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CONCEPTS AND ROLES IN ADMINISTRATION; GOALS AND OBJECTIVES

The Garwood Board of Education shall establish policies that govern all aspects of district operations. The Garwood Board of Education expects the educational administration to direct, coordinate and supervise pupils and staff in their efforts to reach goals and objectives adopted by the Garwood Board of Education.

Within the guidelines of Garwood Board of Education policy, negotiated agreements and New Jersey law, the Garwood Board of Education expects the educational administration to:

- A. Provide up-to-date information and sound professional advice to the Garwood Board of Education, as an aid in informed decision making;
- B. Plan, organize, implement and evaluate the educational programs established by Garwood Board of Education policy, in order to provide optimum educational opportunities to the pupils of the district;
- C. Provide these optimum educational opportunities at the lowest possible cost;
- D. Use efficient administrative and management procedures including supervision and evaluation of teaching staff, pursuant to law and regulations, and developed after consultation with and among the Garwood Board of Education, administrators and appropriate staff members;
- E. Coordinate the resources of the community with those of the district;
- F. Keep the Garwood Board of Education informed of all new legislative actions or changes in code and statute that affect the policies, programs or operations of the district.

ADOPTED: December 1985

REVISED: April 2004

REVISED: September 16, 2014

REVISED: September 18, 2018

Legal References: N.J.S.A. 18A:7A-3 et al. Public School Education Act of 1975
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-21 et seq. School Ethics Act
N.J.S.A. 18A:54-20 Powers of board
N.J.A.C. 6A:8-1.1 et seq. Standards and Assessment
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
N.J.A.C. 6A:32-1.1 et seq. School District Operations
See particularly
N.J.A.C. 6A:10

ADMINISTRATIVE STAFF ORGANIZATION

The Garwood School District shall be a unit control system headed by the Chief School Administrator.

The Chief School Administrator shall operate the educational program provided by the district and supervise all non-instructional and business operations.

The Board Secretary shall report to the Chief School Administrator except where the law requires he/she report to the Garwood Board of Education.

ADOPTED: December 1985

REVIEWED: April 2004

REVISED: September 16, 2014

REVISED: September 18, 2018

Legal Reference: N.J.S.A. 18A:17-5 through -14.3 Secretaries, Assistant Secretaries and
School Business Administrators
N.J.S.A. 18A:17-15 through -23 Superintendents and Assistant
Superintendent of Schools
N.J.A.C. 6A:9-12.7 School Business Administrator
N.J.A.C. 6A:32-2.1 Chief School Administrator

LINE OF RESPONSIBILITY

The Garwood Board of Education shall operate under a (unit, dual) control system headed by the (chief school administrator, chief school administrator and board secretary/business official).

The authority of the Garwood Board of Education is transmitted through the (chief school administrator, chief school administrator and board secretary/business official) along specific paths from person to person as shown in the organization chart of the school district. The lines of authority represent direction of authority and responsibility. The lines are those approved by the Garwood Board of Education and are intended to establish clear understanding on the part of all personnel of the working relationships in the school system.

Personnel are expected to refer matters requiring administrative action to the administrator to whom they are responsible. Personnel are expected to keep the person to whom they are immediately responsible informed of their activities by appropriate means.

ADOPTED: July 12, 2001

REVIEWED: April 2004

REVISED: September 16, 2014

REVISED: September 18, 2018

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:17-5 Secretaries, Assistant Secretaries and School
through -14.3 Business Administrators
N.J.S.A. 18A:17-15 Superintendents and Assistant Superintendent of
through -23 Schools
N.J.S.A. 18A:17-24.1 et seq. Shared Administrators, Superintendents
N.J.S.A. 18A:54-20 Powers of board
N.J.A.C. 6A:9-12.3 Authorization
N.J.A.C. 6A:9-12.4 School administrator
N.J.A.C. 6A:9-12.7 School business administrator
N.J.A.C. 6A:32-2.1 Definitions (chief school administrator)

PRINCIPAL EVALUATION

The Garwood Board of Education believes that the evaluation of effective leadership and administration practices improves success in the achievement of the educational goals of this district, including student achievement of the Common Core State Standards for mathematics and language arts and literacy and the Core Curriculum Content Standards. The Garwood Board of Education shall implement an effective system for the evaluation of principals, assistant principals, and vice-principals. The purpose of this evaluation shall be to promote professional excellence and improve the skills of principals, assistant principals and vice-principals; improve pupil learning and growth; and provide a basis for the review of performance. The Garwood Board of Education is committed to establishing educator evaluation rubrics for the evaluation of administrative staff members' effectiveness to further the development of a professional corps of State educators and to increase student achievement. The district evaluation system shall facilitate:

- A. Continual improvement of leadership and instruction;
- B. Meaningful differentiation of performance using four performance levels;
- C. Use of multiple valid measures in determining performance levels, including objective measures of student performance and measures of professional practice;
- D. Evaluation of principals, assistant principals and vice-principals on a regular basis;
- E. Delivery of clear, timely and useful feedback, including feedback that identifies areas for growth and guides professional development; and
- F. District personnel decisions.

Training

Principals, assistant principals and vice principals shall be provided:

- A. Training on the teacher and principal practice instruments. Training shall be provided for any supervisor who will conduct observations for the purpose of evaluation of teachers, principals, assistant principals, or vice principals. Training shall be provided before the observer conducts his or her first observation for the purpose of evaluation;
- B. Annual updates and refresher training on the teacher and principal practice instruments. Training shall be provided for any supervisor who will observe teaching and/or principal practice for the purpose of increasing accuracy and consistency among observers.

Principal Evaluation

Principals, vice principals, or assistant principals shall be evaluated according to an evaluation rubric. The evaluation rubric shall be submitted to the Commissioner by June 1 for approval by August 1 of each year.

The components of the principal evaluation rubric shall apply to teaching staff members holding the position of principal, vice principal, or assistant principal and holding a valid and effective standard, provisional, or emergency administrative certificate.

The principal evaluation rubric shall meet the standards provided in N.J.S.A. 18A:6-123, including, but not limited to:

- A. Measures of student achievement pursuant to N.J.A.C. 6A:10-5.2 including:
1. The median school wide student growth percentile measure; and/or
 2. The measure of the average student growth objective for all teachers; and
 3. The measure of the administrator goals which shall be developed in consultation with their supervisor and specific and measurable to his or her job description. Administrator goals and the criteria for assessing performance based on those objectives shall be determined and recorded in the principal, vice principal, or assistant principal's personnel file by October 15 of the school year.
- B. Measures of principal practice including the following components:
1. A measure determined through a Commissioner-approved principal practice instrument; and
 2. A leadership measure determined through the Department-created leadership rubric.

Principal practice component rating shall be based on the measurement of the principal, assistant principal, or vice principal's performance according to the school district's Commissioner-approved principal practice instrument. Observations pursuant to N.J.A.C. 6A:10-5.4 shall be used as one form of evidence for this measurement.

Leadership practice shall be determined by a score on a leadership rubric, which will assess the principal, vice-principal, or assistant principal's ability to improve student achievement and teaching staff member effectiveness through identified leader behaviors. The rubric will be posted on the Department of Education's website and annually maintained.

Principal, Assistant Principal, and Vice Principal Observations

The chief school administrator, or his or her designee, shall conduct observations for the evaluation of principals. The chief school administrator shall be trained according to law on the components of the evaluation rubric including student achievement measures and all aspects of the practice instrument.

A principal, or a chief school administrator or his or her designee, shall conduct observations for the evaluation of assistant principals and vice principals.

For the purpose of collecting data for the evaluation of a principal, assistant principal, or vice principal, an observation may include, but is not limited to: building walk-through, staff meeting observation, parent conference observation, or case study analysis of a significant student issue.

Each tenured principal, assistant principal, and vice principal shall be observed at least two times during each school year. Each non tenured principal, assistant principal, and vice principal shall be observed at least three times during each school year, as required by N.J.S.A. 18A:27-3.1.

A post-observation conference shall follow each observation. The post-observation conference shall consist of a meeting, either in-person or remotely, between the evaluator and the principal, assistant principal or vice-principal for the purpose of evaluation to discuss the data collected in the observation.

Post-observation conferences shall include the following procedures:

- A. The supervisor who is present at the observation shall conduct a post-observation conference with the principal, assistant principal, or vice principal being observed. A post-observation conference shall occur no more than 15 teaching staff member working days following each observation;
- B. The post-observation conference shall be for the purpose of reviewing the data collected at the observation, connecting the data to the principal practice instrument and the principal, assistant principal, or vice principal's individual professional development plan, collecting additional information needed for the evaluation, and offering areas to improve effectiveness;
- C. With the consent of the observed principal, assistant principal, or vice principal, post-observation conferences for individuals who are not on a corrective action plan may be conducted via written communication, including electronic communication;
- D. One post-observation conference may be combined with the principal, assistant principal, or vice principal's annual summary conference as long as it occurs within the required 15 teaching staff member working days following the observation.
- E. A written evaluation report shall be signed by the supervisor who conducted the observation and post-observation and the principal, assistant principal, or vice principal who was observed;
- F. The principal, assistant principal, or vice principal shall submit his or her written objection(s) of the evaluation within 10 working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.

An additional observation and post-observation conference shall be required as part of the corrective action plan for any principal, assistant principal or vice-principal who has been rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics.

Professional Development Plans

The chief school administrator shall oversee and review for each principal and supervisor, professional development that links to individual, school, and district professional development goals and the school district's professional development plan.

The principals and supervisors shall fulfill the professional development requirement through the creation, implementation, and completion of a professional development plan that:

- A. Aligns with the Professional Standards for School Leaders (N.J.A.C. 6A:9-3.4) and the Standards for Professional Learning (N.J.A.C. 6A:9-15.3);
- B. Derives from the results of observations, evidence, and recommendations included in the annual performance evaluation of the chief school administrator, principals, or supervisors;
- C. Identifies professional goals that address specific individual, school, or district goals; and
- D. Grounds professional development activities in objectives related to improving teaching, learning, and student achievement, and in support of the school and/or district professional development plan.

If a principal, assistant principal or vice-principal has a corrective action plan, the corrective action plan shall replace content of the individual professional development plan until the next annual summary conference.

Note: see board policy 4131/4131.1 Staff Development

Corrective Action Plans

A corrective action plan shall be developed for each principal, assistant principal or vice-principal rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics. The plan shall be developed by the principal, assistant principal or vice-principal evaluated and the chief school administrator or principal's, assistant principal's or vice-principal's supervisor.

A chief school administrator, or his or her designee, and the principal, as appropriate, shall conduct a mid-year evaluation of any principal, assistant principal, or vice principal who is evaluated as ineffective or partially effective in his/her most recent annual summative evaluation. If the corrective action plan was created before the start of the year, the mid-year evaluation shall occur before February 15; if the corrective action plan was created after the start of the academic year, the mid-year evaluation shall occur before the annual summary conference. The mid-year evaluation shall include, at a minimum:

- A. One observation in addition to the observations required for the regular evaluation process;
- B. One post-observation conference in addition to the post-observation conferences required for the regular evaluation process. During this post-observation conference progress toward the principal's, assistant principal's or vice principal's goals outlined in the corrective action plan shall be reviewed.

The content of the corrective action plan shall replace the content of the individual professional development plan until the next annual summary conference.

Records

All information contained in written performance reports and all information collected, compiled, and/or maintained by employees of the district for the purposes of conducting the educator evaluation process pursuant to this chapter shall be confidential. Such information shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Nothing contained in this section shall be construed to prohibit the Department of Education from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e or distributing aggregate statistics regarding evaluation data.

ADOPTED: December 1985

REVISED: April 2004

REVISED: December 2013

REVISED: October 16, 2018

Legal Reference: N.J.S.A. 18A:4-15 General rule-making power
N.J.S.A. 18A:4-16 Incidental powers conferred
N.J.S.A. 18A:6-10 et seq. Dismissal and reduction in compensation of
persons under tenure in public school system
N.J.S.A. 18A:6-117 et seq. Teacher Effectiveness and Accountability for
the Children of New Jersey (TEACHNJ)ACT

See particularly:

N.J.S.A. 18A:6-119 Definitions relative to the TEACHNJ Act

N.J.S.A. 18A:6-120 School improvement panel

N.J.S.A. 18A:6-121 Evaluation of principal, assistant principal, vice-
principal

N.J.S.A. 18A:6-122 Annual submission of evaluation rubrics

N.J.S.A. 18A:6-123 Review, approval of evaluation rubrics

N.J.S.A. 18A:27-3.1 Non-tenured teaching staff; observation and
evaluation;

through -3.3 conference; purpose

N.J.S.A. 18A:27-10 et seq. Nontenured teaching staff member; offer of
employment for next succeeding year or
notice of termination before May 31

N.J.S.A. 18A:28-5 Tenure of teaching staff members

N.J.S.A. 18A:29-14 Withholding increments; causes; notice of appeals

N.J.A.C. 6:30-2.1(a)8 Purpose and program descriptions

N.J.A.C. 6A:9-15.1 et seq. Required professional development for
teachers and

See particularly: school leaders

N.J.A.C. 6A:9-15.7 Implementation of professional development
requirement for school leaders

N.J.A.C. 6A:9-15.8 Requirements for school leader professional
development in ethics, law and governance

N.J.A.C. 6A:10-1.1 et seq. Educator effectiveness

See particularly:

N.J.A.C. 6A:10-1.2 Definitions

N.J.A.C. 6A:10-2.2 Duties of district boards of education

N.J.A.C. 6A:10-5.1 et seq. Components of principal evaluation

See particularly:

N.J.A.C. 6A:10-5.1 Components of principal evaluation rubrics
through -5.3

N.J.A.C. 6A:10-5.4 Principal, assistant principal and vice-principals

N.J.A.C. 6A:32-5.1 et seq. Standards for determining seniority

CHIEF SCHOOL ADMINISTRATOR

The Garwood Board of Education, in compliance with state law, will evaluate the chief school administrator at least annually. Every newly appointed or elected Garwood Board of Education member shall complete the New Jersey School Boards Association's training program on evaluation of superintendents within six months of commencement of his/her term of office. The purpose of the evaluation shall be:

- A. To promote professional excellence and improve the skills of the chief school administrator;
- B. To improve the quality of the education received by the pupils served by the public schools of the district;
- C. To provide a basis for the review of the job performance of the chief school administrator.

Role and Responsibility of the Garwood Board of Education

The role and responsibility of the Garwood Board of Education in this evaluation shall be:

- A. To complete a New Jersey School Boards Association training program on the evaluation of the chief school administrator within six months of the commencement of newly appointed or elected district Garwood Board of Education member's term of office (N.J.S.A. 18A:17-20.3.b; see board policy 9200 Orientation and Training of Board Members);
- B. To review, revise and adopt procedures suggested by the chief school administrator for implementation of this policy;
- C. To determine whether the services of a qualified consultant will contribute substantially to the evaluation process and to engage such a consultant as deemed appropriate to assist the Garwood Board of Education. The evaluation itself shall be the responsibility of the Garwood Board of Education;
- D. To adopt an individual plan for professional growth and development of the chief school administrator based in part upon any needs identified in the evaluation. This plan shall be mutually developed by the Garwood Board of Education and the chief school administrator. The duration of the plan will be three to five years, depending on the chief school administrator's contract with the school district;
- E. To hold an annual summary conference between a majority of its total membership and the chief school administrator. The annual summary conference shall be held before the written performance report is filed. The conference shall be held in private, unless the chief school administrator requests that it be held in public. The conference shall include, but not be limited to, review of the following:
 - 1. Performance of the chief school administrator based upon the job description;
 - 2. Progress of the chief school administrator in achieving and/or implementing the school district's goals, program objectives, policies, instructional priorities, State goals, and statutory requirements; and
 - 3. Indicators of student progress and growth toward program objectives.

- F. To prepare, by July 1, subsequent to the annual summary conference, an annual written performance report, approved by a majority of the full membership of the Garwood Board of Education. This report shall include:
1. Performance areas of strength;
 2. Performance areas needing improvement based upon the job description and evaluation criteria in "E" above;
 3. Recommendations for professional growth and development;
 4. A summary of available indicators of pupil progress and growth and a statement of how these available indicators relate to the effectiveness of the overall program and the performance of the chief school administrator;
 5. Provision for performance data which have not been included in the report prepared by the Garwood Board of Education to be entered into the record by the chief school administrator within 10 working days after the completion of the report.
- G. To add all written performance reports and supporting data, including, but not limited to, indicators of student progress and growth to a chief school administrator's personnel file. The records shall be confidential and not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

Role and Responsibility of the Chief School Administrator

The Garwood Board of Education shall determine the role and responsibility in consultation with the chief school administrator. The chief school administrator shall be to provide information and propose procedures for:

- A. Development of a job description and evaluation criteria, based upon the district's local goals, program objectives, policies, instructional priorities, state goals, statutory requirements, and the functions, duties and responsibilities of the chief school administrator. The evaluation criteria shall include but not be limited to available indicators of pupil progress;
- B. Specification of methods of data collection and reporting appropriate to the job description;
- C. Design of evaluation instruments suited to reviewing the chief school administrator's performance based upon the job description;
- D. Establishing an evaluation calendar to include a date for the annual conference and including appropriate information to allow proper consideration of all the items to be included in the subsequent written performance report;
- E. After the Garwood Board of Education's adoption of the annual written performance report, to provide all other appropriate information relative to evaluation of his/her performance not contained in the report.
- F. Preparation and review of the Professional Growth Plan for the administrator's professional development.

The policy shall be delivered to the chief school administrator upon adoption. Amendments to the policy shall be distributed within 10 working days after adoption.

DATE: December 1985
REVISED: April 2004
REVISED: May 20, 2014
REVISED: October 16, 2018

Legal References: N.J.S.A. 18A:4-15 General rule-making power
N.J.S.A. 18A:6-10 Dismissal and reduction in compensation of persons
through -17 under tenure in public school system
N.J.S.A. 18A:12-21 et seq. School Ethics Act
N.J.S.A. 18A:17-15 Appointment of superintendents; terms;
through -21
N.J.S.A. 18A:17-20 Tenured and non-tenured superintendents; general
See particularly: powers and duties
N.J.S.A. 18A:17-20.2 Evaluation of superintendent's performance
N.J.S.A. 18A:17-24 Clerks in superintendent's office
N.J.S.A. 18A:17-24.1 Shared Administrators, Superintendents
N.J.S.A. 18A:27-4.1 Appointment, transfer, removal or renewal of officers
and employees; exceptions
N.J.S.A. 18A:28-3 No tenure for noncitizens
through -6.1
N.J.S.A. 18A:29-14 Withholding increments; causes; notice of appeals
N.J.S.A. 40:65-1 et seq. Uniformed Shared Services and Consolidation Act
N.J.A.C. 6A:9-12 Requirements for Administrative Certification
N.J.A.C. 6A:10-7.1 Evaluation of chief school administrators
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School
Districts
N.J.A.C. 6A:32-4.1 et seq. Employment and Supervision of Teaching Staff
8 U.S.C. 1101 et seq. Immigration and Nationality Act

HOLIDAYS AND VACATION DAYS

TWELVE MONTH PERSONNEL, CERTIFICATED/NON-CERTIFICATED
AND ALL PERSONNEL ON ADMINISTRATIVE CONTRACT

All twelve (12) month employees shall be eligible for vacations days as established in their annual agreement of employment. Arrangements for the actual days to be taken for vacations shall be made in advance by application to and with the approval of the Chief School Administrator.

Holidays recognized by the Garwood Board of Education include:

Labor Day	New Year's Day
Columbus Day	Martin Luther King's Birthday
Teachers' Convention Friday	Presidents' Weekend Monday
Thanksgiving Day	Good Friday
Day after Thanksgiving	Memorial Day
Christmas Day	Independence Day
Day before or after Christmas	Floating Holiday (1)

The above holidays falling on a Saturday are normally observed on the preceding Friday, if school is not in session.

Holidays falling on a Sunday are normally observed on the following Monday, if school is not in session.

ADOPTED: October 1989
REVISED: November 1990
REVISED: April 2002
REVISED: July 24, 2007
REVISED: August 16 2011
REVISED: November 18, 2014
REVISED: October 16, 2018

ADMINISTRATIVE LEEWAY IN ABSENCE OF BOARD POLICY

In cases where immediate action must be taken within the school system when the Garwood Board of Education has provided no guidelines for administrative action, the chief school administrator shall have the power to act, but his/her decisions shall be subject to review by the Garwood Board of Education at its next regular meeting.

It shall be the duty of the chief school administrator to inform the Garwood Board of Education promptly of such action and of the need for policy.

Date: December, 1985
Revised: January 19, 2010
Revised: November 18, 2014
Revised: October 18, 2018

Legal References: N.J.S.A. 18A:11- 1 General mandatory powers and duties
N.J.S.A. 18A:17-20 Superintendents; general powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

NONDISCRIMINATION/AFFIRMATIVE ACTION

State and federal statutes and regulations prohibit school districts from discriminatory practices in employment or educational opportunity against any person by reason of race, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, nationality, atypical hereditary cellular or blood trait of any individual, genetic information, or refusal to submit to a genetic test or make the results of a genetic test known, pregnancy in employment or in educational opportunities. Further state and federal protection is extended on account of disabilities, social or economic status, pregnancy, childbirth, pregnancy-related disabilities, actual or potential parenthood, or family status.

The Garwood Board of Education will continue to support its Affirmative Action Resolution, and to implement the district's equal educational opportunity policy, school and classroom practices plan and contract/employment practices plan in accordance with law and regulation.

The chief school administrator shall oversee the development and implementation of the three year comprehensive equity plan to ensure that the district provides equality in educational programs and to identify and correct, or assess and prevent, all bias, discrimination and impermissible isolation in policies, practices and facilities of the district. Upon approval of this plan by the state department of education, the Garwood Board of Education shall adopt it by resolution. The chief school administrator shall report to the Garwood Board of Education annually on progress toward goals established in the plan. A copy of the district's affirmative action/equity plans and self-evaluation of their achievement shall be available in the district office.

Affirmative Action Officer and Team

The Garwood Board of Education shall annually appoint a member of the staff as the affirmative action officer and form an affirmative action team, of whom the affirmative action officer is a member. The affirmative action officer shall serve as affirmative action/504 officer and/or desegregation coordinator. The affirmative action officer must have New Jersey certification with an administrative, instructional, or education services endorsement. The Garwood Board of Education shall ensure that all members of the school community know who the affirmative action officer is and how to access him/her.

The affirmative action officer shall:

- A. Coordinate the required professional development training for certificated and non-certificated staff;

- B. Notify all students and employees of district grievance procedures for handling discrimination complaints; and
- C. Ensure that the district grievance procedures, including investigative responsibilities and reporting information, are followed.

The affirmative action team shall:

- A. Develop the comprehensive equity plan in compliance with administrative code;
- B. Oversee the implementation of the district's comprehensive equity plan;
- C. Collaborate with the affirmative action office in coordinating the required professional development training;
- D. Monitor the implementation of the comprehensive equity plan; and
- E. Conduct the annual district internal monitoring to ensure continuing compliance with state and federal law and code.

Harassment

The Garwood Board of Education shall maintain an instructional and working environment that is free from harassment of any kind. Administrators and supervisors will make it clear to all staff, pupils and vendors that harassment is prohibited. Sexual harassment shall be specifically addressed in the affirmative action inservice programs required by law for all staff.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- A. Submission to the conduct or communication is made a term or condition of employment or education;
- B. Submission to, or rejection of, the conduct or communication is the basis for decisions affecting employment and assignment or education;
- C. The conduct or communication has the purpose or effect of substantially interfering with an individual's work performance or education;
- D. The conduct or communication has the effect of creating an intimidating, hostile or offensive working or educational environment.

Sexual harassment of staff or children interferes with the learning process and will not be tolerated in the Garwood schools. Harassment by Garwood Board of Education members, employees, parents, students, vendors and others doing business with the district is prohibited. Any child or staff member who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the affirmative action officer or building principal. Anyone else who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the chief school administrator or Garwood Board of Education president. Employees whose behavior is found to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including dismissal. Other individuals whose behavior is found to be in violation of this

NONDISCRIMINATION/AFFIRMATIVE ACTION

State and federal statutes and regulations prohibit school districts from discriminatory practices in employment or educational opportunity against any person by reason of race, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, nationality, atypical hereditary cellular or blood trait of any individual, genetic information, or refusal to submit to a genetic test or make the results of a genetic test known, pregnancy in employment or in educational opportunities. Further state and federal protection is extended on account of disabilities, social or economic status, pregnancy, childbirth, pregnancy-related disabilities, actual or potential parenthood, or family status.

The Garwood Board of Education will continue to support its Affirmative Action Resolution, and to implement the district's equal educational opportunity policy, school and classroom practices plan and contract/employment practices plan in accordance with law and regulation.

The chief school administrator shall oversee the development and implementation of the three year comprehensive equity plan to ensure that the district provides equality in educational programs and to identify and correct, or assess and prevent, all bias, discrimination and impermissible isolation in policies, practices and facilities of the district. Upon approval of this plan by the state department of education, the Garwood Board of Education shall adopt it by resolution. The chief school administrator shall report to the Garwood Board of Education annually on progress toward goals established in the plan. A copy of the district's affirmative action/equity plans and self-evaluation of their achievement shall be available in the district office.

Affirmative Action Officer and Team

The Garwood Board of Education shall annually designate a member of the staff as the affirmative action officer and form an affirmative action team, of whom the affirmative action officer is a member. The affirmative action officer shall serve as affirmative action/504 officer and/or desegregation coordinator. The affirmative action officer must have New Jersey certification with an administrative, instructional, or education services endorsement. The Garwood Board of Education shall ensure that all members of the school community know who the affirmative action officer is and how to access him/her.

The affirmative action officer shall:

- A. Coordinate the required professional development training for certificated and non-certificated staff;

- B. Notify all students and employees of district grievance procedures for handling discrimination complaints; and
- C. Ensure that the district grievance procedures, including investigative responsibilities and reporting information, are followed.

The affirmative action team shall:

- A. Develop the comprehensive equity plan in compliance with administrative code;
- B. Oversee the implementation of the district's comprehensive equity plan;
- C. Collaborate with the affirmative action office in coordinating the required professional development training;
- D. Monitor the implementation of the comprehensive equity plan; and
- E. Conduct the annual district internal monitoring to ensure continuing compliance with state and federal law and code governing educational equity.

Comprehensive Equity Plan

The Garwood Board of Education directs the affirmative action team to develop a comprehensive equity plan once every three years. The comprehensive equity plan shall identify and correct all discriminatory and inequitable educational and hiring policies, patterns, programs, and practices affecting its facilities, programs, students, and staff.

Prior to developing the comprehensive equity plan, the district's needs for achieving equity and equality in educational programs shall be assessed. The purpose of the needs assessment is to identify and eliminate discriminatory practices and other barriers to achieving equity in educational programs.

- A. The needs assessment shall include an analysis of:
 - 1. Student performance data such as National Assessment of Educational Progress and State assessment results;
 - 2. Preschool through grade 12 promotion/retention data;
 - 3. Preschool through grade 12 completion rates; and
 - 4. Re-examination and re-evaluation of classification and placement of students in special education programs if there is over representation within certain groups;
 - 5. Staffing practices;
 - 6. Student demographic and behavioral data;
 - 7. Quality of program data; and
 - 8. Stakeholder satisfaction data.

B. The comprehensive equity plan shall address:

1. Professional development;
2. Equality in school and classroom practices;
3. Equality in employment and contract practices.

C. The comprehensive equity plan shall include:

1. An assessment of the school district's needs for achieving equity in educational programs. The assessment shall include staffing practices, quality-of-program data, stakeholder-satisfaction data, and student assessment and behavioral data disaggregated by gender, race, ethnicity, limited English proficiency, special education, migrant, date of enrollment, student suspension, expulsion, child study team referrals, preschool through grade 12 promotion/retention data, preschool through grade 12 completion rates, and re-examination and re-evaluation of classification and placement of students in special education programs if there is overrepresentation within certain group;
2. A description of how other Federal, State, and school district policies, programs, and practices are aligned to the comprehensive equity plan;
3. Progress targets for closing the achievement gap;
4. Professional development targets regarding the knowledge and skills needed to provide a thorough and efficient education as defined by the New Jersey Student Learning Standards, differentiated instruction, and formative assessments aligned to the New Jersey Student Learning Standards and high expectations for teaching and learning; and
5. Annual targets that address school district needs in equity in school and classroom practices and are aligned to professional development targets.

The comprehensive equity plan shall include goals, objectives, timelines, and benchmarks for measuring progress. The Garwood Board of Education shall submit the comprehensive equity plan to the executive county superintendent for approval and a copy of the comprehensive equity plan to the New Jersey Department of Education. The Garwood Board of Education shall initiate the comprehensive equity plan within 60 days of its approval, and shall implement the plan in accordance with the timelines approved by the Department.

Harassment

The Garwood Board of Education shall maintain an instructional and working environment that is free from harassment of any kind. Administrators and supervisors will make it clear to all staff, pupils and vendors that harassment is prohibited. Sexual harassment shall be specifically addressed in the affirmative action in service programs required by law for all staff.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- A. Submission to the conduct or communication is made a term or condition of employment or education;

- B. Submission to, or rejection of, the conduct or communication is the basis for decisions affecting employment and assignment or education;
- C. The conduct or communication has the purpose or effect of substantially interfering with an individual's work performance or education;
- D. The conduct or communication has the effect of creating an intimidating, hostile or offensive working or educational environment.

Sexual harassment of staff or children interferes with the learning process and will not be tolerated in the Garwood schools. Harassment by Garwood Board of Education members, employees, parents, students, vendors and others doing business with the district is prohibited. Any child or staff member who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the affirmative action officer or building principal. Anyone else who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the chief school administrator or board president. Employees whose behavior is found to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including dismissal. Other individuals whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the chief school administrator/Garwood Board of Education. Law enforcement shall be summoned when appropriate. This policy statement on sexual harassment shall be distributed to all staff members.

Staff or pupils may file a formal grievance related to harassment on any of the grounds addressed in this policy. The affirmative action officer will receive all complaints and carry out a prompt and thorough investigation, and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination or harassment will result in appropriate disciplinary action.

School and Classroom Practices

- A. In implementing affirmative action, the district shall:
 - 1. Identify and correct the denial of equality of educational opportunities for pupils solely on the basis of any classification protected by law;
 - 2. Continually reexamine and modify, as may be necessary, its school and classroom programs; location and use of facilities; its curriculum development program and its instructional materials; availability of programs for children; and equal access of all eligible pupils to all extracurricular programs.
- B. The Garwood Board of Education shall provide all students with equal and bias-free access 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, gender identity or expression, religion, disability, or socioeconomic status, by:

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

These topics are included in the pupil and instruction policies of the district at 5145.4 Equal Educational Opportunity, 6121 Nondiscrimination/Affirmative Action, and 6145 Extracurricular Activities.

Contract/Employment Practices

The district directs the chief school administrator to ensure that appropriate administrators implement the district's affirmative action policies by:

- A. Adhering to the administrative code in selection of vendors and suppliers; informing vendors and suppliers that their employees are bound by the district's affirmative action policies in their contacts with district staff and pupils;
- B. Continuing implementation and refinement of existing practices and affirmative action plans, making certain that all recruitment, hiring, evaluation, training, promotion, personnel-management practices and collective bargaining agreements are structured and administered in a manner that furthers equal employment opportunity principles and eliminates discrimination on any basis protected by law, holding in service programs on affirmative action for all staff in accordance with law.

These topics are included in the business and non instructional operations, and the personnel policies of the district at #3320 Purchasing Procedures, 3327 Relations with Vendors, 4111.1 and 4211.1 Nondiscrimination/Affirmative Action.

Disabled

In addition to prohibiting educational and employment decisions based on non applicable disabling condition, the district shall, as much as feasible, make facilities accessible to disabled pupils, employees and members of the community as intended by Section 504 and as specified in the administrative code.

Report on Implementation

The chief school administrator shall devise regulations, including grievance forms and procedures to implement the district's affirmative action policies. He/she shall report to the Garwood Board of Education annually on the effectiveness of this policy and the implementing procedures.

ADOPTED: August 21, 2001

REVISED: April 2004

REVISED: December 16, 2014

REVISED: November 20, 2018

Legal References: N.J.S.A. 2C:16-1 Bias intimidation
N.J.S.A. 2C:33-4 Harassment
N.J.S.A. 10:5-1 et seq. Law Against Discrimination
N.J.S.A. 18A:6-5 Inquiry as to religion and religious tests prohibited
N.J.S.A. 18A:6-6 No sex discrimination
N.J.S.A. 18A:18A-17 Facilities for handicapped persons
N.J.S.A. 18A:26-1 Citizenship of teachers, etc.
N.J.S.A. 18A:26-1.1 Residence requirements prohibited
N.J.S.A. 18A:29-2 Equality of compensation for male and female teachers
N.J.S.A. 18A:35-1 et seq. Curriculum and courses
N.J.S.A. 18A:37-14 Harassment, intimidation, and bullying defined; through -19 definitions
N.J.S.A. 18A:36-20 Discrimination; prohibition
N.J.S.A. 18A:38-5.1 Attendance at school
N.J.S.A. 26:8A-1 et seq. Domestic Partnership Act
N.J.A.C. 5:23-1 et seq. Uniform construction code
N.J.A.C. 6A:7-1.1 et seq. Managing for Equality and Equity in Education
See particularly: N.J.A.C. 6A:7-1.4,-1.5, -1.6, -1.7, -1.8
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
New Jersey State Constitution, Article I, Paragraph 5 Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000 et seq. Executive Order 11246 as amended
29 U.S.C.A. 201 § 206 - Equal Pay Act of 1963 as amended
20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Vinson v. Superior Court of Alameda County, 740 P. 2d 404 (Cal. Sup.
Ct. 1987)
State v. Mortimer, 135 N.J. 517 (1994)
Taxman v. Piscataway Bd. of Ed. 91 F. 3d 1547 (3d Cir. 1996)
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)
L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-
111-05 (Feb. 22, 2007), 2007 N.J. LEXIS 184. The New Jersey Supreme Court ruled
that a school district may be held liable under the New Jersey Law Against
Discrimination (LAD), N.J.S.A. 10:5-1 to -49, when students harass another student
because of his perceived sexual orientation. A district school will be liable for such
harassment if it knew or should have known of the harassment but failed to take
reasonable remedial actions. The matter was remanded to the Director of the Division
on Civil Rights.

Comprehensive Equity Plan, New Jersey Department of Education

MANUALS, DIRECTIVES, BULLETINS, ANNOUNCEMENTS, REPORTS

Pertinent Garwood Board of Education policies, regulations, school rules, and procedures shall be made known to all staff and students affected by them. The Chief School Administrator and Principal shall develop staff and student handbooks when necessary and desirable.

The handbooks' contents shall conform to district-wide policies and regulations. All handbooks bearing the district's name or one of its schools shall be of a quality that reflects the district. All handbooks shall be approved by the Chief School Administrator with Garwood Board of Education input before final publication.

DATE: December 1985

REVISED: April 2004

REVISED: December 16, 2014

Legal Reference: N.J.S.A. 18A:11-1 General Mandatory Powers and Duties of the Board

RESEARCH, EVALUATION AND PLANNING

As required by law, the chief school administrator shall annually direct development or review of district long- and short-range goals and the plan of action to attain them. Objectives shall be developed with community participation and approved by the board of education; the plan of action shall be prepared in consultation with teaching staff members. The district's plans shall be discussed at a public meeting before the date required by law.

Further, the chief school administrator shall coordinate continual research and evaluation of programs and facilities. The master plan shall be studied and revised periodically to keep it in accord with the changing circumstances and aspirations of the district.

Quality Assurance

By October 30 of each year, the chief school administrator shall provide a quality assurance report to the public at a regular meeting of the board. The report shall include all information specified in the administrative code. This report shall be disseminated to all staff and parents, and made available to the media.

School-Level Planning

By September 30, the principal of each school in the district shall coordinate development and implementation of a two-year school-level plan based on school report card data. This plan shall include pupil performance objectives, a review of progress by teaching and administrative staff, and the involvement of parents.

The performance objectives shall be based on pupil performance or behavior standards as defined in the administrative code.

At least once per semester, the principal of each school shall conduct meetings by grade level, department, team or similarly appropriate group to review the school-level plan. The review shall include:

- A. School report card data;
- B. Progress toward achieving pupil performance objectives;
- C. Progress toward achieving core curriculum content standards.

Each principal shall sign a statement of assurance attesting to these activities on the form prescribed by the Commissioner of Education.

ACTION PLANNING FOR STATE MONITORING NJQSAC
NEW JERSEY QUALITY SINGLE ACCOUNTABILITY CONTINUUM

The Garwood Board of Education recognizes that it has important functions under the New Jersey state monitoring system: Quality Single Accountability Continuum (NJQSAC). The Garwood Board of Education shall comply with the requirements of the Department of Education's three year monitoring system by completing the District Performance Review (DPR). The district shall be assessed in the following five key areas:

- A. Operations;
- B. Instruction and Program;
- C. Governance;
- D. Fiscal managements;
- E. Personnel.

The chief school administrator shall take the following steps to oversee the efficient completion of the District Performance Review every three years as required by law:

- A. District Performance Review form shall be completed by the district committee. The chief school administrator shall determine the total number of people that will serve on the committee. The chief school administrator shall appoint the following persons to the committee, and, in his or her discretion, may include other persons on the committee with the approval of the Garwood Board of Education:
 - 1. Chief school administrator;
 - 2. One or more members of the administrative staff;
 - 3. One or more teaching personnel, representative of different grade levels and/or;
 - 4. The business administrator and assistant superintendent for curriculum and instruction, as well as other appropriate personnel;
 - 5. One or more member representatives of the local collective bargaining unit of the educational staff selected by the local collective bargaining unit; which may include the teaching personnel otherwise appointed in "3" above; and
 - 6. One or more members of the Garwood Board of Education selected by the Garwood Board of Education.
- B. The chief school administrator shall:
 - 1. Ensure that the process used by the committee in completing the District Performance Review provides for participation and input by all committee members;
 - 2. Consult with the committee in formulating a response to all weighted quality performance indicators of each component of school district effectiveness;
 - 3. Ensure that the responses in District Performance Review encompass and reflect the circumstances that exist in the school district; and

4. Ensure that all responses to the District Performance Review can be verified by data and supporting documentation or otherwise and provide this verification to the department upon request. (N.J.A.C. 6A:30-3.2 District Performance Review)

Additionally, the chief school administrator shall ensure the district's compliance with all indicators when it is within his/her power to do so. He/she shall inform the Garwood Board of Education in a timely fashion of any areas in which Garwood Board of Education action is required to bring the district into compliance, and suggest to the Garwood Board of Education feasible plans of action.

Upon completion of the proposed responses to the District Performance Review, the Garwood Board of Education shall fix a date, place and time for the holding of a public meeting, which may be a regularly scheduled meeting of the district board of education. The proposed responses to the District Performance Review and statement of assurance shall be presented to the Garwood Board of Education for approval by resolution.

The Garwood Board of Education shall ensure that:

- A. The proposed responses to the District Performance Review and statement of assurance shall be posted on its internet site, if one exists, at least five working days prior to the date fixed for the meeting, and shall make it available for examination by the public at the district board offices or another reasonable location;
- B. Notice of the meeting shall be published as required by the Open Public Meetings Act and this notice shall inform the public that the District Performance Review and statement of assurance will be discussed at the meeting and the times and manner in which members of the public may view the proposed responses to the District Performance Review; and
- C. At the public meeting the public shall have the opportunity to comment and be heard with respect to the proposed responses to the District Performance Review. The public shall have the opportunity to submit written comments prior to the meeting, as well. (N.J.A.C. 6A:30-3.2 District Performance Review)

If the school district fails to satisfy the evaluation criteria, the Garwood Board of Education shall cooperate in undertaking corrective action plans indicated by the executive county superintendent and pursuant to the New Jersey administrative code.

Certification requirements for teaching staff members shall not be violated.

Equivalency and Waiver Procedures

The Garwood Board of Education may apply to the commissioner for a waiver of a specific rule or an equivalent means of implementing a rule through alternate procedures so long as the following criteria are met:

- A. The spirit and intent of New Jersey statutes, applicable federal laws and regulations, and the administrative code are served by granting the equivalency or waiver;
- B. The provision of a thorough and efficient education to the students in the district is not compromised as a result of the equivalency or waiver; and

C. There will be no risk to student health, safety or civil rights by granting the equivalency or waiver.

All applications for equivalency and waivers shall be in accordance with N.J.A.C. 6A:5-1.4 and shall be signed by the chief school administrator and approved by the Garwood Board of Education.

DATE: December 1985

REVISED: April 2004

REVISED: December 16, 2014

REVISED: November 20, 2018

Legal References: N.J.S.A. 18A:7A-10 Evaluation of performance of each school
N.J.S.A. 18A:7A-14 Review of evaluation of district performance
N.J.S.A. 18A:7F-1 et al. Comprehensive Educational Improvement and Financing Act
N.J.S.A. 18A:26-2 Certificates required; exception
N.J.A.C. 6A:5-1.1 et seq. Regulatory Equivalency and Waiver
N.J.A.C. 6A:8-1.1 et seq. Standards and Assessments
N.J.A.C. 6A:23A-9.5 Commissioner to ensure achievement of the Core Curriculum Content Standards
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

See Particularly

N.J.A.C. 6A:30-2.1, 3.2, 5.2

N.J.A.C. 6A:32-2.1 Definitions

N.J.A.C. 6A:32-12.1 Reporting requirements

N.J.A.C. 6A:32-12.2 School-level planning

N.J.A.C. 6A:32-14.1 Review of mandated programs and services

SPECIAL EDUCATION

The following is a listing of special education policies:

- 2460.1 Location, Identification and Referral
- 2460.2 Evaluation Guidelines
- 2460.3 Individualized Education Program (IEP), Reevaluation and Related Services
- 2460.4 Placement in Least Restrictive Environment
- 2460.5 Participation in Statewide and District-wide Assessment
- 2460.6 Procedural Safeguards
- 2460.7 Free Appropriate Public Education
- 2460.8 Early Intervention Program (EIP)
Transition /IEP Implementation By Third Birthday
- 2460.9 Full Educational Opportunity
- 2460.10 Pupil Records
- 2460.11 Requirements for Services for Nonpublic School Pupils
- 2460.12 Private School Pupils-Special Education and Related Services
- 2460.13 Personnel
- 2460.14 In-Service Training

The following definitions shall apply to all special education policies:

Definitions

Words and terms, unless otherwise defined below, when used in this chapter, shall be defined in the same manner as those words and terms used in the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §§ 1400, et seq. and its implementing regulations at 34 C.F.R. §§ 301.1, et seq.

“Adaptive behavior” means the ability to demonstrate personal independence and social responsibility according to age and socio-cultural group expectations.

“Adult pupil” means an emancipated minor or person age eighteen through twenty-one, who is or was enrolled in the public school, who is not under legal guardianship, and who is entitled to receive educational programs and services in accordance with Federal or State law or regulation.

“Approved private school for the disabled” corresponds to “approved private school for the handicapped” and means an incorporated entity approved by the New Jersey Department of Education according to N.J.A.C. 6A:14-7.2 or 7.3 to provide special education and related services to pupils with disabilities placed by the district Board of Education responsible for providing their education.

“Assistive technology device” means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of children with disabilities.

“Assistive technology service” means any service that directly assists a pupil with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

1. The evaluation of the needs of a pupil with a disability, including a functional evaluation of the pupil in his or her customary environment;
2. Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by pupils with disabilities;
3. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive devices;
4. Coordinating and using other therapies, interventions, or services with assistive technology device, such as those associated with existing education and rehabilitation plans and programs;
5. Training or technical assistance for a pupil with a disability or, if appropriate, that pupil’s family; and
6. Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers or other individuals who may provide services to, employ, or are otherwise substantially involved in the major life functions of pupils with disabilities.

“Board of Education” means the school district of residence, the Board of trustees of a charter school, the State agency of other public education agency, which acts as the school district of residence for the location, identification, evaluation, determination of eligibility, development of an Individualized Education Program, and the provision of a free appropriate public education to pupils with disabilities except as defined otherwise.

“Consent” means agreement in writing with is required by this chapter. Consent shall be obtained from the parent(s), legal guardian(s) and/or the adult pupil having legal responsibility for educational decision making. The district Board of Education shall ensure that the parent(s), legal guardians(s), and/or adult pupil:

1. Has been fully informed of all information relevant to the activity for which consent is being sought, in his or her native language or other mode of communication;
2. Understands and agrees in writing to the implementation of the activity; and
3. Understands that the granting of consent is voluntary and may be revoked at any time.
4. If the parent revokes consent, that revocation is not retroactive (that is, it does not negate an action that has occurred after the consent was given and before the consent was revoked).

“Department of Education” means the New Jersey State Board of Education, the Commissioner of Education or his or her designee.

“Individualized Education Program” (IEP) means a written plan developed at a meeting according to N.J.A.C. 6A:14-2.3(h)2 which sets forth present levels of performance, measurable annual goals and short-term objectives or benchmarks and describes an integrated, sequential program of individually designed instructional activities and related services necessary to achieve the stated goals and objectives. This plan shall establish the rationale for the pupil’s educational placement, serve as the basis for program implementation and comply with the mandates set forth in this chapter.

“Intervention & Referral Services” (I&RS) refers to the committee previously known as the Pupil Assistance Committee (PAC), a regular education, pre-referral initiative.

“IEP Team” means the group of individuals who are responsible for the development, review and revision of the pupil’s Individualized Education Program. The members of the IEP Team are listed at N.J.A.C. 6A:14-2.3(k)(2).

“Native language” means the language or mode of communication normally used by a person with a limited ability to speak or understand the English language. In the case of a student, the native language is the language normally used by the parents. Except that in all direct contact with a student (including evaluation of the child), the native language is the language normally used by the student in the home or in the learning environment. The IEP team shall determine the language of the student.”

“Nonpublic school” means an elementary or secondary school, other than a public school, within the State, providing education in grades kindergarten through twelve, or any combination of grades in which a pupil age five through twenty-one may fulfill compulsory school attendance and which complies with Title VI of the Civil Rights Act of 1964 (P.L. 88-352).

“Nonpublic school pupil” means any pupil who is enrolled full time in a nonpublic school. A pupil who boards at a nonpublic school shall be considered a resident of the New Jersey school district in which the parent(s), legal guardian(s) and/or adult pupil resides.

“Parent” means the natural or adoptive parent, the legal guardian, foster parent when willing to so serve, a surrogate parent who has been appointed according to N.J.A.C. 6A:14-2.2(a) through (i), a person acting in the place of a parent (such as a grandparent or stepparent with whom the student lives or a person legally responsible for the student's welfare). Unless parental rights have been terminated by a court of appropriate jurisdiction, the parent retains all rights under this chapter. For the purposes of this chapter, the term "parent" shall include the adult student as defined above.

“Pupil” means a person age three through twenty-one who is entitled to receive educational programs and services in accordance with federal or State law or regulation.

“Pupil age” means the school age of a pupil defined by the following:

1. “Age three” means the attainment of the third birthday. Children attaining age three shall have a free appropriate public education available to them provided by the district Board of Education.
2. “Age five” means the attainment of age five by the month and day established as the kindergarten entrance cutoff date by the district Board of Education. Pupils with disabilities attaining age five after the kindergarten entrance cutoff date shall continue to be provided services for the balance of that school year.
3. “Age 21” means the attainment of the twenty-first birthday by June 30 of that school year. Pupils with disabilities attaining age twenty-one during the school year shall continue to be provided services for the balance of that school year.

“Pupil with a disability” means a pupil who has been determined to be eligible for special education and related services according to N.J.A.C. 6A:14-3.5 or 3.6.

“Recreation” for pupils with disabilities means instruction to enable the pupil to participate in appropriate leisure activities, including involvement in recreation programs offered by the district Board of Education and the facilitation of a pupil’s involvement in appropriate community recreation programs.

“Referral” means the written request for an initial evaluation to determine whether a pupil is eligible for services under this chapter.

“Related services” means transportation and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable a child with a disability to receive a free appropriate public education as described in the individualized education program of the child, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purposes only) as are required to assist a pupil with a disability to benefit from special education as specified in the pupil’s IEP, and includes speech-language pathology and audiology services; psychological services, physical and occupational therapy; recreation; early identification and assessment of disabilities in children; counseling services, including rehabilitation counseling, orientation and mobility services; and medical services for diagnostic or evaluation purposes. The term also includes school-nursing services, social work services in schools, and parent and/or legal guardian counseling and training that is related to the education of the pupil.

“Special education” means specially designed instruction to meet the educational needs of pupils with disability including, but not limited to, subject matter instruction, physical education and vocational training.

“Speech-language specialist” means a speech correctionist or speech-language specialist.

“Transition services” means a coordinated set of activities for a child with a disability that: (a) is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post- school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation; (b) is based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and (c) includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation.”\

Approved: June 8, 2000

Revised: February 17, 2015

Revised: December 18, 2018

SPECIAL EDUCATION LOCATION, IDENTIFICATION AND REFERRAL

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

APPROVED: June 8, 2000
REVISED: February 17, 2015
REVISED: December 18, 2018

SPECIAL EDUCATION-EVALUATION GUIDELINES

Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.3, 2.5, 3.4, and 3.5.

APPROVED: June 8, 2000
REVISED: February 17, 2015
REVISED: December 18, 2018

SPECIAL EDUCATION-INDIVIDUALIZED EDUCATION
PROGRAM (IEP), REEVALUATION AND RELATED SERVICES

An individualized education program is developed, reviewed and as appropriate, revised according to N.J.A.C. 6A:14-3.6, 3.9, and N.J.A.C. 6A:14-2.3(k)

APPROVED: June 8, 2000
REVISED: February 17, 2015
REVISED: December 18, 2018

SPECIAL EDUCATION-PLACEMENT IN LEAST RESTRICTIVE
ENVIRONMENT

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

APPROVED: June 8, 2000
REVISED: February 17, 2015
REVISED: December 18, 2018

SPECIAL EDUCATION-PARTICIPATION IN STATEWIDE AND
DISTRICTWIDE ASSESSMENT

Students with disabilities are included in Statewide and districtwide assessment programs, with appropriate accommodations, where necessary according to N.J.A.C. 6A:14-4.10.

APPROVED: June 8, 2000
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REVISED: December 18, 2018

SPECIAL EDUCATION-PROCEDURAL SAFEGUARDS

Students with disabilities are afforded the procedural safeguards required by N.J.A.C. 6A:14-2. et seq.

APPROVED: June 8, 2000
RESIVED: February 17, 2015
RESIVED: December 18, 2018

SPECIAL EDUCATION-FREE APPROPRIATE PUBLIC EDUCATION

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

APPROVED: June 8, 2000
REVISED: February 17, 2015
REVISED: December 18, 2018

SPECIAL EDUCATION-EARLY INTERVENTION PROGRAM (EIP)
TRANSITION/IEP IMPLEMENTATION BY THIRD BIRTHDAY

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

APPROVED: June 8, 2000
REVISED: February 17, 2015
REVISED: December 18, 2018

SPECIAL EDUCATION-FULL EDUCATIONAL OPPORTUNITY

Full educational opportunity to all students with disabilities is provided.

APPROVED: June 8, 2000

REVISED: February 17, 2015

REVISED: December 18, 2018

SPECIAL EDUCATION-PUPIL RECORDS

The compilation, maintenance, access to and confidentiality of student records are in accordance with N.J.A.C. 6:3-6 and N.J.A.C. 6A:32-7, et seq.

APPROVED: June 8, 2000
REVISED: February 17, 2015
REVISED: December 18, 2018

SPECIAL EDUCATION-REQUIREMENTS FOR SERVICES
FOR NONPUBLIC SCHOOL PUPILS

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

APPROVED: June 8, 2000
REVISED: February 17, 2015
REVISED: December 18, 2018

GARWOOD BOARD OF EDUCATION
Garwood, New Jersey 07027
Policy

File No. 2460.12

SPECIAL EDUCATION - PRIVATE SCHOOL PUPILS-SPECIAL
EDUCATION AND RELATED SERVICES

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

APPROVED: June 8, 2000

REVISED: February 17, 2015

REVISED: December 18, 2018

SPECIAL EDUCATION-PERSONNEL

All personnel serving students with disabilities are appropriately certified and licensed, where a license is required.

APPROVED: June 8, 2000
REVISED: February 17, 2015
REVISED: December 18, 2018

SPECIAL EDUCATION-IN-SERVICE TRAINING

The in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified and that appropriate in-service training is provided. The Garwood Board of Education shall maintain information to demonstrate its efforts to:

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

APPROVED: June 8, 2000

REVISED: February 17, 2015

REVISED: December 18, 2018