 §3.

Physical or Mental Impairment – means (1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal, special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine; or (2) any mental or physiological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. (34 CFR sec. 104.3 (j) (2) (i))

Major Life Activities – means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. (34 CFR sec. 104.3(j)(2)(ii). Has a record of such impairment – means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or



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more major life activities. (34 CFR sec. 104.3(j)(2)(iii). Is regarded as having an impairment – means (1) has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation; (2) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment, or (3) has none of the impairments defined above, but is treated by a recipient as having such an impairment. (34 CFR sec. 104.3 (j) (2) (iv)

Recipient – Any state or its political subdivision, including this Board of Education (34 CFR sec. 104.3 (f)

Qualified Handicapped/Disabled Person – means:

1. With respect to employment, a handicapped/disabled person who, with reasonable accommodation, can perform the essential functions of the job in question;
2. With respect to public preschool, elementary, secondary, or adult educational services, a handicapped/disabled person (1) of an age during which non-handicapped/non-disabled persons are provided such services, (2) of any age during which it is mandatory under state or federal law to provide such services to handicapped/disabled persons, or (3) to whom a state is required to provide a free appropriate public education under the Individuals with Disabilities Education Act;
3. With respect to post-secondary and vocational educational services, a handicapped/disabled person who meets the academic and technical standards requisite to admission or participation in the school district's education program or activity; and
4. With respect to other services, a handicapped/disabled person who meets the essential eligibility requirements for the receipt of such services (34 CFR sec. 104.3 (k) (1-4)

Handicap – means any condition or characteristic that renders a person handicapped/disabled.

Disability – means any condition or characteristic that renders a person handicapped/disabled.



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Aids, Benefits, and Services – means aids, benefits and services to be equally effective, are not required to produce the identical result or level of achievement for handicapped/disabled and non-handicapped/non-disabled persons, but must afford handicapped/disabled persons equal opportunity to obtain the same result, gain the same benefit, or reach the same level of achievement, in the most integrated setting appropriate to the person's needs. (34 CFR sec. 104.4 (b) (2))

Act – means the Rehabilitation Act of 1973, Public Law 93-112, as amended by the Rehabilitation Act Amendments of 1974, Public Law 93-516, 29 U.S.C. 794, the Americans with Disabilities Act 42 U.S.C. §1201 et seq., and the Individuals with Disabilities Act 20 U.S. 1400 et seq.

“Aggrieved individual” means a qualified handicapped/disabled person who alleges a grievance or the representative of such qualified handicapped/disabled person.

“Board of Education” means the Board of Education of the Township of Ocean School District.

“Complainant” means a parent(s) or legal guardian(s) of a qualified handicapped/disabled student or qualified handicapped/disabled person who files a grievance in accordance with the grievance procedure.

“Compliance Officer” means the district official responsible for the coordination of activities relating to compliance with §504.

“Day” means either calendar or working day as specified.

“Employee” means an individual who receives remuneration from the school district for services rendered.

“Grievance” means an unresolved problem concerning the interpretation or application by an officer or employee of this school district of law and regulations regarding discrimination by reason of handicap/disability.

“Immediate supervisor” means any employee responsible for, or exercising any degree of supervision or authority over another employee or student.

“Intermediate supervisor” means the administrator to whom the immediate supervisor is directly responsible.



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

“School district” means the Township of Ocean School District.

District Coordinator

The Board will appoint a District Coordinator to coordinate its efforts to comply with the Rehabilitation Act and the Americans with Disabilities Act **and Title IX**. Such procedures to coordinate its efforts to comply with the act will be contained in this Regulation for students, employees and other qualified persons. The District Coordinator will be responsible for the initial evaluation of all allegations, reasonable accommodations, if required, and re-evaluations. The District Coordinator will comply with the mediation and due process requirements pursuant to N.J.A.C. 6A-14-2.6 and 6A:14-2.7 where applicable in cases arising from §504.

Notice

The Board shall notify members of the community, applicants, including those with impaired vision or hearing, and unions/associations within the school district, that the Board of Education does not discriminate on the basis of handicap/disability in violation of §504 or the Americans with Disabilities Act. This notice may include any of the following methods: the posting of notices, publication in local newspapers and magazines and/or distribution of memoranda or other written communications. The policy and regulation 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 and the Americans with Disabilities Act is not obviated or alleviated by the existence of any State or local law or other requirement that, on the basis of handicap/disability, imposes prohibitions or limits upon the eligibility of qualified handicapped/disabled persons to receive services or to practice any occupation or profession, or because employment opportunities in any occupation or profession are or may be more limited for handicapped/disabled persons than non-handicapped/non-disabled persons.

EMPLOYMENT PRACTICES

Discrimination Prohibited



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No qualified handicapped/disabled person shall, on the basis of ~~his/her~~ handicap/disability, be subjected to discrimination in employment under any program or activity to which the Act applies. The Board of Education will take positive steps to employ and advance in employment qualified handicapped/disabled persons in programs assisted under the Act. The Board of Education will make all decisions concerning employment under any program or activity to which the Act applies in a manner which ensures that discrimination on the basis of handicap/disability does not occur and may not limit, segregate, or classify applicants or employees in any way that adversely affects their opportunities or status because of handicap/disability.

The Board of Education will not participate in a contractual or other relationship that has the effect of subjecting qualified handicapped/disabled applicants or employees to discrimination prohibited by the Rehabilitation Act. This shall apply to:

1. Recruitment, advertising, and the processing of applicants for employment;
2. Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;
3. Rates of pay or any other form of compensation and changes in compensation;
4. Job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;
5. Leaves of absences, sick leave, or other leave;
6. Fringe benefits available by virtue of employment, whether or not administered by the Board of Education;
7. Selection and financial support for training including apprenticeship, professional meetings, conferences, and other related activities, and selection for leaves of absences to pursue training;
8. Employer sponsored activities, including social or recreational programs; and
9. Any other term, condition, or privilege of employment.



The Board of Education's obligation to comply with these requirements is not affected by any inconsistent term or any collective bargaining agreement to which the Board is a party.

Reasonable Accommodation

The Board of Education will make reasonable accommodation to the known physical or mental limitation of any otherwise qualified handicapped/disabled applicant or employee unless the Board can demonstrate that the accommodation would impose an undue hardship on the operation of the program. Reasonable accommodation may include making facilities used by employees readily accessible to and usable by handicapped/disabled persons and job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters, and other similar actions. In determining whether the accommodation would impose an undue hardship on the operation of the program, the Board of Education will consider:

1. The overall size of the school district's program with respect to the number of employees, number and type of facilities and the size of the budget;
2. The type of operation, including the composition and structure of the school district's workforce; and
3. The nature and cost of the accommodation needed.

The Board of Education will not deny any employment opportunity to a qualified handicapped/disabled employee or applicant if the basis of the denial is the need to make reasonable accommodation to the physical or mental limitations of the employee or applicant.

Employment Criteria

The Board of Education and its administration will not use any employment test or other selection criterion that screens out or tends to screen out handicapped/disabled persons or any class of handicapped/disabled persons unless the test score or other selection criterion is shown to be job-related for the position in question and alternative job-related tests or criteria that do not screen out as many handicapped/disabled persons shown by the Coordinator to be available. The Board of Education and its administration may select



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and administer tests concerning employment so as to best ensure that when administered to an applicant or employee who has a handicap/disability that impairs sensory, manual, or speaking skills, the test results accurately reflect the applicant's or employee's job skills, aptitude, or whatever factor the test purports to measure, rather than reflecting the applicant's or employee's impaired sensory manual, or speaking skills (except where those skills are the factors that the test purports to measure).

Pre-employment Inquiries

Except as provided for in this regulation and the Rehabilitation Act, the Board of Education and its administration, will not conduct pre-employment medical examination and will not make pre-employment inquiry of an applicant as to whether the applicant is a handicapped/disabled person or as to the nature or severity of the handicap/disability. The school district may make pre-employment inquiry into an applicant's ability to perform job related functions.

When the Board of Education is taking remedial action to correct effects of past discrimination or to overcome the effects of conditions that resulted in limited participation in its federally assisted program or activity, as provided for in the Rehabilitation Act, or when the Board is taking affirmative action pursuant to §504 of the Rehabilitation Act, the Board may invite applicants for employment to indicate whether and to what extent they are handicapped/disabled. This is permitted provided the Board states clearly on a written questionnaire or makes clear orally if no written questionnaire is used that the information requested is intended for use solely in connection with its remedial action obligations or its voluntary or affirmative action efforts and the Board states clearly that the information is being requested on a voluntary basis, that it will be kept confidential, that refusal to provide information will not subject the applicant or employee to any adverse treatment, and that the information will only be used in accordance with this part of the Regulation and applicable section of the Rehabilitation Act.

The Board of Education may condition an offer of employment on the results of a medical examination conducted prior to the employee's entrance on duty provided that all entering employees are subjected to such an examination regardless of handicap/disability and the results of such an examination are used only in accordance with the requirements of the policy, regulation and the Rehabilitation Act.

Information obtained in accordance with pre-employment inquiries as to the medical condition or history of the applicant will be collected and maintained on separate forms that will be accorded confidentiality as medical records. Supervisors may be



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informed of restrictions on the work or duties of handicapped/disabled persons and any reasonable accommodations. First aid and safety personnel may be informed, where appropriate, if the condition might require emergency treatment. Government officials investigating compliance with the Rehabilitation Act shall be provided relevant information upon request.

Complaints About Employment Discrimination

Complaints about employment discrimination under §504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act shall first be made in writing to the Superintendent of Schools or his/her designee. If the complaint cannot be resolved the following grievance procedure shall be followed:

Grievance Procedure – Employment

This grievance procedure shall apply to qualified handicapped/disabled persons who are employees with alleged discriminatory act(s) under the provisions of §504 of the Rehabilitation Act of 1973 and/or the Americans with Disabilities Act.

1. The aggrieved individual shall file a written complaint, stating the specific facts of his/her grievance and the alleged discriminatory act, with the compliance officer.
2. The District Coordinator shall make all reasonable efforts to resolve the matter informally by having the aggrieved individual review the complaint with his/her immediate supervisor.
3. The immediate supervisor shall render a determination to the aggrieved individual within 5 working days after hearing the complaint. If such complaint is not satisfactorily resolved at this stage, the aggrieved individual may proceed to the next level of appeal.
4. Within 5 **three** working days after a determination has been made at the preceding stage, the aggrieved individual may present the complaint in writing to the intermediate supervisor, if such there be, who shall orally discuss the complaint with the aggrieved individual. The intermediate supervisor shall render a determination in writing to the aggrieved individual within 5 **seven** working days after receiving the complaint. If such complaint is not satisfactorily resolved at this stage, the aggrieved individual may proceed to the next level of appeal.



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5. With ~~5~~ **three** working days after a determination has been made by the intermediate supervisor, the aggrieved individual may make a written request to the compliance officer for review and determination.
6. The District Coordinator/compliance officer shall immediately notify the individual, immediate supervisor, and intermediate supervisor in the case to submit written statements to him/her within 5 working days setting forth the specific nature of the complaint, the facts relating there, and the determinations previously rendered.
7. The District Coordinator shall notify all parties concerned in the case of the time and place when an informal hearing will be held where the parties may appear and present oral and written statements supplementing their position in the case and the manner in which the hearing will be conducted. Such hearing shall be held within ~~10~~ **seven** working days of receipt of the written statements pursuant to paragraph 5.
8. The District Coordinator shall render a determination within ~~5~~ **twelve** working days after the written statements pursuant to paragraph 5 have been presented to him/her, or ~~10~~ **five** working days after the completion of the informal hearing. The compliance officer will provide a written copy of his/her determination to all parties.
9. The aggrieved individual may appeal the determination of the District Coordinator to the Board within ~~10~~ **three** workings days of the receipt of the compliance officer's determination. The appeal shall be in writing and attached to copies of the original complaint, the minutes of the informal hearing, and the written determination of the District Coordinator. The Board or a committee thereof may, in its discretion, convene a hearing at which the parties may present additional testimony and argument.
10. Within ~~20~~ **forty-five** calendar days of the filing of appeal, the Board shall provide both parties within a written decision.
11. If the complaint has not been satisfactorily resolved in the above stages, the aggrieved individual may appeal in writing directly to the Office of Civil Rights.

FACILITIES



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Discrimination Prohibited

No qualified handicapped/disabled person shall, because a Board of Education facility is inaccessible to or usable by handicapped/disabled persons, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any activity to which this section of the Regulation applies.

Existing Facilities

The Board of Education will operate its programs and activities so that the program, when viewed in its entirety, is readily accessible to handicapped/disabled persons. The Board of Education is not required to make each of its facilities accessible to and usable by handicapped/disabled persons. The Board may comply with these requirements through such means as redesign of equipment, realignment of classes or other services to other buildings, assignment of aides, alternative sites, alterations of existing facilities or construction of new facilities or any other methods that result in making its programs or activities accessible to handicapped/disabled persons. The Board is not required to make structural changes in existing facilities where other methods that are effective in achieving compliance with this Regulation and the Rehabilitation Act. The Board will give priority to those methods that offer programs and activities to handicapped/disabled persons in the most integrated setting appropriate. The Board of Education will develop a plan to make its facilities comply with this policy and the Rehabilitation Act. The plan shall be developed with the assistance of interested persons, including handicapped/disabled persons or organizations representing handicapped/disabled persons.

New Construction

The Board of Education will design and construct each new facility or part of each new facility, or in the renovation of facilities or part thereof, in a manner that each such facility is readily accessible to and usable by handicapped/disabled persons. The alterations are not required if the alteration has little likelihood of being accomplished without removing or altering a load-bearing structural member. The Board of Education will comply with the provisions of N.J.S.A. 18A and N.J.A.C. 6 for the construction, remodeling and/or renovation of its facilities.

Complaints About Accessibility of Facility



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Complaints about access to facilities shall first be made to the Superintendent of Schools or his/her designee. If the complaint cannot be resolved the following grievance procedure shall be followed:

Grievance Procedure – Facilities

This grievance procedure shall apply to qualified handicapped/disabled persons who are not employees or students with alleged discriminatory act(s) under the provisions of §504 of the Rehabilitation Act of 1973 and/or the Americans with Disabilities Act.

1. The aggrieved individual shall file a written complaint, stating the specific facts of his/her grievance and the alleged discriminatory act, with the District Coordinator.
2. The District Coordinator shall make all reasonable efforts to resolve the matter informally by reviewing the complaint with the aggrieved individual.
3. In the event the complaint cannot be resolved through an informal meeting, the District Coordinator shall notify all parties concerned in the case of the time and place when an informal hearing will be held where the parties may appear and present oral and written statements supplementing their position in the case and the manner in which the hearing will be conducted. Such hearing shall be held within ~~40~~ **seven** working days of receipt of the written statements pursuant to paragraph 5.
4. The District Coordinator shall render a determination within ~~5~~ **twelve** working days after the written statements pursuant to paragraph 5 have been presented to him/her, or ~~40~~ **five** working days after the completion of the informal hearing. The District Coordinator will provide a written copy of his/her determination to all parties.
5. The aggrieved individual may appeal the determination of the District Coordinator to the Board within ~~40~~ **three** working days of the receipt of the District Coordinator's determination. The appeal shall be in writing and attached to copies of the original complaint, the minutes of the informal hearing, and the written determination of the compliance officer. The board or a committee thereof may in its discretion, convene a hearing at which the parties may present additional testimony and argument.



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6. Within ~~20~~ **forty-five** calendar days of the filing of appeal, the Board shall provide both parties with a written decision.
7. If the complaint has not been satisfactorily resolved in the above stages, the aggrieved individual may appeal in writing directly to the Office of Civil Rights.

EDUCATIONAL PROGRAM

The Board of Education will not, on the basis of handicap/disability, exclude qualified handicapped/disabled persons from the program or activity and will take into account the needs of such persons in determining the aid, benefits or services to be provided under the program or activity.

Students not otherwise eligible for special education programs and/or related services pursuant to N.J.A.C. 6A:14-1 et seq. may be referred to the District 504 Coordinator by the parent(s) or legal guardian(s), staff member and/or a request directly from the student.

The Board will provide a reasonable accommodation(s) to otherwise qualified students notwithstanding any program and/or related services required pursuant to N.J.A.C. 6A:14-1 et seq. Timelines for re-evaluations of students receiving a reasonable accommodation(s) will be established by the District Coordinator. A re-evaluation may be requested by the parent(s) or legal guardian(s) and/or the student at any time upon written request to the District Coordinator.

Location and Notification

The administration will undertake to identify and locate every qualified handicapped/disabled person residing within the school district who is not receiving a public school education and will take steps to notify such handicapped/disabled persons and their parent(s) or legal guardian(s) of the school district's duty under the policy and Rehabilitation Act. Students not otherwise eligible for program and/or related services pursuant to N.J.A.C. 6A:14-1 et seq., may be referred to the District Coordinator by the parent(s) or legal guardian(s) staff member and/or a request directly from the student.

Free Appropriate Public Education

The school district is required to provide a free appropriate public education to each qualified handicapped/disabled person who resides within the school district



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regardless of the nature or severity of the person's handicap/disability. An appropriate education is the provision of regular or special education and related aids and services that are designed to meet individual educational needs of handicapped/disabled persons as adequately as the needs of non-handicapped/non-disabled persons are met and are based upon adherence to procedures that satisfy the requirements of this regulation.

The school district may place a handicapped/disabled person in or refer such person to a program other than the one it operates as its means of carrying out the provisions of this regulation and IDEA. The school district continues to maintain responsibility for ensuring the requirements of this section are met in respect to any handicapped/disabled person so placed or referred.

A free appropriate public education must be provided to handicapped/disabled person without cost to the handicapped/disabled person or to his/her parent(s) or legal guardian(s), except for those fees that are imposed on non-handicapped/non-disabled persons or their parent(s) or legal guardian(s). If the handicapped/disabled person is placed in a program not operated by the school district the school district will ensure adequate transportation to and from the program and it shall be provided at no greater cost than would be incurred by the person or his parent(s) or legal guardian(s) if the handicapped/disabled person was placed in the program operated by the school district. If a public or private residential placement is necessary to provide a free appropriate education to a handicapped/disabled person because of his/her handicap/disability, the program, including non-medical care and room and board shall be provided at no cost to the person or his/her parent(s) or legal guardian(s).

Educational Setting

The school administration will place a handicapped/disabled person in the regular educational environment within the school district unless the school district demonstrates that the education of the handicapped/disabled person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The administration will consider the proximity of any alternative setting for handicapped/disabled persons to the person's home. The Board will ensure that handicapped/disabled persons participate with non-handicapped/non-disabled persons in such activities and services to the maximum extent appropriate to the needs of the handicapped/disabled person in question.

Evaluation and Placement



The Board of Education established standards and procedures for the evaluation and placement of students who, because of handicap/disability, need or are believed to need special education or related services through Policy No. 2460 and Regulations No. 2460.14. Individuals qualifying under §504 shall be evaluated using the following procedures:

1. Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel;
2. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
3. Tests are selected and administered so as to best ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

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

1. Draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;
2. Establish procedures to ensure that the information obtained from all such sources is documented and carefully considered;
3. Ensure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data and the placement options; and
4. Ensure that the placement decision is made in conformity with this regulation and the Rehabilitation Act of 1973.



Timelines for re-evaluations of students receiving a reasonable accommodation(s) will be established by the District 504 Coordinator. A re-evaluation may be requested by the parent(s) or legal guardian(s) and/or the student at any time upon written request to the District Coordinator.

Section 504 Accommodation Plan

The District Coordinator based on the evaluation of the student eligible for services under §504 shall prepare a Section 504 Accommodation Plan which contains at least the following elements as related to the student:

1. Name.
2. Date of Birth.
3. Current educational placement.
4. Name of the District Coordinator or designee preparing the Section §504 Accommodation Plan.
5. Handicapping/Disabling condition.
 - a. Major life activity impaired.
 - b. Educational impact.
 - c. Impact on related educational process.
6. Accommodation (as appropriate).
 - a. Physical and learning environment
 - b. Instructional
 - c. Behavioral
 - d. Evaluation
 - e. Medical
 - f. Transportation
 - g. Other
7. Location of the Accommodation
8. A listing of individuals participating in the development of the plan, along with their titles and the date(s) of their participation.
9. A certification by the parent(s) or legal guardian(s) of the student that they have participated in the development of the plan and give their consent to its implementation.



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RIGHTS OF PERSONS WITH HANDICAPS OR DISABILITIES/NON-DISCRIMINATION (M)

10. A waiver of the fifteen days notice prior to the implementation of the plan by the parent(s) or legal guardian(s) if the plan is to be implemented sooner than the fifteen days.

Procedural Safeguards

The school district will establish and implement, with respect to actions regarding the identification, evaluation, or educational placement of persons who, because of handicap/disability, need or are believed to need special education or related services, a system of procedural safeguards that includes notice, an opportunity for the parent(s) or legal guardian(s) of the person to examine relevant records, an impartial hearing with opportunity for participation by the person's parent(s) or legal guardian(s) and representation by counsel, and a review procedure. These procedural safeguards shall be in accordance with N.J.A.C. 6A:14 et seq. and Policy No. 2460 and Regulation 2460.7 and /or the grievance procedures contained herein.

Grievance Procedure – Students

This grievance procedure shall apply to qualified handicapped/disabled persons who are students with alleged discriminatory act(s) under the provisions of §504 of the Rehabilitation Act of 1973 and/or the Americans with Disabilities Act.

1. The parent(s) or legal guardian(s) of a qualified handicapped/disabled student or adult qualified handicapped/disabled student who believe the student has a valid basis for a grievance under §504, or the American Disabilities Act shall file an informal complaint in writing, stating the specific facts of his/her grievance and the alleged discriminatory act, with the District Coordinator.
2. The District Coordinator shall make all reasonable efforts to resolve the matter informally by reviewing the grievance with appropriate staff which may include, but not be limited to, the Principal, Child Study Team staff and/or the classroom teacher(s).
3. The District Coordinator will investigate and document the complaint including dates of meetings, dispositions and date of dispositions. The District Coordinator will provide a written reply to the aggrieved individual within ~~10~~ **seven** working days.



RIGHTS OF PERSONS WITH HANDICAPS OR DISABILITIES/NON-DISCRIMINATION (M)

4. If the complainant is not satisfied with the District coordinator's written reply, the complainant must file a formal complaint in writing, setting out the circumstances that give rise to the alleged grievance. This written complaint must be filed with the District Coordinator within 5 **three** working days.
5. The District Coordinator will appoint a qualified hearing officer within ~~10~~ **seven** working days of the receipt of the written grievance. The hearing officer will conduct a hearing within ~~10~~ **seven** working days. The hearing officer will give the parent(s) or legal guardian(s), student or adult student a full and fair opportunity to present evidence relevant to the issues raised under the grievance. The parent(s) or legal guardian(s), student or adult student may, at their own expense, be assisted or represented by individuals of their choice, including legal counsel. The hearing officer will present a written decision to the District Coordinator and aggrieved individual within ~~10~~ **seven** working days of the hearing.
6. The complainant may file a written appeal to the Board if not satisfied with the hearing officer's decision. The Board, through the Superintendent, will provide a written disposition of the alleged grievance.
7. The complainant may request Mediation and Due Process in accordance with N.J.A.C. 6A:14-2.6 and 2.7 if unsatisfied with the written decision of the Board, or if specifically requested by the parent(s) or legal guardian(s), or adult student the aforementioned N.J.A.C. 6A:14-2.6 and 2.7 grievance procedure must be followed.

Non-academic Services

The Board of Education will provide non-academic and extracurricular services and activities in such manner as is necessary to afford handicapped/disabled students an equal opportunity for participation in such services and activities. These services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interest groups or school clubs, referrals to agencies which provide assistance to handicapped/disabled persons, and employment to students, including both employment by the school district and assistance in making available outside employment.

The Board of Education and administration will ensure that qualified handicapped/disabled students are not counseled toward more restrictive career



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RIGHTS OF PERSONS WITH HANDICAPS OR DISABILITIES/NON-DISCRIMINATION (M)

objectives than are non-handicapped/non-disabled students with similar interests and abilities. The Board will provide to qualified handicapped/disabled students an equal opportunity for participation in physical education courses, athletics, and similar programs and activities. The school district may offer separate physical education and athletic activities to handicapped/disabled students only if separate or differentiation is consistent with the requirements of the Rehabilitation Act and no qualified handicapped/disabled person is denied the opportunity to compete for teams or to participate in courses that are not separate or different.

MISCELLANEOUS

Provisions Applicable to All Grievance Procedures

1. If the same or substantially the same grievance is made by more than one individual, a single individual may process the grievance through the grievance procedure on behalf of all aggrieved individuals. The names of all aggrieved individuals shall appear on all documents related to the settlement of the grievance.
2. An aggrieved individual may be represented or accompanied at any time by a person chosen by the individual.
3. An employee may use personal leave time when it becomes necessary to process a grievance during work hours.
4. A grievance that arises late in the school term will be submitted to an expedited process in order that the grievance may be resolved as soon after the school term as possible.
5. There will be no reprisal of any kind taken against any aggrieved individual for participation in a grievance.
6. All documents, communications, and records regarding the processing of a grievance will be filed in a separate file and will not be kept in the personnel or student file.

Cross Reference: Policy Guide No. 1510

Adopted: February 1996

Revised: 22 August 2000, 17 December 2003, 15 March 2016



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1530 EQUAL EMPLOYMENT OPPORTUNITIES

The Board of Education shall, in accordance with law, guarantee equal employment opportunity ~~in the schools of this~~ **throughout the** district.

The Board shall ensure all ~~Each otherwise qualified~~ persons shall ~~have be offered~~ equal **and bias free** access to all categories of employment **and equal pay for equal work** in this district without regard to the candidate's race, color, creed, religion, national origin, ancestry, age, marital status, ~~affectional~~ **affectional** or sexual orientation, ~~or sex~~ **gender**, ~~social or economic~~ **socioeconomic** status, or disability, **pursuant to N.J.A.C. 6A:7-1.1.** The school district's employment applications and pre-employment inquiries conform to the guidelines of the New Jersey Division of Civil Rights.

The Board will use equitable practices that prevent imbalance and isolation based on race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, socioeconomic status, or disability among the district's certificated and non-certificated staff and within every category of employment, including administration. Promotions and transfers will be monitored to ensure non-discrimination.

The Board shall not assign, transfer, promote or retain staff, or fail to assign, transfer, promote or retain staff, on the sole basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability or socioeconomic status, pursuant to N.J.A.C. 6A:7-1.1.

The Board will target underutilized groups in every category of employment. The Board will provide among the faculty of each school role models of diverse racial and cultural backgrounds.

~~For the purpose of this policy, "handicap" means suffering from physical disability; from any mental, psychological, or developmental disability; or from AIDS or HIV infection.~~

~~The Board shall not enter into, or maintain, any a contracts with a person, agency, or organization if it has knowledge that such person, agency, or organization that discriminates in employment practices or in the provision of benefits or services, on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectional affectional or sexual orientation, or sex gender, social or economic socioeconomic status, or disability, either in employment practices or in the provision of benefits or services to pupils or employees, pursuant to N.J.A.C. 6A:7-1.1.~~



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EQUAL EMPLOYMENT OPPORTUNITIES

The Superintendent shall promulgate a complaint procedure for the adjudication of disputes alleging violation of the law prohibiting discrimination in employment or this policy.

The Board shall not discriminate against any person for that person's exercise of rights under the laws prohibiting discrimination in employment or this policy.

~~42 U.S.C.A. 12101 et seq.~~

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

N.J.S.A. 18A:6-5; 18A:6-6; 18A:28-10; 18A:29-2

N.J.A.C. 6A:7-1.1 et seq.; **6A:7-1.8**

Adopted: 20 October 1992

Revised: 15 March 2016



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EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE

R 1530 EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE

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A. Purpose and application

1. The purpose of this procedure is to give any district employee or candidate for employment the opportunity to an alleged denial of equal employment opportunity in **violation** of state **statutes** and **administrative codes, and** federal laws and Policy No. 1530, guaranteeing "equal access to all categories of employment without regard to the candidate's race, color, creed, **religion**, national origin, ancestry, age, marital status, affectional or sexual orientation ~~or sex,~~ **gender**, ~~social or economic~~ **socioeconomic** status, or disability."
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and should 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 employees.

B. Definitions

1. "Board of Education" means the Board of Education of the Township of Ocean School District.
2. "Complaint" means an alleged discriminatory act or practice.
3. "Complainant" means ~~an employee of the school district or a candidate for school district employment~~ **staff member** who alleges a discriminatory act or practice.
4. "Day" means **a working or calendar day as identified.**



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EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE

5. "Discriminatory act or practice" means denial of equal employment opportunity in violation of State **statutes and administrative codes** and Federal laws and Policy No. 1530.
6. "School district" means the Township of Ocean School District.

C. Procedure

1. A complainant who believes that he/~~ers~~she has been harmed or adversely affected by a discriminatory practice or act prohibited by law and/or policy shall discuss the matter with his/~~er~~her immediate supervisor, in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within ~~ten~~ **thirty** days, the complainant may submit a complaint to the Affirmative Action Officer. The complaint will include
 - a. The complainant's name and address;
 - b. The specific act or practice that the complainant complains of;
 - c. The school officer or employee, if any, responsible for allegedly discriminatory act;
 - d. The results of discussions conducted in accordance with paragraph C1; and
 - e. The reasons why those results are not satisfactory.
3. The Affirmative Action Officer will investigate the matter and will respond to the complaint in writing no later than ~~ten~~ **seven** days after receipt of the written complaint. Copy of the complaint and the response will be forwarded to the Superintendent.
4. The response of the Affirmative Action Officer may be appealed to the Superintendent in writing within ~~ten~~ **three** days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have acted discriminatorily.



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EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE

5. On his/~~er~~her timely request (that is, submitted before **expiration of** the 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 ~~ten~~ **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 a discriminatory act and any other person with knowledge of the act complained of.
6. The Superintendent will render a written decision in the matter no later than ~~ten~~ **seven working** days after the appeal was filed or the hearing was held, whichever occurred later. Copies of decision will be given to all parties.
7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than ~~ten~~ **three working** days after receipt of the Superintendent's decision. The appeal shall include
 - a. The original complaint;
 - b. The response to the complaint;
 - c. The Superintendent's decision;
 - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented; and
 - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. A copy of the appeal to the Board must be given to the staff member, if any, charged with a discriminatory act.
9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.



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EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE

10. The Board will render a written decision no later than ~~thirty~~ **forty-five calendar** days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
11. The complainant will be informed of his/~~er~~her right to appeal the Board's decision to the
 - a. Commissioner of Education
~~Division of Controversies and Disputes~~
New Jersey State Department of Education
P.O. box 500
~~225 West State Street~~
Trenton, New Jersey 08625877) **900-6960500**
Telephone: ~~(609) 292-5705~~ (or the
 - b. New Jersey Division on Civil Rights
Trenton Regional Office
Office of the Attorney General
140 East Front Street – 6th Floor
Trenton, New Jersey 08625-0090
~~1100 Raymond Boulevard~~
~~Newark, New Jersey 07102~~
Telephone: ~~(201) 648-2700~~ **(609) 292-4605**

D. Record

1. The records of any complaint processed in accordance with this procedure shall be maintained in a file kept by the Affirmative Action Officer.
2. A copy of the decision rendered at the highest level of appeal will be kept in the employee's personnel file.

Adopted: October 1982

Revised: 15 March 2016



AFFIRMATIVE ACTION PROGRAM FOR EMPLOYMENT AND CONTRACT PRACTICES
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1550 AFFIRMATIVE ACTION PROGRAM FOR EMPLOYMENT AND CONTRACT
PRACTICES

The Board of Education shall, in accordance with **State statutes and administrative code and Federal law and regulations**, strive to overcome the effects of any previous patterns of discrimination in district employment practices and shall systematically monitor district procedures to ensure continuing compliance with anti-discrimination laws and regulations.

~~The district Affirmative Action Officer shall coordinate all activities designed to implement this policy. It will be the responsibility of the Affirmative Action Officer to~~

- ~~1. Study job descriptions, job qualifications, and salary guides for discriminatory practices;~~
- ~~2. Compare the characteristics of persons in the district's hiring region who possess skills required by the district to the characteristics of district employees;~~
- ~~3. Develop methods to search out sources of candidates for employment.~~
- ~~4. Recommend methods of recruitment that will encourage minority and female applicants;~~
- ~~5. Review recruiting advertisements and application forms;~~
- ~~6. Compare data on the promotion and discharge of women and minorities to district-wide data on promotion and discharge of employees; and~~
- ~~7. Recommend programs that will encourage greater job opportunities for women and members of minority groups.~~

~~The Affirmative Action Officer shall report as required to the Board on progress made in the affirmative action program for employment and contract practices. The Board will annually review district progress toward objectives of any state-approved affirmative action plan.~~

The Board will ensure all persons regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status shall have equal and bias-free access to all categories of employment in the public educational system of New Jersey, pursuant to N.J.A.C. 6A:7-1.1.



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OCEAN TOWNSHIP BOARD OF EDUCATION

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AFFIRMATIVE ACTION PROGRAM FOR EMPLOYMENT AND CONTRACT PRACTICES M

The Board will not enter into any contract with a person, agency, or organization that discriminates on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, either in employment practices or in the provision of benefits or services to pupils or employees.

The Board shall not assign, transfer, promote or retain staff, or fail to assign, transfer, promote or retain staff, on the sole basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.

The Board shall ensure equal pay for equal work among members of the district's staff, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, pursuant to N.J.A.C. 6A:7-1.1.

~~20 U.S.C.A. 1681; 20 U.S.C.A. 1703(d)~~
~~N.J.S.A. 10:5-1 et seq.~~
~~N.J.S.A. 18A:6-5 et seq.; 18A:58-16~~
N.J.A.C. 6A:7-1.1 et seq.; 6A:7-1.8

Adopted: 20 October 1992

Revised: 15 March 2016



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AFFIRMATIVE ACTION PROGRAM FOR EMPLOYMENT AND CONTRACT PRACTICES COMPLAINT PROCEDURE

R 1550 AFFIRMATIVE ACTION PROGRAM FOR EMPLOYMENT AND CONTRACT PRACTICES COMPLAINT PROCEDURE

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A. Purpose and application

1. The purpose of this procedure is to give any district employee or candidate for district employment the opportunity to appeal an alleged violation of the district's affirmative action ~~plan~~ **program** for employment and contract practices, as set forth in Policy No.1550 or in a plan formally adopted by the of Education and approved by the Commissioner.
2. **No qualified handicapped person, shall, on the basis of handicap, be subjected to discrimination in employment and the Board will take positive steps to employ and advance in employment qualified handicapped persons in programs and activities.**
32. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and should be implemented in an informal manner.
43. 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.
54. All participants in the procedure will respect the confidentiality that this district accords to information about individual staff ~~employees~~ **members**.

B. Definitions

1. "Board of Education" means the Board of Education of the Township of Ocean School District.
2. "Complaint" means an alleged violation of the district's affirmative action plan or policy.
3. "Complainant" means an staff ~~member employee of the district or a candidate for district employment~~ who alleges a violation of the district's affirmative action ~~plan~~ **program** or Policy No.1550.



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AFFIRMATIVE ACTION PROGRAM FOR EMPLOYMENT AND CONTRACT PRACTICES COMPLAINT PROCEDURE

4. "Day" means a working or calendar day as identified.
5. "School district" means the Township of Ocean School District.
6. "Violation" means the failure of a district official or employee to take the positive steps outlined in Policy No. 1550 or the duly approved affirmative action plan to remove impermissible bias or preference from all aspects of district employment **or contract** practices and/or to correct the results of past discrimination.

C. Procedure

1. A complainant who believes that he or she has been harmed or adversely affected by a failure to enforce the district's affirmative action plan for employment and contract practices shall discuss the matter with his or her immediate supervisor, in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within ~~ten~~ **thirty working** days, the complainant may submit a written complaint to the Affirmative Action Officer. The complaint will include
 - a. The complainant's name and address;
 - b. The specific failure to act that the complainant complains of;
 - c. The school officer or employee, if any, responsible for the allegedly violation of the affirmative action plan;
 - d. The results of discussions conducted in accordance with paragraph C1; and
 - e. The reasons why those results are not satisfactory.
3. The Affirmative Action Officer will investigate the matter informally and will respond to the complaint in writing no later than ~~ten~~ **seven working** days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.
4. The response of the Affirmative Action Officer may be appealed to the Superintendent in writing within ~~ten~~ **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



AFFIRMATIVE ACTION PROGRAM FOR EMPLOYMENT AND
CONTRACT PRACTICES COMPLAINT PROCEDURE

rejecting the response. A copy of the appeal must be given to the staff member alleged to have violated the affirmative action plan.

5. On his/~~or~~her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than ~~ten~~ **seven working** days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with violation of the affirmative action plan and any other person with knowledge of the violation complained of.
6. The Superintendent will render a written decision in the matter no later than ~~ten~~ **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 of Education.**
7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than ~~ten~~ **three working** days after receipt of the Superintendent's decision. The appeal will include
 - a. The original complaint;
 - b. The response to the complaint;
 - c. The Superintendent's decision;
 - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented; and
 - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. A copy of the appeal to the Board must be given to the staff member, if any, charged with a violation of the affirmative action plan.
9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the **complainant** so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.



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AFFIRMATIVE ACTION PROGRAM FOR EMPLOYMENT AND CONTRACT PRACTICES COMPLAINT PROCEDURE

10. The Board will render a written decision no later than ~~thirty~~ **forty-five calendar** days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
11. The complainant will be informed of his/her right to appeal the Board's decision to the
 - a. Commissioner of Education
Division of Controversies and Disputes
New Jersey State Department of Education
P.O. Box 500
~~225 East State Street~~
Trenton, New Jersey 08625-0500
Telephone: ~~(609) 292-5705~~ **(877) 900-6960** or the
 - b. New Jersey Division on Civil Rights
Trenton Regional Office
Office of the Attorney General
140 East Front Street – 6th Floor
Trenton, New Jersey 08625-0090
~~1100 Raymond Boulevard~~
~~Newark, New Jersey 07102~~
Telephone: ~~(201) 648-2700~~ **(609) 292-4605**

D. Record

1. The records of any complaint processed in accordance with this procedure shall be kept in a file maintained by the Affirmative Action Officer.
2. A copy of the decision rendered at its highest level of appeal will be kept in the complainant's personnel file.

Adopted: October 1992

Revised: 15 March 2016



AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES

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2260 AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES

~~The Board of Education shall, in accordance with law, strive to overcome the effects of any previous patterns of discrimination in school and classroom practices and shall systematically monitor district procedures to insure continuing compliance with anti-discrimination laws and regulations.~~

~~The Affirmative Action Officer shall coordinate all activities designed to implement this policy. The Affirmative Action Officer shall identify and recommend the correction or removal of impermissible bias based on race, color, creed, religion, national origin, ancestry, age, marital status, sex, social or economic status, handicap, or disability. He or she shall~~

- ~~1. Review current and proposed curriculum guides, textbooks, and supplemental materials for bias and determine whether such materials fairly depict the contribution of both men and women and various racial and ethnic groups in the development of human society;~~
- ~~2. Develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias in all aspects of the school program;~~
- ~~3. Review current and proposed programs, activities, and practices to insure that all pupils have equal access to them and are not impermissibly segregated in any duty, work, play, classroom, or school practice except as may be permitted under rules of the State Board of Education;~~
- ~~4. Insure that similar aspects of the school program receive commensurate support as to staff size and compensation, purchase and maintenance of facilities and equipment, and access to such facilities and equipment;~~
- ~~5. Insure that tests, procedures, and guidance and counseling materials that are designed to evaluate pupil progress or rate aptitudes, or analyze personality or in any manner establish or tend to establish a category by which a pupil may be judged are not impermissibly differentiated or stereotyped.~~

~~Parents, pupils, staff members, and members of the public shall be informed annually about the district's affirmative action plan for school and classroom practices, the designation of the Affirmative Action Officer, and the procedure by which an affirmative action complaint may be filed and processed.~~



AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES

~~The Affirmative Action Officer shall report as required to the Board on progress made in the affirmative action program for school and classroom practices. The Board will annually review district progress toward the objectives of any state approved affirmative action plan.~~

The Board of Education shall provide equal and bias-free access for all pupils to all school facilities, courses, programs, activities, and services, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, by:

- 1. Ensuring equal and barrier-free access to all school and classroom facilities;**
- 2. Attaining minority representation within each school, which approximates the district's overall minority representation. Exact apportionment is not required, however, the ultimate goal is a reasonable plan achieving the greatest degree of racial balance, which is feasible and consistent with sound educational values and procedures;**
- 3. Utilizing a State approved English language proficiency measure on an annual basis for determining the special needs and progress in learning English of language-minority pupils pursuant to N.J.A.C. 6A:15-1.3(c);**
- 4. Utilizing bias-free multiple measures for determining the special needs of pupils with disabilities, pursuant to N.J.A.C. 6A:14-3.4;**
- 5. Ensuring that support services, including intervention and referral services and school health services pursuant to N.J.A.C. 6A:16, are available to all pupils; and**
- 6. Ensuring that a student is not discriminated against because of a medical condition. A pupil shall not be excluded from any education program or activity because of a long-term medical condition unless a physician certifies that such exclusion is necessary. If excluded, the pupil shall be provided with equivalent and timely instruction that may include home instruction, without prejudice or penalty.**

The Board of Education shall ensure that the district's curriculum and instruction are aligned to the State's Core Curriculum Content Standards and address the elimination of discrimination by narrowing the achievement gap, by providing equity in educational



AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES

programs and by providing opportunities for students to interact positively with others regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, by:

1. Ensuring there are no differential requirements for completion of course offerings or programs of study solely on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status;
2. Ensuring courses shall not be offered separately on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status;
 - a. Portions of classes which deal exclusively with human sexuality may be conducted in separate developmentally appropriate sessions for male and female students, provided that the course content for such separately conducted sessions is the same.
3. Reducing or preventing the underrepresentation of minority, female, and male students in all classes and programs including gifted and talented, accelerated, and advanced classes;
4. Ensuring that schools demonstrate the inclusion of a multicultural curriculum in its instructional content, materials and methods, and that students understand the basic tenet of multiculturalism;
5. Ensuring that African American history, as well as the history of other cultures, is infused into the curriculum and taught as part of the history of the United States, pursuant to N.J.S.A. 18A:35-1 and the New Jersey Core Curriculum Content Standards; and
6. Ensuring that instruction on the Holocaust and other acts of genocide is included in the curriculum of all elementary and secondary schools, as developmentally appropriate, pursuant to N.J.S.A. 18A:35-28.

The Board of Education shall ensure all pupils have access to adequate and appropriate counseling services. When informing pupils about possible careers, professional or vocational opportunities, the Board shall not restrict or limit the options presented to pupils on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion,



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disability, or socioeconomic status. The district will not use tests, guidance, or counseling materials which are biased or stereotyped on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status.

The Board of Education shall ensure that the district's physical education program and its athletic programs are equitable, co-educational, and do not discriminate on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, as follows:

1. The district shall provide separate restroom, locker room, and shower facilities on the basis of gender, but such facilities provided for pupils of each gender shall be comparable;
2. A school within the school district may choose to operate separate teams for both genders in one or more sports or single teams open competitively to members of both genders, so long as the athletic program as a whole provides equal opportunities for pupils of both genders to participate in sports at comparable levels of difficulty and competency; and
3. The activities comprising such athletic programs shall receive equitable treatment, including, but not limited to, staff salaries, purchase and maintenance of equipment, quality and availability of facilities, scheduling of practice and game time, length of season, and all other related areas or matters.

~~20 U.S.C.A. 1701~~

N.J.S.A. 18A:36-20

N.J.A.C. 6:4-1.3(b) 7-1.7

Adopted: 17 December 1985

Revised: 17 July, 1990, 20 October 1992, 15 March 2016



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

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

M

A. Purpose and Application

1. The purpose of this procedure is to give any student or the parent(s) or legal guardian(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 No. 2260.
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and will be implemented in an informal manner.
3. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
4. All participants in the procedure will respect the confidentiality that this district accords to information about individual 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.
3. "Board of Education" means the Board of Education of the Township of Ocean School District.



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4. "Complainant" means a student or parent(s) or legal guardian(s) who believes that he/she has been harmed or adversely affected by a failure to enforce the district's Affirmative Action Plan.
5. "Complaint" means an unresolved problem concerning the interpretation or application by an officer or employee of this school district of law and regulations regarding the Affirmative Action Plan.
6. "Day" means a working or calendar day as identified.
7. "Student" means an individual enrolled in any formal educational program provided by the school district.
8. "School district" means the Township of Ocean School District.
9. "Violation" means the failure of a district official or employee to take the positive steps outlined in Policy No. 2260 and/or included in the Affirmative Action Plan.

C. Procedure

1. A complainant shall discuss his/her complaint with the staff member most closely involved in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within **ten** working days, the complainant may submit a written complaint to the Affirmative Action Officer. The complaint will 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 that the complainant complains of,
 - c. The school employee, if any, responsible for the alleged violation of the Affirmative Action Plan,



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- d. The results of discussions conducted in accordance with paragraph C1, and
 - e. The reasons why those results are not satisfactory.
- 3. The Affirmative Action Officer will investigate the matter informally and will respond to the complaint in writing no later than **ten** working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.
 - 4. The response of the Affirmative Action Officer may be appealed to the Superintendent in writing within **ten** working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have violated the Affirmative Action Plan.
 - 5. On his/her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than **ten** working days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with violation of the Affirmative Action Plan and any other person with knowledge of the violation complained of.
 - 6. The Superintendent will render a written decision in the matter no later than **ten** working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties and to the Board.
 - 7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than **ten** working days after receipt of the Superintendent's decision. The appeal shall include:



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- a. The original complaint,
 - b. The response to the complaint,
 - c. The Superintendent's decision,
 - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented, and
 - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. A copy of the appeal to the Board must be given to the staff member, if any, charged with a violation of the Affirmative Action Plan.
 9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
 10. The Board will render a written decision no later than **ten** calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
 11. The complainant will be informed of his/her right to appeal the Board's decision to the Commissioner of Education or to the New Jersey Division on Civil Rights.

D. Record

The records of any complaint processed in accordance with this procedure shall be maintained in a file separate from the student's cumulative file. A notation shall be made in the student's file of the presence of the record in the separate file.

Adopted: April 2004

Revised: 15 March 2016



**PROGRAMS FOR PUPILS AT RISK AND SERVICES FOR STUDENTS IN HIGH POVERTY
AND IN HIGH NEED SCHOOL DISTRICTS (M)**

**2414 PROGRAMS FOR PUPILS AT RISK AND SERVICES FOR STUDENTS IN
HIGH PROVERTY AND IN HGH NEED SCHOOL DISTRICTS**

(M)

The Board of Education recognizes that certain conditions place children at risk of not acquiring the knowledge, skills, behaviors, and attitudes necessary for school success, school completion, and successful functioning as an adult in society.

A "pupil at risk" means a pupil who is in danger of failure to achieve the New Jersey Core Curriculum Content Standards and the high school graduation requirements or dropping out of school because of specific cognitive, affective, economic, social, and/or health needs. The conditions that may place a pupil at risk include the pupil's failure to acquire the essential skills needed to stay on grade level or the pupil's performance below minimum levels of proficiency; history of adjustment or behavioral problems; placement on long-term suspension for violation of school rules; history of poor school attendance; being limited in English language proficiency; being disruptive or disaffected; pregnancy or parenthood; failure to qualify for promotion or graduation; condition of poverty as defined by his or her eligibility for free meals or free milk and/or exhibiting other characteristics identified by the Board.

Programs and services for pupils at risk shall meet the goals of:

1. — Enhancing the health, self-esteem, and acquisition of the life skills necessary for age-appropriate development and productive functioning in the school setting and society;
2. — Identifying and assisting pupils who are not meeting standards for behavior and achievement in areas such as attendance, conduct, and mastery of the curriculum, as well as performing below state minimum levels of proficiency; and
3. — Improving the school climate so that pupils experience school as a safe, supportive, and disciplined place where academic and interpersonal growth and learning can take place.

Programs and services for pupils at risk may be offered during the regular school day, beyond the regular school day, or during the summer. Any such programs and services that do not require the services of a teaching staff member or cannot be



**PROGRAMS FOR PUPILS AT RISK AND SERVICES FOR STUDENTS IN HIGH POVERTY
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~~reasonably accommodated in the school setting may be delivered by qualified persons who are not necessarily certified but are supervised by appropriately certified teaching staff members.~~

~~The Board shall provide staff training necessary to implement the programs and services for pupils at risk.~~

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

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

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



**PROGRAMS FOR PUPILS AT RISK AND SERVICES FOR STUDENTS IN HIGH POVERTY
AND IN HIGH NEED SCHOOL DISTRICTS (M)**

High need school districts where less than eighty-five percent of total students have achieved proficiency in language arts literacy on the New Jersey Assessment of Skills and Knowledge (NJ ASK) 3 shall provide an intensive early literacy program for preschool to grade three to ensure that all students achieve proficiency on State standards in accordance with the requirements of N.J.A.C. 6A:13-3.4(a).

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

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

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

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

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



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PROGRAMS FOR PUPILS AT RISK AND SERVICES FOR STUDENTS IN HIGH POVERTY AND IN HIGH NEED SCHOOL DISTRICTS (M)

N.J.A.C. ~~6:8-1.1 et seq.~~ 6A:13-3.1; 6A:13-3.2; 6A:13-3.3; 6A:13-3.4; 6A:13-3.5

Adopted: 20 December 1988

Revised: 17 July 1990, 19 April 1993, 21 July 1998, 20 February 2001, 15 March 2016



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R 2414 AT RISK STUDENTS PROGRAMS & SERVICES FOR STUDENTS IN HIGH POVERTY AND IN HIGH NEED SCHOOL DISTRICTS

M

A. — Assessment

1. — ~~School district personnel will use a variety of test 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;~~



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- ~~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) or 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.~~

1. Implementation Timelines

- a. The New Jersey Department of Education shall identify the list of high need school districts based on the State assessments results and shall promptly notify the districts that are classified as high need.
- b. In the first school year immediately following such identification as a high need school district, the district shall begin planning for implementation of, and shall implement where possible, the designated program(s) (language arts and/or mathematics literacy) as required below.
- c. In the subsequent year following identification as a high need school district, the district shall fully implement the designated program(s).
- d. High need school districts, once identified, shall remain in that status and shall continue to implement the designated program(s) for a minimum of three years.

2. Language Arts Literacy – Intensive Early Literacy for Grades Preschool through Three



**AT-RISK STUDENTS PROGRAMS & SERVICES FOR STUDENTS IN
HIGH POVERTY AND IN HIGH NEED SCHOOL DISTRICTS (M)**

High need school districts where less than eighty-five percent of total students have achieved proficiency in language arts literacy on the NJ ASK 3 shall provide an intensive early literacy program for preschool to grade three to ensure that all students achieve proficiency on State standards. The intensive early literacy program shall include the following components:

- a. An emphasis on small group instruction in at least reading, writing, and technology;
- b. A comprehensive early literacy assessment program that includes:
 - (1) Assessment of English language learners (ELLs) in accordance with N.J.A.C. 6A:15-1.3;
 - (2) A reading measure used minimally at the beginning of grades Kindergarten through three to determine the reading skills and strategies students have mastered;
 - (3) On-going performance-based assessments;
 - (4) A comprehensive diagnostic assessment of individual students who are exhibiting persistent difficulty in reading following a sustained period of targeted instruction; and
 - (5) An annual end-of-year achievement assessment of reading with a norm-referenced and/or criterion referenced test in grades one and two.
- c. At least a daily ninety-minute, uninterrupted language arts literacy block in grades Kindergarten through three with guidance in the use of that time that may include the following instructional strategies:
 - (1) Use of a reading measure to differentiate student needs;
 - (2) Small group instruction;
 - (3) Direct instruction;
 - (4) Guided reading; and



**AT-RISK STUDENTS PROGRAMS & SERVICES FOR STUDENTS IN
HIGH POVERTY AND IN HIGH NEED SCHOOL DISTRICTS (M)**

(5) Shared reading.

- d. Instructional materials that include concepts and themes from other content areas;**
- e. Professional development opportunities for teachers that focus on the elements of intensive early literacy, ways to assist students who exhibit persistent difficulty in reading, or other related topics that have been identified by these teachers as professional development needs and are reflected in the school and school district professional development plans pursuant to N.J.A.C. 6A:9-15;**
- f. Consistent and adequate opportunities for teachers to discuss and analyze student work, interim progress measures and assessment results, and to plan any modifications in grouping and/or instruction that may be indicated, consistent with this section;**
- g. A classroom library that reflects the diversity and needs of all students and includes assistive technology;**
- h. Use of a highly skilled literacy coach or certified teacher to coordinate professional development and collaboration based on the school and school district professional development plan, if documented as necessary to increase achievement of early literacy; and**
- i. Methods to involve parents and family members in student learning.**

3. Language Arts Literacy – Intensive Literacy for Grades Four through Eight

High need school districts where less than eighty percent of total students have achieved proficiency in language arts literacy on the NJ ASK 8 shall implement an intensive literacy program for grades four through eight that includes the following components:

- a. A comprehensive literacy assessment for grades four through eight as part of the school district's curriculum to measure individual and group progress indicated below:**



**AT-RISK STUDENTS PROGRAMS & SERVICES FOR STUDENTS IN
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- (1) **Benchmark analysis that gauges students' performance and is used to assist school staff in determining skills that students still need to attain; and**
 - (2) **Assessment of English language learners (ELLs) pursuant to N.J.A.C. 6A:15-1.3.**
 - b. **Emphasis on small group instruction with scheduling of double periods, including appropriate classroom materials for small group instruction with evidence-based interventions and additional time for students who are not proficient in language arts literacy;**
 - c. **Professional development opportunities for teachers and administrators that are based on effective instructional practices including:**
 - (1) **Enhancing knowledge of the language arts literacy content and pedagogy to engage all students; and**
 - (2) **Learning how and having opportunities to analyze student work and assessment results in a collaborative setting.**
 - d. **Involving parents and family members in student learning.**
4. **Language Arts Literacy – Literacy for Students in Grades Nine through Twelve**
- High need school districts where less than eighty percent of total students have achieved proficiency in language arts literacy on the high school State assessment shall implement a language arts literacy program aligned with college preparatory English I, II, III, and IV for grades nine through twelve that incorporates the elements in 3. above with the exception of providing a double period for language arts literacy.**
5. **Mathematics Literacy – Math Literacy for Students in Grades Three through Four**



**AT RISK STUDENTS PROGRAMS & SERVICES FOR STUDENTS IN
HIGH POVERTY AND IN HIGH NEED SCHOOL DISTRICTS (M)**

High need school districts in which less than eighty-five percent of total students have achieved proficiency in mathematics on the NJ ASK 4 shall implement a comprehensive program for mathematics education that prepares students in grades three through four for success in higher order mathematics and that includes the following components:

- a. Curriculum that simultaneously develops conceptual understanding, computational fluency, and problem solving skills, with meaningful instruction and a focus on critical mathematics skills as part of a successful learning experience;
- b. Mathematical reasoning that occurs in contextual learning;
- c. An emphasis on communicating mathematics concepts both verbally and in writing;
- d. The use of frequent questions and opportunities for class discussion in addition to the mathematics textbook activities to improve student problem solving ability;
- e. Professional development in both mathematics content and in the elements of mathematics pedagogy specified in this section, related to the appropriate grade and based on individual professional needs, pursuant to N.J.A.C. 6A:9-15;
- f. Use of appropriate instructional materials, technology, and manipulative, aligned with the Core Curriculum Content Standards (CCCS) in mathematics, that lead students through concrete, symbolic, and abstract mathematical thinking;
- g. Multiple assessments and benchmarks, including use of formative assessments;
- h. Differentiated instruction;
- i. Explicit mathematics instruction for struggling students to ensure that these students possess the foundational skills and conceptual knowledge necessary for understanding the mathematics they are learning at their grade level; and



**AT RISK STUDENTS PROGRAMS & SERVICES FOR STUDENTS IN
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j. Methods to involve parents and family members in student learning.

6. Mathematics Literacy – Math Literacy for Students in Grades Five through Eight

High need school districts where less than eighty percent of total students have not achieved proficiency in mathematics on the NJ ASK 8 shall implement a comprehensive program for mathematics education that prepares all students in grades five through eight for success in Algebra at the high school level and incorporates the elements in 5. above.

7. Mathematics Literacy – Math Literacy for Students in Grades Nine through Twelve

High need school districts where eighty percent or more of total students have not achieved proficiency in mathematics on the high school State assessment shall implement a comprehensive program for mathematics education for grades nine through twelve which incorporates the elements in 5. above and is aligned to course expectations as required to meet graduation requirements.

C. High Poverty School Districts

1. Class Size Requirements

a. Class size in high poverty school districts shall not exceed twenty-one students in grades Kindergarten through three, twenty-three students in grades four and five, and twenty-four students in grades six through twelve; provided that if the district chooses to maintain lower class sizes in grades Kindergarten through three, class sizes in grades four and five may equal but not exceed twenty-five students.

b. Exceptions to the class size requirements in C.1.a. above are permitted for some physical education and performing arts classes, where appropriate.

2. Full-Day Kindergarten Requirements



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- a. **High poverty school districts shall maintain all existing full-day Kindergarten programs with a teacher's aide for each classroom.**
- b. **Class size for these Kindergarten classrooms shall not exceed twenty-one students.**

Adopted: 21 July 1998

Revised: 20 February 2001, 15 March 2016



CAREER-VOCATIONAL-TECHNICAL EDUCATION

2421 CAREER-VOCATIONAL-TECHNICAL EDUCATION

~~The Board of Education believes that constructive attitudes and concepts involving the dignity of all kinds of work should be woven into the existing curriculum, beginning with the primary grades. Educational programs shall continuously expose pupils to the nature of a wide variety of careers in the world of work. Career education, as a core component of comprehensive education, shall be developed to take into account technical and economic conditions and changes in today's world. Guidance and counseling services shall be provided each pupil throughout his or her academic program for the purpose of placement in a chosen career.~~

~~To meet the career education needs of pupils in the community, the Superintendent shall provide:~~

- ~~1. — Consumer education;~~
- ~~-~~
- ~~2. — Specializing short term career educational programs developed to meet specified needs;~~
- ~~-~~
- ~~3. — A program of work experience opportunity;~~
- ~~-~~
- ~~4. — One half credit year of instruction in career exploration and/or the infusion of such instruction in accordance with Policy No. 5460.~~
- ~~-~~
- ~~5. — The enrollment of pupils in a shared time program of vocational education outside this district, provided that such program is not offered in this district and provided that such enrollment has been approved by the parent or guardian of the pupil.~~

~~In order to maintain the district program of vocational education the Board shall approve the content and organization of all vocational courses of study, employ and supervise all vocational education staff, provide adequate facilities for the maintenance of the program, approve the assignment of pupils to work study and cooperative vocational education programs and supervise the nature and conduct of their employment, approve the transfer of pupils to out of district vocational education programs, and establish the number of credits to be awarded toward graduation for vocational education courses of study and for cooperative education programs.~~

~~Admission to vocational education programs will be open to regularly enrolled pupils who are qualified by their interest, motivation, and potential for achieving the goals of the program. Pupils participating in part-time cooperative and work study~~



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~~CAREER-VOCATIONAL-TECHNICAL EDUCATION~~

~~programs shall not be exploited, illegally employed, or employed under conditions that fail to safeguard their health and interest.~~

~~All pupils participating in vocational education programs supervised by this Board or in shared time programs are considered to be regularly enrolled in the schools of this district and are subject to the policies and rules of this Board, including rules regarding attendance, for those periods when they are not assigned to outside work projects or other classes.~~

~~The Superintendent shall develop regulations that insure that all programs are operated in conformity with the current state plan for vocational education, that all teachers are properly certified for their specific teaching assignments, that vocational pupils and staff members are provided with a safety handbook, and that the vocational education of disadvantaged and handicapped pupils is supplemented by suitable programs of remedial instruction.~~

~~The Superintendent shall seek and utilize all available state and federal and private sources of revenue for the financial support of vocational education in this district.~~

The Board of Education provides a program(s) of vocational-technical education. The purpose of the vocational-technical education program is to develop the academic, vocational, and technical skills of students who elect to enroll in vocational-technical education programs preparing the students for career preparation, gainful employment, lifelong learning, training supplemental to daily employment, and productive citizenship.

The Board provides a program of vocational-technical education with students guaranteed the right to apply and, if accepted, to attend a county vocational school. The district will provide county vocational school representatives a reasonable opportunity, during school hours, to present information about the county vocational school program to students in grades six through twelve.

N.J.S.A. 18A:35-4.2; **18A:38-15**; 18A:54-1 et seq.
N.J.A.C. 6:42-1 et seq.; 6:43-1 et seq. **6A:19-1.1 et seq.**

Adopted: 18 October 1977
Revised: 17 May 1983, 17 July 1990, 15 March 2016



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Regulation Required for Vocational and Non-Vocational School Districts that Established Vocational-Technical Education Programs

A. Curriculum Vocational-Technical Instruction

Vocational-technical education instruction has been designed to prepare students for life skills and paid employment as skilled workers, technicians or paraprofessionals in recognized occupations and in new or emerging occupations; to prepare students for enrollment in advanced or highly skilled vocational-technical education programs; and to assist students in making informed and meaningful occupational choices; or to achieve any combination of the above objectives.

~~1. The vocational education instructional program of this district will be conducted in accordance with curriculum guides prepared and implemented in accordance with N.J.A.C. 6:43 and the State Plan for Vocational and Technical Education approved by the State Board of Education and accepted by the U.S. Office of Education.~~

~~2. A career awareness program of introduction to vocational education will be offered in grades _____ and may be offered as separate classes or infused into the regular class schedule. The career awareness program shall be designed and implemented to assist pupils in:~~

~~a. Gaining knowledge about the range and nature of various careers, including the educational and personal requirements for entry into those careers,~~

~~b. Gaining increased awareness of the pupil's values, interests, and abilities,~~

~~c. Developing an appreciation of work and assumed responsibilities, and~~

~~d. Experience an alternative approach to learning.~~

Vocational-Technical Education for Paid Employment and Life Skills

Vocational-technical education for paid employment or life skills includes:

1. Instruction related to paid employment in the career or careers for which the students are being trained;



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2. Classroom related academic and technical instruction, field, shop, laboratory instruction, structured learning experience, apprenticeship or other occupational experiences;
3. Instruction provided for employment or instruction designed to upgrade or update workers in occupational skills and knowledge in order to enhance stability or upward mobility in employment;
4. Remedial or other instruction designed to correct educational deficiencies or accommodate disabilities which prevent secondary school students from benefiting from instruction designed to teach technical competencies in occupations; and
5. Instruction in life-skills that will help students achieve personal and professional goals and help students become productive citizens in their communities.

Career Orientation, Family and Consumer Sciences, and Technology Education Programs

Career orientation, family and consumer sciences, and technology education includes instruction:

1. Designed to familiarize individuals with the broad range of occupations for which basic technical or other skills are required and the requisites for careers in such occupations, including employability skills; and
2. On the evolution, utilization, and significance of technology, and its impact on industry.

Structured Learning Experiences (SLE)

Pursuant to N.J.A.C. 6A:8-3.2 - Career Education and Counseling, interested students may voluntarily select Structured Learning Experiences (SLE) to complement their classroom instruction. All SLE shall adhere to applicable State and Federal child labor laws and other regulations of the Federal and State Departments of Education and Labor.

The structured learning experience:



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1. May be either paid or unpaid, depending on the type of activities in which the student is involved;
2. May or may not be sponsored by a school district;
3. May include, but not be limited to: apprenticeships; community service; cooperative education service learning; internships; job shadowing; school-based experiences; vocational student organization activities; volunteer activities; and/or Work Experience Career Exploration Program (WECEP).

The responsibility of the school district is dependent upon the type of SLE in which the student is participating.

1. If the district sponsors the SLE or provides arrangements for a student's SLE, the district shall provide the appropriate student supervision using school district staff and/or contracted services. The district will maintain the student's records reflecting the SLE if the SLE is sponsored by the district. The district shall be responsible for providing other services as required by rule or statute.
2. If the district does not sponsor the SLE, the employer is responsible for supervision of the student on the training site, pursuant to applicable fair labor practices and child labor laws. The district may elect to provide this supervision.

Structured Learning Experience activities are divided into two categories:

1. **Hazardous** - Some training sites may potentially expose the student to conditions considered hazardous by the Federal or State Departments of Education. Only students who are enrolled in a cooperative education course of study, conducted by an appropriately licensed person, may be placed in a training site considered hazardous. The district will adhere to the Fair Labor Standards Act and all child labor laws when placing students on a training site considered hazardous.
2. **Non-Hazardous** - Students placed in training sites deemed non-hazardous shall be supervised by the appropriately licensed teacher or other designated district staff member holding the appropriate license/certification.



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Special Educational Programs And Services

Vocational-technical education for academically or economically limited students or students with disabilities shall include special educational programs and services designed to enable them to achieve the vocational-technical education program's objectives. Vocational-technical education for students with disabilities shall be provided in accordance with the student's Individualized Education Program (IEP). Pursuant to N.J.A.C. 6A:14-4.7, vocational personnel from the shared-time vocational school district shall participate in the IEP decisions.

Funds available for vocational-technical education for academically or economically limited students or for students with disabilities may not be used to provide food, lodging, medical, and dental services unless directly related to the provision of vocational instruction. However, the district conducting vocational programs shall encourage the provision of such services through arrangements with other agencies.

When certain academically or economically limited students or students with disabilities cannot benefit from regular vocational-technical education programs to any extent, even with the provisions of supplementary special educational services, then they shall be provided with special programs of vocational instruction which meet the standards and requirements of regular vocational-technical education programs and which in addition, shall include such special instructional devices and techniques and such supplementary special educational services as are necessary to enable those students to achieve their career objectives.

Vocational-technical education programs and services for academically or economically limited students or students with disabilities shall be planned, developed, established, and administered in cooperation with other public or private agencies, organizations, and institutions having responsibility for the education of academically or economically limited students or individuals with disabilities in the area or community served by such programs or services. They may include community agencies, vocational rehabilitation agencies, special education divisions or offices of State agencies, district Boards of Education, and other agencies, organizations and public or private institutions concerned with the problems of academically or economically limited individuals or individuals with disabilities.]

B-Staff Content Standards For Vocational Instruction



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- ~~1. Vocational instruction shall be conducted and supervised by teachers, teacher aides, supervisors, and other supporting personnel.~~
- ~~2. The vocational instruction program shall be supplemented by a teacher training program.~~
- ~~3. All teaching staff members in the vocational education program must be appropriately certified for the positions they hold.~~

The content of vocational-technical instruction shall be developed and conducted in accordance with the following standards to assure soundness and quality:

- 1. The program of instruction shall reflect contemporary industry-endorsed skill standards and knowledge required to master the occupational competencies;**
- 2. The program of instruction shall be developed and conducted in consultation with employers and other individuals or groups of individuals (such as local advisory committees) having skills in and substantive knowledge of the occupations or the occupational programs included in the instruction;**
- 3. The program of instruction shall be sufficiently extensive in duration and intensive within a scheduled unit of time to enable the student to master the occupational competencies;**
- 4. The program of instruction shall combine and coordinate classroom instruction with field, shop, laboratory, structured learning experience, apprenticeship, or other experiences that are appropriate to the competencies of the career clusters; and**
- 5. The program of instruction shall be supervised, directed, or coordinated by persons meeting teacher preparation and licensing requirements of N.J.A.C. 6A:9 - Professional Licensure and Standards when the program is offered at the secondary level.**

~~C. Protection of Pupils~~ Vocational Student Organizations

- ~~1. All vocational education programs will observe the safety standards set forth at~~



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N.J.A.C. 6:53-1.1 et seq.

a. ~~All tools, machines, equipment, and safety devices will meet the safety standards of the rules; any tool, machine, piece of equipment, or safety device that does not meet standards will be removed from service.~~

b. The _____ will prepare specific statements of practices and precautions required for safe operation in each vocational course of study.

e. ~~Vocational facilities, tools, machines, equipment, and personal protective devices will be inspected at least once each _____ and will be maintained on a regular schedule of preventive maintenance.~~

d. The _____ will identify potential hazards and take all steps necessary to eliminate them.

e. ~~In the event a pupil, staff member, or visitor to the vocational education program is injured or disabled, the emergency procedures set forth in Regulation No. 8441 will be followed. Each accident that requires treatment by a physician will be reported, within five working days of the accident, to the Commissioner of Education on the accident reporting form supplied by the Department of Education.~~

f. The _____ will, in consultation with vocational education teachers, prepare a clearly written safety handbook for distribution to each vocational education pupil at the beginning of the school year. Each vocational teacher shall review relevant portions of the handbook with his/her pupils before the teacher commences instruction in the course of study.

g. ~~Each vocational education teacher is responsible for observing pupils' observation of safety rules and correcting any violations of those rules or failure to observe the practice of the rules. Teachers may test or quiz pupils on their knowledge of the rules during the course of study.~~

2. ~~In any plan of cooperative vocational education or work-study program in which pupils spend part of the day in school and part of the day in employment, the _____ shall prepare a plan for protecting participating pupils from illegal employment and exploitation. As a minimum, the plan shall provide that participating pupils:~~

a. ~~Receive wages commensurate with the wage paid to other employees for similar work,~~



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~~b. Are protected by applicable provisions of the Workers' Compensation Law and any other state law pertaining to their employment, and~~

~~c. Are periodically interviewed and/or visited in the place of their employment to determine whether they are unfairly treated or subjected to adverse working conditions.~~

C. Vocational Student Organizations

The program of instruction may include activities of vocational student organizations, pursuant to N.J.A.C. 6A:19-6.10, which are an integral part of the vocational-technical instruction offered.

D. Employment Placement Standards

The Commissioner of Education shall establish and notify the district of annual minimum employment placement standards for students enrolled in vocational-technical education programs and the districts shall be responsible for meeting minimum job placement standards for vocational-technical students.

The district shall report employment placement rates of vocational-technical education students to the Department of Education on forms provided by the Department of Education.

Vocational-technical students in the following categories will be considered for employment placements:

1. Vocational-technical students who have been placed full-time in the occupation or related field in which they were trained;
2. Vocational-technical students who have passed occupational competency tests for entry level employment skills and have entered the military service;
3. Vocational-technical students entering full-time postsecondary education in the program area or related field in which they were trained;
4. Special needs students who have met alternative assessments for occupational competencies or individualized education program (IEP) assessments established by the district;



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5. Vocational-technical students who are employed a minimum of twenty hours per week in the occupation or related field in which they were trained and who are enrolled in postsecondary education for a minimum of twelve credit hours per academic year in the program area or related field in which they were trained; and
6. Vocational-technical students who are employed part-time an average of twenty hours per week or more in the occupation or related field in which they were trained.

Vocational-technical students not considered for placements include:

1. Vocational-technical students who are unemployed;
2. Vocational-technical students who work fewer than twenty hours per week; and
3. Vocational-technical students who are employed in an occupation or field not related to their training.

All other students shall not be included in calculations for job placements.

If the district reports placement rates below the established employment placement standards for two consecutive years, the district shall be required to submit a two-year program improvement plan to overcome program deficiencies.

1. Occupational competency assessment data shall be included in the development of the program improvement plan.
2. The program improvement plan shall be submitted within ninety days following written notification by the Commissioner, or his or her designee, that such a plan is required.
3. Prior to the submission of the program improvement plan to the Commissioner, the plan shall be approved by the Board and submitted to the County Superintendent for review and approval.



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4. The County Superintendent shall periodically review the progress of the district in meeting the objectives and in implementing the program improvement plan.
5. The district shall have two years following approval of the plan by the Commissioner to complete remediation and to overcome program deficiencies.
6. In preparing the program improvement plan, the district shall review its programs based upon factors including, but not limited to, vocational-technical student mastery of occupational competencies, inappropriate or inadequate training, student recruitment, placement deficiencies, market sensitivity, and program cost effectiveness. Other indicators which might influence job placement include, but are not limited to, inadequate pay scales, economic trends and fluctuations in transportation difficulties, and existing and unanticipated local or regional occupational supply and demand.

If the district fails to implement the program improvement plan or fails to overcome program deficiencies for meeting minimum employment placement standards within two years of approval of the plan by the Commissioner of Education, the County Superintendent, in consultation with the Director of the Office of School-to-Career and College Initiatives, may recommend that the Commissioner issue an order requiring the district to show cause as to why the program should not be discontinued.

E. Local Applications For Funds

The district may participate in grant programs pursuant to N.J.A.C. 6A:8-2.2 by applying for such funds to the New Jersey Department of Education on forms provided by the Department of Education.

F. Vocational-Technical Education Program and Course Approval

The standards contained in N.J.A.C. 6A:8-2 - The Core Curriculum Content Standards are adopted by the New Jersey Department of Education as program approval standards for vocational-technical education programs and courses.



G. Safety and Health Program/Reporting Accidents

The district shall organize, adopt and implement a vocational-technical education safety and health program in accordance with N.J.A.C. 6A:19-10.2 et seq. A copy of the program, indicating the district's adoption and approval of such program, shall be retained on file and made available, upon request, to the Department of Education. The Director of Facilities is designated to implement the approved safety and health program.

1. The safety and health program shall contain, as a minimum, the following:
 - a. Objectives of the safety and health program;
 - b. A safety and health hazard analysis for each vocational course and/or program in operation;
 - c. A statement of the general policies for the safe and healthy operation of all vocational courses;
 - d. Specific statements of practices and precautions required for safe and healthy operation within each separate course;
 - e. A plan and procedures for periodic inspections and maintenance of facilities, tools, machines, equipment, personal protective devices, hazardous substances, and for the elimination of potential or identified hazards;
 - f. Emergency procedures to be followed in the event of an accident involving a student, teacher, or any other individual;
 - g. Methods to be used for each vocational course to provide safety and health education to students including methods for incorporating the results of the hazard analysis;
 - h. Procedures and methods to be used to document and assess students' knowledge of practices and procedures;



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- i. A system, which may include disciplinary action, to ensure that students comply with safe and healthy practices; and
- j. Procedures to ensure that all new vocational-technical education staff and students receive appropriate initial safety and health program training prior to working or participating in any vocational course or program.

Accidents involving vocational-technical education students, staff, or others shall be reported to the Commissioner of Education on the accident reporting form supplied by the Department of Education within five working days of the occurrence. A reportable accident is any accident which requires treatment by a licensed medical doctor that occurs in a vocational-technical education program, either on the school premises or at an approved off-premises training site including a cooperative work training site and travel to and from that off-premises training site.

H. Securing Machines and Equipment

All mechanical and electrical equipment used in vocational-technical education courses shall have guards or other protective devices that meet the Department of Education safety standards.

All machines shall be so constructed, installed, and maintained as to be free from excessive vibration. Arbors and mandrels shall be so constructed, installed, and maintained as to have firm and secure bearing and be free from play. Machines and equipment requiring the presence of an operator shall not be left unattended while in operation or still in motion. An electrical power control shall be provided on each machine to make it possible for the operator to cut off the power without leaving the operating position.

A magnetic-type switch shall be provided on all non-portable motorized equipment and machinery to prevent machines from automatically restarting upon restoration of power after an electrical failure or electric cutoff. Power controls and operating controls shall be located within easy reach of the operator while the operator is at the regular work location, thereby making it unnecessary to reach over the point of operation to make adjustments.



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Each machine operated by electrical power shall be provided with positive means for rendering it inoperative while repairs or tool changes are being made.

Push-type emergency cutout switches shall be provided at appropriate locations within shops to de-energize the electrical supply to non-portable machinery in accordance with N.J.A.C. 6A:26-6.3(f). Power tools and machines in shops which generate dust shall be provided with dust collecting equipment in accordance with N.J.A.C. 6A:26-6.3(a)5.

I. Storage of Flammable and Combustible Materials

Flammable and combustible liquids shall be stored in accordance with N.J.A.C. 6A:19-10.5 et seq.

J. Use and Disposal of Hazardous Substances

Hazardous substances shall be stored, handled, and used in accordance with the requirements of N.J.A.C. 6A:19-10.6 et seq.

K. Foundry Operations

Individuals engaged in the melting of metal to be cast or the pouring of molten metals shall be protected by wearing protective clothing as required in N.J.A.C. 6A:19-10.7(a). Crucible shanks used for pouring molten metal from the crucible shall be equipped with a safety lock designed to prevent the crucible from dropping or slipping out of the shank while the molten metal is being poured or transported.

L. Protection of School Staff

Individuals using hand and power tools who are exposed to hazards of falling, flying, abrasive, and splashing materials or harmful dusts, fumes, mists, vapors, or gases will be provided with the particular personal protective equipment necessary to protect them from potential hazards.

M. Miscellaneous

1. The proceeds from the sale or resale of any articles, materials, or services produced in the various classes and shops maintained under a vocational



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program in the district shall be accounted for and credited to the vocational account of that district.

2. **Separate accounts of all local, State and Federal funds used for vocational-technical education shall be maintained.**
3. **School districts operating shared-time and full-time vocational-technical education classes shall maintain an approved medical inspection service for applicants for admission to such schools and classes.**
4. **The medical inspector shall report immediately to the Principal of any school in the district regarding any student whose physical condition may impair the student's safety or health while enrolled in vocational-technical education, or which may prevent the student from obtaining regular employment.**

Adopted: April 2004

Revised: 15 March 2016



2423 BILINGUAL AND ESL EDUCATION

The Board of Education will provide programs of bilingual education, English as a second language (ESL), and English language services for pupils of Limited English Proficiency (LEP) as required by law and rules of the State Board of Education. Pupils of Limited English Proficiency (LEP) are those pupils whose native language is other than English and who have such **sufficient** difficulty speaking, reading, writing, or understanding the English language as to be denied the opportunity to learn successfully in the classrooms where the language of instruction is English.

Identification of LEP pupils

The Board ~~directs the~~ **will** conduct of a screening process to determine the native language of each pupil ~~who enters~~ **at the time of enrollment in** the school district. A census shall be maintained of all pupils whose native language is other than English. The English language proficiency of each pupil whose native language is not English shall be determined by a review ~~screening~~ process that ~~considers the results of an~~ **includes the administration of a New Jersey Department of Education approved** English language proficiency test, the pupil's level of reading in English, *the pupil's previous academic performance, the results of standardized tests in English,* and ~~the reports a review of the input of teachers teaching staff members~~ of responsible for the **educational program of the limited English proficient** pupil's education.

Program implementation

The district shall provide the following programs:

1. **An English language services program** ~~Whenever there are one or more, but fewer than ten LEP pupils enrolled within the schools of the district,~~ **English language services shall be** in addition to the regular school program that ~~are designed to improve English language proficiency in accordance with N.J.S.A. 18A:7A-4 and 5;~~
2. **An ESL program** ~~Whenever there are ten or more LEP pupils enrolled within the schools of the district, an ESL program that meets the requirements of law for a thorough and efficient system of education in accordance with N.J.S.A. 18A:7A-4 and 5; and~~
3. **A bilingual program** ~~Whenever there are twenty or more LEP pupils in any one language classification, a program of bilingual education shall be provided. Where the age range, grade span, and/or geographical location~~



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distribution of eligible LEP pupils makes a full-time bilingual program impractical, the Board may offer an instructional program alternative, provided that program has been approved or a waiver for the alternative program has been requested and approval has been granted by the Department of Education. **The Board may establish a program in bilingual education for any language classification with fewer than twenty pupils.**

~~The bilingual program shall include instruction, by appropriately certified teaching staff members, in all the subjects required by law and offered to English speaking pupils. Where verbalization is not essential to understanding, pupils of limited English proficiency shall participate in classes with English speaking pupils. The bilingual curriculum must be approved by the Board, and pupils enrolled in the bilingual or ESL programs shall be offered all the support services and activities available to other pupils in this district.~~

All teachers in these programs shall be appropriately certified in accordance with the requirements as outlined in N.J.A.C. 6A:15-1.9. Every pupil participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years.

Bilingual, ESL, and English Language Services Program Enrollment, Assessment, Exit, and Re-entry

~~Bilingual program exit~~

~~Pupils enrolled in the bilingual, ESL, or English language services programs shall be reviewed for readiness to function successfully in an English-only program~~ **assessed annually with a New Jersey Department of Education approved English language proficiency test to determine their progress in achieving English language proficiency goals and readiness for exiting the program. LEP pupils enrolled in a bilingual, ESL, or English language services program shall be placed in a monolingual English Program when they have demonstrated readiness to function successfully in the English-only program.** ~~The process to determine the readiness or inability of the individual pupil to function successfully in the English-only program shall be indicated~~ **shall be initiated** by the pupil's level of English proficiency as measured by the New Jersey Department of Education established cut-off score **standard** on an English language proficiency test, and the readiness of the pupil shall be further assessed on the basis of multiple indicators which shall, at a minimum, include classroom performance, the pupil's reading level in English, the judgment of the teaching staff member or members responsible for the education program of the pupil, and performance



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on achievement tests in English. ~~A pupil should not ordinarily remain in a bilingual education program for more than three years.~~

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

Newly ~~An~~ exited pupils who are not progressing in the mainstream English program may be considered for re-entry to bilingual and ESL programs in accordance with the provisions of N.J.A.C. 6A:15-1.10(e)1 through (e)5 ~~may reenter the bilingual program if his or her teacher determines that the pupil's failure to progress is caused by an inability to communicate, understand, or comprehend in English and the pupil scores below the cutoff score on a language proficiency test other than that used to assess the pupil's readiness for exit. Unless waiver is granted by the County Superintendent, the reentry test will be administered only after one full semester in the English-only program and up to within two years after the pupil's exit from the bilingual program.~~

When the exit review process is completed, the pupil's parent(s) or legal guardian(s) shall be informed by mail of the placement determination. A parent(s) or legal guardian(s), or teaching staff member who disagrees with the proposed placement may appeal the decision in writing to the Superintendent who will provide a written explanation for the decision within ten school days. The complainant may appeal ~~this the Superintendent's~~ decision in writing to the Board. **The Board will review the appeal and** ~~which will respond in writing within ten school~~ **forty-five calendar** days. A complainant not satisfied with the Board's explanation may appeal to the Commissioner of Education.

Parental involvement

The parent(s) or legal guardian(s) of a pupil of limited English proficiency will be notified in accordance with the provisions of N.J.A.C. 6:31-1.12 . **6A:15-1.13,** ~~of the fact that their pupil~~ **that their child** has been identified as eligible for enrollment in a bilingual, ESL or English language services program. Notice shall be ~~given no later than ten days after the enrollment and shall include a statement of the parent or legal~~



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~~guardian's right of review and appeal in writing, in the language of which the child of the parents so notified possesses a primary speaking ability, and in English. The notice must also include the information that the parents have the option of declining enrollment if they so chose. .~~

Parent(s) or legal guardian(s) shall receive progress reports in the same manner and frequency as those sent to parents or legal guardians of other pupils,

Parent(s) or legal guardian(s) of pupils of limited English proficiency will be offered opportunities for involvement in the development and review of program objectives. ~~An parent or legal guardians advisory committee on bilingual education shall be formed with the majority being parent(s) or legal guardian(s) of pupils of limited English proficiency and shall be convened at least four times annually.~~

Graduation

Pupils of limited English proficiency will qualify for graduation from high school in accordance with N.J.A.C. 6A:8-5.1(a) and Policy No. 5460. ~~Such pupils will be provided with all courses and opportunities necessary to enable them to qualify for graduation.~~

~~All LEP pupils must satisfy requirements for high school graduation according to N.J.A.C. 6:3-4A.1, except LEP pupils who enter the school district in grades nine or later. These pupils, to be eligible for a State-endorsed high school diploma, may demonstrate they have attained minimum levels of proficiency established by the Department of Education through the Special Review Assessment in their native language, and by attaining a passing level of fluency as determined by a language proficiency test approved by the New Jersey Department of Education.~~

Program plan

The Superintendent shall prepare **and submit** a plan for bilingual instruction, ESL, or English language services for approval by **program every three years to the Board and the County Superintendent the New Jersey Department of Education for approval in accordance with the provisions of N.J.A.C. 6A:15-1.6.**

N.J.S.A. 18A:35-15 et seq. **through 18A:35-25**

N.J.A.C. 6A:15-1.1 et seq.

Adopted: 18 October 1977

Revised: 30 June 1981, 17 July 1990, 19 April 1993, 19 August 1997, 242327 April 1999, 15 March 2016



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A. Definitions

1. "Bilingual education program" means a full-time program of instruction in all those courses or subjects which a child is required by law or rule to receive, given in the native language of the limited English proficient pupils enrolled in the program and also in English; in the aural comprehension, speaking, reading, and writing of the native language of the limited English proficient pupils enrolled in the programs, in the aural comprehension, speaking, reading, and writing of English; and in the history and culture of the country, territory, or geographic area which is the native land of the parents of limited English proficient pupils enrolled in the program, and in the history and culture of the United States. All pupils in bilingual education programs receive English as a second language instruction.
2. "Bilingual part-time component" means a program alternative in which pupils are assigned to mainstream English program classes, but are scheduled daily for their developmental reading and mathematics instruction with a certified bilingual teacher.
3. "Bilingual resource program" means a program alternative in which pupils receive daily instruction from a certified bilingual teacher in identified subjects and with specific assignments on an individual pupil basis.
4. "Bilingual tutorial program" means a program alternative in which pupils are provided one period of instruction from a certified bilingual teacher in a content area required for graduation and a second period of tutoring in other required content areas.
5. "Dual language bilingual education program" means a full-time program of instruction in elementary and secondary schools which provide structured English language instruction and instruction in a second language in all content areas for



LEP pupils and for native English speaking pupils enrolled in the program.

6. "Educational needs" means the particular educational requirements of pupils of limited English proficiency, the fulfillment of which will provide them with equal educational opportunities.
7. "English as a second language (ESL) program" means a daily developmental second language program of up to two periods of instruction based on pupil language proficiency which teaches aural comprehension, speaking, reading, and writing in English using second language teaching techniques, and incorporates the cultural aspects of the pupil's experiences in their ESL instruction. A period is the time allocated in the school schedule for instruction in core subjects.
8. "English language fluency" means the ability to speak the language with sufficient structural accuracy; use vocabulary to participate effectively in most formal and informal conversations on practical, social, and school topics; read material for information; and complete forms and write essays and reports on familiar topics. Language fluency is not the same as language proficiency, which is the full command of language skills.
9. "English language proficiency test" means a test which measures English language skills in the areas of aural comprehension, speaking, reading, and writing.
10. "English language services" means services designed to improve the English language skills of pupils of limited English proficiency. These services, provided in school districts with less than ten pupils of limited English proficiency, are in addition to the regular school program and have as their goal the development of aural comprehension, speaking, reading, and writing skills in English.
11. "ESL standards for Pre-Kindergarten through grade twelve pupils" means the WIDA English Language Proficiency Standards for English Language Learners in Pre-



Kindergarten through Grade Twelve, 2007 edition, developed by the World-Class Instructional Design and Assessment (WIDA) Consortium. These are the standards and language competencies limited English proficient pupils in Pre-Kindergarten programs and elementary and secondary schools need to become fully proficient in English and to have unrestricted access to grade-appropriate instruction in challenging academic subjects.

12. "Exit criteria" means the criteria which must be applied before a pupil may be exited from a bilingual, ESL, or English language services education program.
13. "High-intensity ESL program" means a program alternative in which pupils receive two or more class periods a day of ESL instruction. One period is the standard ESL class and the other period is a tutorial or ESL reading class.
14. "Instructional program alternative" means a part-time program of instruction that may be established by a Board of Education in consultation with and approval of the New Jersey Department of Education. All pupils in an instructional program alternative receive English as a second language.
15. "Limited English proficient (LEP) pupils" means pupils from Pre-Kindergarten through grade twelve whose native language is other than English and who have sufficient difficulty speaking, reading, writing, or understanding the English language as measured by an English language proficiency test, so as to be denied the opportunity to learn successfully in the classrooms where the language of instruction is English. This term means the same as limited English speaking ability, the term used in N.J.S.A. 18A:35-15 to 26.
16. "Native language" means the language first acquired by the pupil, the language most often spoken by the pupil, or the language most often spoken in the pupil's home, regardless of the language spoken by the pupil.
17. "Parent(s)" means the natural parent(s) or the legal guardian(s), foster parent(s), surrogate parent(s), or person



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acting in the place of a parent with whom the pupil legally resides. Where parents are separated or divorced, parent means the person(s) who has legal custody of the pupil, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

18. "Review process" is the process established by the Board of Education to assess limited English proficient pupils for exit from a bilingual, ESL, or English language services program.

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

AB. Identification of Eligible English Proficient (LEP) Students

1. The district will determine the native language of each LEP pupil when the pupil enrolls in the school district. The district will:
 - a. Maintain a census indicating all pupils identified whose native language is other than English; and
 - b. Report annually to the New Jersey Department of Education as part of the Fall **LEP Enrollment Summary Report**, the number of all LEP pupils whose native language is other than English and, of that group, the number who are LEP pupils.
2. The Board approved screening process, **initiated by a home language survey, shall determine which pupils in Kindergarten to grade twelve, of those whose native language is other than English, must be tested to determine English language proficiency. The screening shall be conducted by a bilingual/ESL or other certified teacher who will and shall be designed to distinguish those pupils who are fluent proficient English speakers, from those whose English speech and comprehension are affected by language proficiency and need no further testing.**



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3. **The district shall determine** ~~the English language proficiency of all Kindergarten to grade twelve pupils, who are not screened out, whose native language is other than English will be determined by means of the administration of a Department of Education approved an English language proficiency test, assessing the level of reading in English, reviewing the previous academic performance of pupils as well as standardized tests in English and reviewing the input of teaching staff members responsible for the educational program for the limited English proficient pupils. Pupils who do not meet the New Jersey Department of Education standard on a Department-approved language proficiency test and who have at least one other indicator, are pupils of limited English proficiency. The district shall also use age appropriate assessment instruments~~ **methodologies to identify limited the English language proficiency and readiness of pre-school LEP students to determine individual pupil eligibility for bilingual, ESL, or mainstream classroom instruction proficient preschool pupils in order to determine their individual language development needs.**
4. ~~A New Jersey Department of Education approved language proficiency test will be administered to all limited English proficient pupils when they enter the school district after grade eight to determine their level of English language proficiency.~~

BC. Bilingual - Programs for Limited English Proficient Pupils

1. All ~~Pre-kindergarten~~ **Kindergarten** through twelfth grade LEP pupils enrolled in the district will receive required courses and support services outlined in **a. through g.** below to prepare LEP pupils to meet the Core Curriculum Content Standards for high school graduation **This may include tutoring, after-school programs, summer programs, and remedial services as needed by LEP pupils. The district shall also provide appropriate instructional programs to eligible pre-school LEP pupils based on need according to the New Jersey Preschool Teaching and Learning Expectations: Standards of Quality (2004). These standards are guidelines for good practice and are intended for districts that provide preschool programs.:**



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- a. English language services, ~~in addition to the regular school program,~~ designed to improve English language proficiency of LEP pupils whenever there are one or more, but fewer than ten LEP pupils enrolled within the schools of the district. **English language services shall be in addition to the regular school program.**
- b. An ESL program that provides up to two periods of ESL instruction based on pupil needs **language proficiency** whenever there are ten or more LEP pupils enrolled within the schools of the district.
 - (1) The ESL curriculum ~~will address the Core Curriculum Content Standards and the ESL standards for Pre-K through twelfth grade pupils~~ **that addresses the WIDA English Language Proficiency Standards as amended and supplemented shall be developed and adopted by the Board to address the instructional needs of LEP pupils.**
 - (2) The ESL curriculum will be cross referenced to the district's bilingual **education** and content area curricula to ensure that ESL instruction is correlated to all the content areas being taught.
- c. A bilingual education program will be established whenever there are twenty or more limited English proficient pupils in any one language classification enrolled in the district **pursuant to N.J.S.A. 18A:35-18. The bilingual education program shall:**

~~The bilingual education program will:~~

- (1) Be designed to prepare LEP pupils to acquire sufficient English skills and content knowledge to meet the Core Curriculum Content Standards. All LEP pupils participating in the bilingual program will also receive ESL instruction.



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- (2) **Include a bilingual program curriculum that** ~~Addresses the Core Curriculum Content Standards, the WIDA English Language Proficiency Standards, the ESL standards for Pre-K through twelfth-grade pupils, and the use of two languages. The bilingual education curriculum shall be adopted by the Board; and~~
- (3) ~~Be approved and adopted by the Board and~~ **Include a full range of required courses and activities offered on the same basis and under the same rules that apply to all school-district pupils within the district.**
- d. LEP pupils will be provided equitable instructional opportunities to participate in all non-academic courses necessary to meet the Core Curriculum Standards, including **comprehensive** health and physical education, the visual and performing arts and career awareness programs. **These instructional opportunities shall be designed to assist LEP pupils to fully comprehend all subject matter and demonstrate their mastery of the content matter.**
- e. **The district shall offer** ~~Ssufficient~~ courses and other relevant supplemental instructional opportunities ~~will be offered to~~ in grades nine through twelve **to enable** LEP pupils to meet the Core Curriculum Content Standards for graduation. **When sufficient numbers of pupils are not available to form** ~~A a~~ bilingual class in a subject area ~~will be established if there are a sufficient number of pupils. Plans for a class of this type will be~~ **plans shall be developed in consultation** with and approved by the New Jersey Department of Education **to meet the needs of the pupils.**
- f. Additional programs and services ~~will~~ **shall** be designed to meet the special needs of eligible LEP pupils and will include, but not be limited to, remedial instruction through



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Title I programs; special education; school-to-work programs; computer training; and gifted and talented education services.

- g. **The Board may establish dual language bilingual education programs in the schools and may make provisions for the coordination of instruction and services with the district's World Languages program. This program, if established by the Board, shall also enroll pupils whose primary language is English and shall be designed to help pupils achieve proficiency in English and in a second language while mastering subject matter skills. Instruction shall, to the extent necessary, be in all courses or subjects of study allowing pupils to meet all grade promotion and graduation standards. Where possible, these classes will be comprised of approximately equal numbers of pupils of limited English proficiency and of pupils whose native language is English.**

- 2. ~~Appropriate instructional programs will be provided to all eligible Pre-K LEP pupils based on need according to N.J.A.C. 6A:15-1.3(b). These services may include tutoring, after school programs, summer programs and remedial services as needed by LEP pupils.~~ **The Board may establish a program in bilingual education for any language classification with fewer than twenty pupils.**

GD. Waiver Process

~~The school district may provide an instructional program alternative when there are twenty or more pupils eligible for the~~ **request a waiver from establishing a bilingual education program, pursuant to N.J.S.A. 18A:35-18, in grades K through twelve, and the district is able to demonstrate that due to age range, grade span and/or geographic location of eligible pupils, it would be impractical to provide a full-time bilingual program. An instructional program alternative must be established on an annual basis with the approval of the New Jersey Department of Education when there are twenty or more pupils eligible for the bilingual education program in Kindergarten through grade twelve,**



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and the district is able to demonstrate that due to age range, grade span, and/or geographic location of eligible pupils, it would be impractical to provide a full-time bilingual program. ~~An instructional program alternative, if established, will be pursuant to N.J.A.C. 6A:15-1.5 et seq.~~

1. Any instructional program alternatives shall be developed in consultation with and approved annually by the Department of Education after review of pupil enrollment and achievement data. All bilingual instructional program alternatives shall be designed to assist LEP pupils to develop sufficient English skills and subject matter skills to meet the Core Curriculum Content Standards.
2. The instructional program alternatives to be established shall include, but are not limited to: bilingual part-time component, bilingual resource program, bilingual tutorial program, sheltered English instruction program, and high-intensity ESL program.
3. In the event the district implements program alternatives, the district shall annually submit pupil enrollment and achievement data that demonstrate the continued need for these programs.

DE. Department of Education Approval of Bilingual, ESL and/or English Language Services Programs

1. The school district's bilingual, ESL, and/or English Language services program plans will be submitted to the New Jersey Department of Education every three years for approval. The plan will include the following information:
 - a. Identification of pupils;
 - b. Program description;
 - c. Number of certified staff hired for the program;
 - d. Bilingual and ESL curriculum development;
 - e. Evaluation design; and



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f. ~~R~~review process for exit; ~~and: The number of LEP pupils; the number of certified staff hired for the program; evaluation data to include achievement information in ESL and data on performance of eligible LEP pupils on the fourth, eighth and eleventh grade tests; exit data for LEP pupils enrolled in the district; and a budget for bilingual and LEP program and/or English Services programs must be submitted to the Department of Education on an annual basis.~~

g. A budget for bilingual and ESL programs and/or English language services programs. The budget must indicate how the bilingual categorical aid funds are directly related to the bilingual/ESL program instructional services and materials.

2. The district shall annually submit data on the number of LEP pupils served, exit data for the LEP pupils enrolled in the district, and data on the number of immigrant pupils enrolled in the district.

23. The district's bilingual/ESL programs will be monitored and evaluated by the Office of Bilingual Education within the New Jersey Department of Education.

4. A school that fails to make progress in meeting the New Jersey Department of Education's annual measurable achievement objectives, must separately inform the parent(s) or legal guardian(s) of an LEP pupil of the school's failure no later than thirty days after the failure occurs.

EF. Supportive Services

Pupils enrolled in bilingual, ESL and/or English Language Services Programs will have full access to educational services available to other pupils in the district. To the extent possible that it is administratively feasible, the school administration will have supportive services to LEP pupils, such as counseling, tutoring, and career guidance, should be provided by bilingual personnel who are familiar with and



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knowledgeable of the unique needs and background of LEP pupils and their parents.

FG. In-service Training

1. In-service training will be provided for bilingual, ESL and mainstream teachers based on their needs and to include instructional strategies to help LEP pupils meet the Core Curriculum Content Standards and **WIDA ESL English Language Proficiency Standards for Pre-K through twelve pupils**. All ESL and bilingual teachers will receive training in the use of the ESL curriculum.
2. The Professional Improvement Plan ~~of the Annual Report (N.J.S.A. 18A:7A-11(e))~~ **of the district** will **shall** include the needs of bilingual and ESL teachers that should be addressed through in-service training.

GH. Certification of Staff

All teachers in these programs will hold the following certifications:

1. Bilingual Classes - a valid New Jersey instructional certificate with an endorsement for the appropriate grade level and/or content area, as well as an endorsement in bilingual education.
2. ESL Classes - a valid New Jersey instructional certificate in English as a Second Language.
3. English Language Services - a valid New Jersey instructional certificate.

IH. Bilingual, ESL, and English Language Services Program **Enrollment, Assessment, Exit and Reentry**

1. All LEP pupils from ~~Pre-K Kindergarten~~ **Kindergarten** through twelfth grade ~~must~~ **shall** be enrolled in the bilingual, ESL, or English language services education program. ~~LEP pupils enrolled in one of these programs will be placed in a monolingual English Program when they have demonstrated readiness to function successfully in an~~



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~~English only program. This process will be initiated by the pupil's level of English proficiency as measured by a Department of Education established standard on a English language proficiency test, and readiness of the pupil will be further assessed on the basis of multiple indicators which will, at a minimum, include classroom performance, the pupil's reading level in English, the judgment of the teaching staff members responsible for the educational program of the pupil, and performance on achievement tests in English according to P.L. 1991c.12.~~

2. **Pupils enrolled in a bilingual, ESL, or English language services program shall be assessed annually with a Department of Education approved English language proficiency test to determine their progress in achieving English language proficiency goals and readiness for exiting the program.**
3. **LEP pupils enrolled in one of these programs shall be placed in a monolingual English program when they have demonstrated readiness to function successfully in an English only program. This process shall be initiated by the pupil's level of English proficiency as measured by a Department of Education established standard on a English language proficiency test, and readiness of the pupil will be further assessed on the basis of multiple indicators which will, at a minimum, include classroom performance, the pupil's reading level in English, the judgment of the teaching staff member or members responsible for the educational program of the pupil, and performance on achievement tests in English according to P.L. 1991c.12.**
42. A parent(s) or legal guardian(s) may remove a pupil who is enrolled in a bilingual education program pursuant to provisions in P.L. 1995c.327 N.J.S.A. 18A:35-22.1.
53. **Pupils enrolled in the bilingual, ESL, or English language services program will shall be assessed annually to determine their progress in achieving English language proficiency goals and readiness for exiting the program for exit.**



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64. Newly exited pupils who are not progressing in the mainstream English program may be considered for reentry to bilingual and ESL programs as follows:
- a. After a minimum of ~~one full semester~~ **one-half of an academic year** and within two years of exit, the mainstream English classroom teacher, with the approval of the building principal, may recommend retesting.
 - b. A waiver of the minimum time limitation may be approved by the **Executive** County Superintendent upon the request of the Superintendent if the pupil is experiencing extreme difficulty in adjusting to the mainstream program.
 - c. The recommendation for retesting will be based on the teacher's judgment that the pupil is experiencing difficulties due to problems in using English as evidenced by the pupil's inability to: communicate effectively with peers and adults; understand directions given by the teacher; and/or comprehend basic verbal and written materials.
 - d. The pupil will be tested using a different form of the test or a different language proficiency test than the one used to exit **the** pupils.
 - e. If the pupil scores below the state established standard on the language proficiency test, the pupil will be re-enrolled into the bilingual or ESL program.
- 7f. When the ~~exit~~ review process **for exiting a pupil from a bilingual, ESL, or English language services program is has been** completed, the pupil's parents or legal guardians shall be informed by mail of the **determination** of placement ~~determination~~. If the parent(s), or **legal** guardian(s) ~~and/or~~ teaching staff member disagrees with the placement, he/she may appeal the decision in writing to the ESL Supervisor, who will provide a written explanation for the decision within 10 school days. The complainant may appeal ~~the ESL Supervisor's this~~



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decision in writing to the Board. **The Board** which will **review the appeal and** respond in writing within **10 school days forty-five calendar days**. Upon exhausting an appeal to the Board, the complainant may appeal to the Commissioner of Education pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6:46A-3.

IJ. Graduation Requirements for Limited English Proficient Pupils

All LEP pupils must satisfy requirements for high school graduation according to N.J.A.C. 6:3-4A.1 **6A:8-5.1(a)**, ~~except LEP pupils who enter the school district in grades nine or later. These pupils, to be eligible for a State-endorsed high school diploma, may demonstrate they have attained minimum levels of proficiency established by the Department of Education through the Special Review Assessment in their native language, and by attaining a passing level of fluency as determined by a language proficiency test approved by the New Jersey Department of Education.~~

JK. Location of Programs

All bilingual, ESL and English Language **services** programs ~~will~~ **shall** be conducted within classrooms approved by the **Executive** County Superintendent of Schools within the regular school buildings of the district **per N.J.S.A. 18A:35-20**.

KL. Notification to Parents/Legal Guardians

1. The ~~ESL Supervisor~~ **district** will notify the parent(s) ~~or~~ guardian(s) of the LEP pupil by mail **no later than thirty days after the beginning of the school year** that their child has been identified as eligible for enrollment in the bilingual, ESL and/or English language services program. **The parent(s) or legal guardian(s) must be notified within two weeks of the pupil's placement in a bilingual, ESL, or English language services program, if the pupil has not been identified as a LEP pupil prior to the beginning of the school year.** ~~The notice will inform the parent/guardian they have the option of declining enrollment and will be provided no later than ten days after the enrollment of the pupil. The notice will also include a statement to the parent/guardian regarding right of review and appeal. The notice will be in writing and in the language of which the child of~~



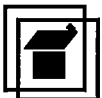
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~~the parent/guardian possesses a primary speaking ability and in English.~~

- a. The notice shall inform the parent(s) or legal guardian(s) why the pupil was identified as LEP and why the pupil needs to be placed in a bilingual, ESL, or English language services program;
- b. The notice will include the pupil's level of English proficiency, how such level was assessed, and the pupil's academic level;
- c. The notice will include the method of instruction that will be used to serve the pupil, including a description of other methods of instruction available and how those methods differ in content, instructional goals, and the use of English and a native language, if applicable;
- d. The notice will inform the parent(s) or legal guardian(s) how the program will meet the specific needs of the pupil in attaining English and meeting State standards;
- e. The notice will include the exit requirements, the expected rate of transition into a classroom not tailored for LEP pupils, and in the case of high school pupils, the expected rate of graduation;
- f. The notice will inform the parent(s) or legal guardian(s) how the instructional program will meet the objectives of an individual education program of a pupil with a disability;
- g. The notice will include written guidance on the rights that parents have to remove their child from a bilingual, ESL, or English language services program upon their request, in accordance with N.J.A.C. 6A:15-1.13, or to chose another program or method of instruction, if available, and how the parent(s) or legal guardian(s) will be provided assistance in selecting the best program to serve their child;
- h. The notice will inform the parent(s) or legal guardian(s) they have the option of declining enrollment if they choose by



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providing notice to the district no later than ten days after receiving the eligibility notice,;

- i. The notice shall be in writing and in the language of which the child of the parent(s) or legal guardian(s) so notified possesses a primary speaking ability, and in English; and
 - j. Whenever the district determines, on the basis of a pupil's level of English proficiency, that a pupil should exit from a program of bilingual education, the district shall notify the parent(s) or legal guardian(s) of the pupil by mail.
2. The parent(s) ~~/ or legal guardian(s) of pupils enrolled in a bilingual, ESL, or English language services program will~~ shall receive progress reports in the same manner and frequency as progress reports are sent to parent(s) and legal guardian(s) of other pupils enrolled in the school district ~~on the same basis of all pupils in the school district. These reports will be in English and the native language of the parent of the pupil.~~
 3. Progress reports shall be written in English and in the native language of the parent(s) or legal guardian(s) of pupils enrolled in the bilingual or ESL program unless it can be demonstrated and documented in the three-year plan that this requirement would place an unreasonable burden on the district.
 4. The district shall notify the parent(s) or legal guardian(s) when pupils meet the exit criteria and are placed in a monolingual English program. The notice shall be in English and in the language in which the parent(s) or legal guardian(s) possesses a primary speaking ability.

LM. Joint Programs

The school district may join with ~~another~~ **any other** school districts, **with the approval of the Executive County Superintendent of Schools**, on a case-by-case basis to provide bilingual, ESL or English language services ~~provided approval from the County Superintendent is obtained~~ programs.



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MN. Parental Involvement

1. The district will provide for maximum practicable involvement of parent(s) **or legal guardian(s)** of LEP pupils in the development and review of program objectives and dissemination of information to and from Board of Education and communities served by the bilingual, ESL or English language services education program. ~~The ESL Supervisor will establish a parent advisory committee on bilingual education on which the majority will be parents of pupils of limited English proficiency.~~
2. A parent(s) or legal guardian(s) will be informed on how they can become involved in the education of their child and how they can actively participate in helping their child learn English, achieve at high levels in the core academic subjects, and meet State standards.
3. A district that implements a bilingual education program shall establish a parent advisory committee on bilingual education on which the majority will be parents or legal guardians of pupils of limited English proficiency.

Adopted: 27 April 1999

Revised: 15 March 2016



2624 GRADING SYSTEM

The Board of Education recognizes that a system of measuring, recording, and reporting the achievements of individual students is important to the continuing process of learning. The Board, therefore, directs the instructional program of this school district include a system of grading that measures progress toward the New Jersey Core Curriculum Content Standards and the educational goals of the district.

~~The evaluating and reporting of pupil progress are two ways in which the Board of Education is accountable to parents for the quality of the educational experience it provides.~~

~~For evaluating and reporting to be valid, useful and constructive, the process must be as fair and objective as possible and must be understood by the pupils and their parents. This process must realistically indicate the strengths of a pupil's performance as well as the areas in need of improvement.~~

~~The evaluation of pupil progress must be supported by objective data maintained by the teacher as a result of continual assessment. It may include, but need not be limited to, test scores, skills evaluation, class participation, homework assignments and classwork.~~

~~Final examinations may also be used as a major evaluation tool of pupil achievement when they are conducted in such a way that they effectively evaluate the achievement of the goals and objectives on which learning activities have been based. Therefore, teachers shall use those means of measurement or appraisal which directly relate to goals and objectives. Checks on progress shall be made at the most appropriate point in the learning process, whether at the completion of a learning unit or module, at the completion of a larger segment or course, or at some other point(s). If final examinations are used as an evaluative tool, they shall be applied to all eligible pupils equally without exception.~~

~~The philosophy of the Board is to utilize a grade reporting system in which there is continuity between grade levels. Therefore, the Board adopts a numerical grade reporting system in grades three through twelve in which grades of seventy (70) to one hundred (100) are passing grades. While it is the primary purpose of a reporting system to reflect accurately pupil achievement and progress, the system is also intended to be~~



POLICY

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~~motivational. The Board therefore has established that the lowest grade to be placed on a report card or progress report shall be a fifty-five (55).~~

Students shall be informed at the outset of any course of study of the behaviors and achievements that are expected of them and shall be kept informed of their progress during the course of study. As a rule, grading should reward students for positive efforts and minimize failure, and students should be encouraged to evaluate their own achievements.

~~Pupils and their parents shall be informed annually about the evaluating and grade reporting system in the student/parent handbooks issued in each district school and at the Open House presentations of each building principal. Pupils in grades nine through twelve at Ocean Township High School shall, in addition to the student/parent handbooks, receive information about the evaluation system in every high school course in the proficiency statements issued during the first class meeting.~~

The Superintendent shall develop and continually review in consultation with teaching staff members, parent(s) or legal guardian(s), and students, a grading program appropriate to the course of study and maturity of students. The final decision on any contested grade will be the responsibility of the Principal. A student classified as disabled will be graded in accordance with his/her Individualized Educational Program (IEP) or the Section 504 Plan.

~~This policy shall be reviewed periodically by the Board and the Superintendent and, if necessary, revised to reflect the needs of the pupils and parents of the school district. The evaluation and review will involve parents and pupils as well as district faculty members and administrators.~~

Cross reference: Policy Guide No. 5420

Adopted: 10 April 1984

Revised: 17 July 1990, 15 March 2016



R 2624 GRADING SYSTEM

A. Purpose of Grading

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

B. Preparation for Grading

1. Each pupil must be informed of the behavior and achievements expected of him/her at the outset of each course of study or unit of study.
2. Each pupil must be kept informed of his/her progress during the course of a unit of study. Pupils who so request are entitled to see the grades resulting from their performance during the grading period.
3. Each method of grading shall be appropriate to the course of study and the maturity and abilities of the pupils.
4. Pupils should be encouraged to evaluate their own achievements.
5. The process of review and revision will involve teaching staff members, parent(s) or legal guardian(s), and, as appropriate, pupils.

C. Grading Periods

1. Grades will be awarded at the end of 4 marking periods in each school year.



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

D. Basis for Grading

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

1. Completion of written assignments prepared in the classroom or elsewhere;
2. Oral contributions in class, including discussion responses, observations, panel participation, presentations, initiation of topics;
3. Performance on oral and written tests and quizzes;
4. Research into standard references and other background materials;
5. Oral and written reports on materials read by the pupil;
6. Laboratory work;
7. Term papers;
8. Special oral or written reports;
9. Other evidences of the pupil's constructive efforts and achievements in learning; and
10. For the final grade, the pupil's attendance record, in accordance with Policy Nos. 5200, 5410, and 5460.

E. Meaning of Grades

1. The following grades will be given in each academic subject at the end of each marking period:
 - a. A grade of **A Outstanding** 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 Good** 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.



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- c. A grade of **C Satisfactory** 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 Needs Improvement** 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 Failing** indicates failing performance and that no credit can be given for the subject. It should be given to a pupil who has not met the minimum requirements of the course; who has demonstrated an inability or unwillingness to master the basic elements of the course; or who has failed to meet the minimum attendance standards necessary to pass a course of study.
 - f. ~~Letter grades may not be modified by plus or minus signs.~~
2. The following grading scales and indicators shall be used:

Primary Grades

O = Outstanding

G = Good

S = Satisfactory

I = Improving

N = Need Improvement

Intermediate Grades (5 thru8)

93-100 = Outstanding

85-92 = Good

77-84 = Satisfactory

70-76 = Needs Improvement

Below 70 = Failing

55 = No Effort/No Credit

High School



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A 70-100 = Passing

B 62-69 = Failing

C 61 = Failing with Effort

D 60 = Failing for Attendance

F 55 = Failing with No Effort

INC = _____

WD = _____

3. ~~A "pass" or "fail" grade may be given in a particular course of study, provided that:~~

~~a. The course of study is non-sequential in nature;~~

~~b. The parent(s) or legal guardian(s), teacher, and guidance counselor have consented to the grading method;~~

~~c. The pupil has requested pass-fail, on a form submitted to his/her guidance counselor, no later than the end of the _____, and~~

~~d. The pupil agrees that his/her choice of the pass-fail option for that course of study is final and cannot be revoked.~~

4. ~~A grade of "Incomplete" will be given to those pupils unable to complete the work assigned to the course for reasons beyond the pupil's control, such as the pupil's disability.~~

~~a. A teacher who submits a grade of incomplete will accompany the grade with a reasonable estimate of the amount of time the pupil will require to complete the work necessary for the granting of credit.~~

~~b. Except as may be required by unusual circumstances, make-up work should be completed within two weeks of the end of the marking period or, if the pupil is disabled at the end of the marking period, two weeks after the pupil's return to school.~~

~~c. The pupil's completed work will be graded and the teacher will submit a grade, which will replace the incomplete grade on the pupil's transcript.~~

~~d. A pupil who does not complete the work within the period allowed will receive a grade of _____ in the subject.~~



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53. A grade of "Withdrawal" will be given to each pupil who withdraws from a course of study after the 5th week of classes.

a. ~~A grade of "withdrawal-passing" (WP) will be given to each pupil who withdrew after having demonstrated satisfactory achievement and attendance in the course.~~

ba. A grade of "withdrawal-failing" (WF) will be given to each pupil who withdrew after having demonstrated unsatisfactory achievement and/or poor attendance in the course or who was removed from the course by administrative action.

64. A grade of "NM-excused" will be given to each pupil in a physical education class who was excused for good cause from participation in certain aspects of the course requirements.

7. ~~Teachers may accompany letter grades with an indication by asterisk (*) that the grade has been adjusted to reflect the relationship of the pupil's efforts and achievements to his/her own abilities and expectations.~~

8. ~~Final grades, year-end or semester-end, will be calculated by assigning a numerical value to each marking period grade and dividing the sum of those values by the number of marking periods.~~

a. ~~The following numerical values will be assigned to marking period grades:~~

Marking period grade — Numerical value

~~A~~ _____
~~B~~ _____
~~C~~ _____
~~D~~ _____
~~F~~ _____

ba. The dividend numerical value will be assigned as final grade in accordance with the following chart:

<u>Range of numerical values</u>	<u>Final grade</u>
70 to 100	A Passing
62 to 69	B Failing Grades
61 to	C Failure with Effort
60 to	D Loss of Credit due to Attendance Policy
55 to	F Failure with No effort

~~F. Citizenship Grades~~

~~A pupil's academic letter grade may be accompanied by the number code to one of the following citizenship grades, which expresses the pupil's effort and attitude.~~



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- ~~1. — A grade of “1” indicates that the pupil is consistently cooperative, assumes responsibility on his/her own initiative, is attentive in class, and respects teachers and fellow pupils.~~
- ~~2. — A grade of “2” indicates that the pupil is generally cooperative, assumes responsibility as needed, is usually attentive in class, and respects teachers and fellow pupils.~~
- ~~3. — A grade of “3” indicates that the pupil is usually cooperative, assumes responsibility when required, is sometimes attentive, and respects teachers and fellow pupils most of the time.~~
- ~~4. — A grade of “4” indicates that the pupil is seldom cooperative, seldom accepts responsibility, and does not frequently display respect for teachers and fellow pupils.~~
- ~~5. — A grade of “5” indicates that the pupil refuses to cooperate, is not dependable, and is disrespectful of teachers and fellow pupils.~~

GF. Grade Validation

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

1. The daily attendance and tardiness record;
2. All grades earned for classroom activities such as quizzes, tests, reports, and class recitations;
3. All grades earned for activities conducted elsewhere, such as homework assignments and term papers;
4. Any notation regarding the meaning of each grade and its relation to the type of activity or material covered;
5. Any notation of discussions with the pupil on a grade or the pupil's cumulative grade average;
6. Any referrals for guidance, discipline, and the like; and
7. Any notations recording communications between the teacher and the parent(s) or legal guardian(s), the Principal, or other teaching staff members.

HG. 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 ¶E above) to substantiate any grade earned.



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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.

Adopted: April 2004

Revised: 15 March 2016



INSTRUCTIONAL RESOURCES MATERIALS

2530 INSTRUCTIONAL RESOURCES MATERIALS

The Board of Education ~~will endeavor to~~ **shall provide resource materials to implement district and school educational goals and objectives as student needs dictate and district resources permit.** ~~a diversity of instructional resources including printed materials, audio-visual aids and devices, and other equipment that are necessary to implement the district and school educational goals and objectives and meet pupil needs.~~ **Such materials include reference books, other supplementary titles, maps, library print and non-print materials, and other sources of information for use by students that are not designated as textbooks.**

The Superintendent shall be responsible for the selection and maintenance of all resource materials, in accordance with the following standards:

~~The instructional resources of the district shall be used in a way that will:~~

- ~~1. Enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the pupils served.~~
- ~~2. Stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards.~~
- ~~3. Present opposing sides of controversial issues so that young citizens may, under guidance, develop the practice of critical reading and thinking.~~
- ~~4. Represent the many religious, ethnic, and cultural groups, and their contributions to American heritage.~~
- ~~5. Provide sufficient variety, quantity, and quality to implement effectively the instructional program.~~

- 1. Material will be suited to the varied interests, abilities, reading levels, and maturation levels of the students to be served;**
- 2. Wherever possible, materials will provide major opposing views on controversial issues so that students may develop under guidance the practice of critical reading and thinking;**



INSTRUCTIONAL RESOURCES MATERIALS

3. **Wherever possible, materials will represent the many religious, ethnic, and cultural groups and their contribution to American heritage;**
4. **Materials will be factually accurate and of genuine literary or artistic value;**
5. **Materials will be of a quality and durability appropriate to their intended uses and longevity;**
6. **Materials will relate to, support, and enrich the courses of study adopted by the Board.**

~~The Superintendent shall provide the Board with recommendations for the acquisition of instructional resources consistent with the budget. He or she shall consider recommendations of staff members on the appropriateness of particular items to specific programs.~~

The Superintendent will develop regulations for the selection of resource materials that provide for the effective consultation of teaching staff members at all appropriate levels; ensure that the Board's budgetary allotment for resource materials is efficiently spent and wisely distributed throughout the instructional program and the district; and ensure an inventory of resource materials that is well balanced and well rounded in coverage of subject, types of materials, and variety of content.

The Superintendent will evaluate the continuing effectiveness and utility of resource materials and recommend to the Board the removal of those materials that no longer meet the standards set forth in this policy. Any request for the removal of resource materials will be governed by Policy No. 9130 on public complaints.

Adopted: 16 January 1979

Revised: 15 June 1982, 17 July 1990, 15 March 2016



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R 2530 RESOURCE MATERIALS

A. Definition

“Resource materials” are all those sources of information for the use of students that have not been designated as textbooks and generally must be shared by individual students. 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 **Supervisor of each content** area 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 _____ for consideration.~~ The **Supervisor** will attempt to review each requested work or, alternatively, to consult with other educational institutions that have used the material.
3. The **Supervisor** may consult such selection aids as booklists, school library journals, previews, school library catalogs, and subject bibliographies prepared by specialists in the field.



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4. The **Supervisor** 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.
5. The **Supervisor and Assistant Superintendent, Curriculum and Instruction** will present to the Superintendent a list of recommended purchases, no later than **January** of 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 students to be served.
2. Wherever possible, materials will provide major opposing views on controversial issues so that students 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



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RESOURCE MATERIALS

1. The **Supervisor** 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.
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.

Adopted: April 2004

Revised: 15 March 2016



5752 MARITAL STATUS AND PREGNANCY (M)
PREGNANT AND MARRIED PUPILS

M

~~Marital, maternal, or paternal status shall not affect the rights and privileges of pupils to receive a public education nor to take part in any extracurricular activity offered by the Board of Education. Pregnant pupils shall be permitted to continue in school in all instances when continued attendance has the sanction of the expectant mother's physician.~~

The Board of Education will not discriminate among pupils on the basis of their marital status or parenthood. No pupil, male or female, who is married or a parent shall be denied access to or benefit from any educational, co-curricular, or athletic program or activity on the basis of his/her marital status or parenthood.

A pregnant pupil shall not be excluded from any educational program or activity because of her pregnancy or pregnancy-related condition unless the pupil so requests or a physician certifies that her exclusion is necessary for the pupil's physical, mental, or emotional well-being. An excluded pregnant pupil will be provided with adequate and timely opportunity for instruction to continue or make up her schoolwork without prejudice or penalty. Pregnant pupils will be provided a special instructional program in accordance with Policy No. 2416.

~~N.J.A.C. 6:4-1 et seq., 6:8-4.3(a)9~~

N.J.A.C. 6A:7-1.7(a)6

Adopted: 16 January 1979

Revised: 17 July 1990, 15 March 2016



**TOWNSHIP OF OCEAN BOARD OF EDUCATION
WORK MEETING MINUTES
February 23, 2016**

CALL TO ORDER

Mr. Joseph Hadden, President, called the meeting to order at 7:00 p.m., in the office of the Superintendent at the District Administration Building, 163 Monmouth Road, Oakhurst, N.J.

STATEMENT OF ADEQUATE NOTICE

Mr. Hadden read the statement of notice as required by the Open Public Meetings Act, N.J.S.A. 10:4-6.

ROLL CALL OF ATTENDANCE

Present – Mr. Steven Clayton, Mr. James Dietrich, Mr. Joseph Hadden, Mr. David Marshall, Mrs. Amy McGovern, Mr. Sean Moore, Mr. Michael Palutis, Mrs. Denise Parlamas and Mrs. Sylvia Sylvia-Cioffi
Staff in attendance – Mr. Jannarone, School Business Administrator and Dr. Stefankiewicz, Superintendent.

Enter Executive Session – 7:02 p.m.

Approval: Motion offered by Mr. Hadden, seconded by Mr. Moore and carried 9-0.

Move for the approval to enter Executive Session, in conformance with the Open Public Meeting Act, for the purpose of discussing: Personnel (Agenda), Litigation (Loch Arbour versus Township of Ocean School District), Negotiations and Student Matters . It is anticipated at this time that the above stated subject(s) shall be made public at such time as the need for non-disclosure no longer exists. Board of Education will be in executive session for approximately 30 minutes and will take action upon returning to work session.

Adjourn Executive Session – 7:32 p.m.

Approval: Motion offered by Mrs. Parlamas, seconded by Mrs. McGovern and carried 9-0.

Move for the approval to adjourn from Executive Session and resume public session.

PRESIDENT'S REPORT: Mr. Hadden

Mr. Hadden discussed the following item(s):

- Social media and directing parental issues to the administration.

SUPERINTENDENT'S REPORT: Dr. Stefankiewicz

Dr. Stefankiewicz discussed the following item(s):

- Discussed the Heroin parent forum on March 9th at 7:00 pm at the high school.
- Meeting with high school student leadership and received their feedback about issues at the high school.
- Professional development for math and reading programs upcoming.

SCHOOL BUSINESS ADMINISTRATOR'S REPORT: No Report

PUBLIC COMMENT:

- Paul Mayerowitz, resident, asked questions about 'The Wonders Program' and the necessary additional technology for the reading program.

COMMITTEE REPORTS:

The Board of Education discussed committee items:

CO-CURRICULAR STUDENT ACTIVITIES: No Report

COMMUNITY LIAISON & COMMUNICATIONS: Mrs. Sylvia-Cioffi

Twp of Ocean BOE Work Meeting Minutes (continued) – February 23, 2016

Mrs. Sylvia-Cioffi made a motion, seconded by Mr. Moore, for approval of the following item(s):

1. **Approval of Minutes:**

Move to approve the minutes in accordance with Board of Education bylaws #168 “Recording of Board Meetings” of the following meeting(s):

Regular Meeting – February 16, 2016

Work Meeting/Executive Session Minutes – February 16, 2016

Motion(s) carried: 9-0

FINANCIAL MANAGEMENT & RESOURCE SERVICES: Mr. Moore

The following item(s) were discussed:

1. **Discussion: Budget 2016-2017**

Board of Education and administration continued budget discussions for the 2016-2017 budget, “*The Wonder’s Program*”, State Aid, Debt Service and Capital Outlay were items for discussion.

INSTRUCTIONAL & EDUCATION: Mr. Marshall

The following item(s) were discussed:

1. **Discussion: “The Wonder’s Program”**

Mrs. Conrad, Assistant Superintendent/Curriculum & Instruction; Mrs. Eleanor Hughes, Supervisor Language Arts, Social Studies, K-5; Mrs. Kachmar-Will, Supervisor of Special Projects; and Carin Francisco, Elementary Classroom Teacher, Wanamassa School were in attendance and discussed with the Board, “*The Wonder’s Program*.” (please see attachment)

2. **Discussion: Preliminary 2015 ESEA Accountability Profiles by School**

Board of Education and Administration discussed the “Preliminary 2015 ESEA Accountability Profiles” for each of our schools. (copy of preliminary report is attached)

Mr. Marshall made a motion, seconded by Mrs. Parlamas, for approval of the following item(s):

3. **Professional Development Activities – Staff**

Move to approve the attached memorandums (2) dated February 23, 2016 re: Staff Professional Development Activities in accordance with District Policy 6471 and NJAC 6A:23B. The attendance at said activities is fiscally prudent and will promote the delivery of instruction and/or will further the efficient operation of the district.

Reimbursement for travel and related expenses shall be according to the Department of the Treasury guidelines in NJOMB circular 06-02 and A-87.

Motion(s) for items #3 carried: 9-0

NEGOTIATIONS: No Report

PERSONNEL: Mrs. Parlamas

TwP of Ocean BOE Work Meeting Minutes (continued) – February 23, 2016

Mrs. Parlamas made a motion, seconded by Mrs. McGovern, for approval of the following item(s):

1. **Custodial Substitutes for the 2015-2016 School Year**

Move to approve the following as Custodial Substitutes for the 2015-2016 school year.

Tamara Bailey
Richard Miller

2. **Retirement**

Move to approve the retirement of Deborah Leonard, Twelve-Month Secretary, High School effective July 1, 2016.

3. **Instructional Assistant/Spring Track**

Move to approve Romy Georginow, an Instructional Assistant at the High School, to provide aide support to a high school student with disabilities participating in Spring Track. Mrs. Georginow will shadow the student/Spring Track Team member after school and on weekends, in accordance with the Spring Track program practice and regular game schedule for the period of March 14, 2016 through late May 2016. Mrs. Georginow will be paid at her hourly contractual rate.

4. **Instructional Assistant/Spring Track**

Move to approve Muriel Papa, an Instructional Assistant at the High School, to provide aide support to a high school student with disabilities participating in Spring Track. Mrs. Papa will shadow the student/Spring Track Team member after school and on weekends, in accordance with the Spring Track program practice and regular game schedule for the period of March 14, 2016 through late May 2016. Mrs. Papa will be paid at her hourly contractual rate.

5. **Instructional Assistant/Extracurricular Activities**

Move to approve Karen Weinkofsy, an Instructional Assistant at the High School, to provide aide support to a high school student with disabilities on February 19, 2016. Mrs. Weinkofsky will accompany the student to the Sophomore Lock-In, an extracurricular night-time activity, for a total of 5 hours, (8:00 pm – 1:00 am). Mrs. Weinkofsky will be paid at her hourly contractual rate.

6. **Instructional Assistant/Extracurricular Activities**

Move to approve Susan MacDonald, an Instructional Assistant at the High School, to provide aide support to a high school student with disabilities on February 19, 2016. Ms. MacDonald will accompany the student to the Sophomore Lock-In, an extracurricular night-time activity, for a total of 5 hours, (8:00 pm – 1:00 am). Ms. MacDonald will be paid at her hourly contractual rate.

7. **Bus Driver Salaries for the 2015-2016 School Year**

Move to approve Bus Driver Salaries for the 2015-2016 school year, retroactive to September 1, 2015, in accordance with the attached list dated February 19, 2016.

8. **Issuance of Contract**

Move to approve that a contract be issued to the following:

To fill a vacancy/non-tenure track position

Twp of Ocean BOE Work Meeting Minutes (continued) – February 23, 2016

Ronald Pearson	Custodian I/Night Shift	\$32,540.00
	Wanamassa Elementary School	Step A
	Non-Tenure Track Position	Prorated
	Actual Start Date: March 1, 2016	
	Effective Date: March 1, 2016	

(Mr. Pearson replaces Tyrone Smith who resigned. Mr. Pearson was previously approved at the regular monthly meeting, held on February 16, 2016, pending criminal history background check and release from current employer. Both are in order.)

9. Issuance of Contracts

Move to approve that contracts be issued to the following:

To fill a vacancy position:

Nicholas Alvarez	Health & Physical Education Teacher	\$22,354.00
	Part-time	Prorated
	Intermediate School	BA/Step I
	Actual Start Date: February 22, 2016	
	Effective Date: March 1, 2016	

(Mr. Alvarez replaces Vincenzo Franze who moved to a full time position. Mr. Alvarez was previously approved at the Board of Education's work meeting held on February 9, 2016, pending criminal history background check. His clearance has been received.)

10. Substitute Playground Aide

Move to approve Jill Edelson as a Substitute Playground Aide at Wayside Elementary School for the 2015-2016 school year.

Motion(s) for items #1-10 carried: 9-0

Mrs. Parlamas left the room at 8:52 pm.

PLANNING & CONSTRUCTION: Mr. Dietrich

The following item(s) were discussed:

1. Discussion: Referendum

P.W. Moss & Associates, Solutions Architecture and administration discussed the bid opening for Wayside Elementary School Addition and Partial Interior Alternations.

The Board of Education discussed the legal opinion from the attorney and State Ethics Commission ruling on a Board member's husband who is a General Contractor and bidder.

TECHNOLOGY COMMITTEE: No Report

OLD BUSINESS:

- Professional Services RPF's were discussed for the 2016-2017 school year.

NEW BUSINESS: No report

Twp of Ocean BOE Work Meeting Minutes (continued) – February 23, 2016

PUBLIC COMMENT:

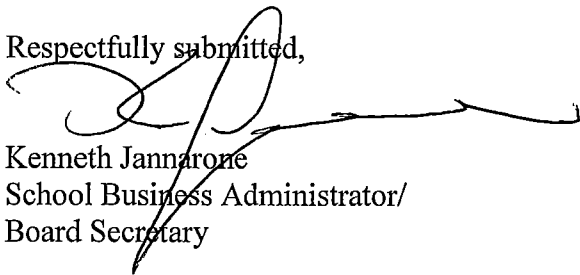
- Paul Mayerowitz, resident, asked about the low bidder and his relationship with the Professionals. The Architect and Construction Manager discussed their past experiences with all contractors.

Mrs. Parlamas returned to the meeting at 10:00 pm.

ADJOURN MEETING: 10:22 p.m.

There being no further business Mr. Moore made a motion, seconded by Mr. Clayton, that the meeting be adjourned. This motion carried 9-0.

Respectfully submitted,



Kenneth Jannarone
School Business Administrator/
Board Secretary