

POLICY GUIDE

ADMINISTRATION
1140/page 1 of 3
Affirmative Action Program
June 16
M

[See POLICY ALERT Nos. 191 and 209]

1140 AFFIRMATIVE ACTION PROGRAM

The Board of Education shall adopt and implement written educational equality and equity policies in accordance with the provisions of N.J.A.C. 6A:7 – Managing For Equality And Equity In Education.

The Board's affirmative action program shall recognize and value the diversity of persons and groups within society and promote the acceptance of persons of diverse backgrounds 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. The affirmative action program will also promote equal educational opportunity and foster a learning environment that is free from all forms of prejudice, discrimination, and harassment based upon race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, **gender identity or expression**, religion, disability, or socioeconomic status in the policies, programs, and practices of the Board of Education.

The Board shall inform the school community it serves of these policies in a manner including, but not limited to, the district's customary methods of information dissemination. The Board shall develop a Comprehensive Equity Plan once every three years, which shall identify and correct all discriminatory and inequitable educational and hiring policies, patterns, programs, and practices affecting its facilities, programs, students, and staff.

The Board shall assess the district's needs for achieving equality and equity in educational programs based on an analysis of student performance data such as: National Assessment of Educational Progress and State assessment results, Pre-Kindergarten through grade twelve promotion/retention data, Pre-Kindergarten through grade twelve completion rates; re-examination and re-evaluation of classification and placement of students in special education programs if there is an over representation within certain groups; staffing practices; student demographic and behavioral data; quality of program data; and stakeholder satisfaction data prior to developing the Comprehensive Equity Plan. The purpose of the needs assessment is to identify and eliminate discriminatory practices and other barriers in achieving equality and equity in educational programs.



POLICY GUIDE

ADMINISTRATION

1140/page 2 of 3

Affirmative Action Program

The Board shall annually designate a member of its staff as the Affirmative Action Officer and form an Affirmative Action Team, of whom the Affirmative Action Officer is a member, to coordinate and implement the requirements of N.J.A.C. 6A:7 – Managing For Equality And Equity in Education. The Board shall assure that all stakeholders know who the Affirmative Action Officer is and how to access him or her.

The Affirmative Action Officer ~~must~~ **shall** have a New Jersey standard certification with an administrative, instructional, or educational services endorsement, pursuant to N.J.A.C. 6A:9B et seq. The Affirmative Action Officer shall: coordinate the required professional development training for certificated and non-certificated staff pursuant to N.J.A.C. 6A:7-1.6; notify all students and employees of district grievance procedures for handling discrimination complaints; and ensure the district grievance procedures, which include investigative responsibilities and reporting information, are followed.

The Affirmative Action Team shall: develop the Comprehensive Equity Plan pursuant to N.J.A.C. 6A:7-1.4(c); oversee the implementation of the district's Comprehensive Equity Plan pursuant to N.J.A.C. 6A:7-1.4(c); collaborate with the Affirmative Action Officer on coordination of the required professional development training for certificated and non-certificated staff pursuant to N.J.A.C. 6A:7-1.6; monitor the implementation of the Comprehensive Equity Plan; and conduct the annual district internal monitoring to ensure continuing compliance with State and Federal statutes governing educational equality and equity, pursuant to N.J.A.C. 6A:7-1.4(d).

The Board shall provide professional development training to all certificated and non-certificated school staff members on a continuing basis to identify and resolve problems associated with the student achievement gap and other inequities arising from prejudice on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, **gender identity or expression**, religion, disability, or socioeconomic status. All new certificated and non-certificated staff members shall be provided with professional development training on educational equality and equity issues within the first year of employment. Parents and other community members shall be invited to participate in the professional development training.



POLICY GUIDE

ADMINISTRATION

1140/page 3 of 3

Affirmative Action Program

The Commissioner or his/her designee shall provide technical assistance to local school districts for the development of policy guidelines, procedures, and in-service training for Affirmative Action Officers so as to aid in the elimination of prejudice on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, **gender identity or expression**, religion, disability, or socioeconomic status.

N.J.A.C. 6A:7-1.4; 6A:7-1.5; 6A:7-1.6

Adopted:



POLICY GUIDE

ADMINISTRATION
1523/page 1 of 2
Comprehensive Equity Plan
Jun 16
M

[See POLICY ALERT Nos. 136, 168, 172, 191 and 209]

1523 COMPREHENSIVE EQUITY PLAN

The Board of Education shall submit a Comprehensive Equity Plan based on an assessment of the district's needs for achieving equity in educational programs that includes a cohesive set of policies, programs, and practices that ensure high expectations and positive achievement patterns and equal access to education opportunity for all learners, including students and teachers.

The Board's obligation to be accountable for the requirements in N.J.A.C. 6A:7 is not precluded or alleviated by any rule or regulation of any organization, club, athletic association, or other league or group.

The Comprehensive Equity Plan shall include the following:

1. ~~A needs assessment that includes 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, Pre Kindergarten through grade twelve promotion/retention data, Pre Kindergarten through grade twelve completion rates, and re-examination and re-evaluation of classification and placement of students in special education programs if there is overrepresentation within a certain group; staffing practices; quality of program data; and stakeholder satisfaction data~~ **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 twelve promotion/retention data, preschool through grade twelve completion rates, and re-examination and re-evaluation of classification and placement of students in special education programs if there is overrepresentation within a certain group;**



POLICY GUIDE

ADMINISTRATION

1523/page 2 of 2

Comprehensive Equity Plan

2. A description of how other Federal, State, and district policies, programs, and practices are aligned to the Comprehensive Equity Plan;
3. ~~Adequate yearly p~~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 Core Curriculum Content Standards; differentiated instruction and formative assessments aligned to Core Curriculum Content Standards; and high expectations for teaching and learning; and
5. Annual targets addressing district needs in equity in school and classroom practices that are aligned to professional development targets.

A Comprehensive Equity Plan shall be ~~developed~~ **written** every three years and the Board of Education shall initiate the Comprehensive Equity Plan within sixty days of its approval and shall implement the plan in accordance with the timelines approved by the New Jersey Department of Education.

In the event the Board of Education does not implement the Comprehensive Equity Plan within one hundred eighty days of its approval date, or fails to report its progress annually, ~~or as required by the New Jersey Department of Education,~~ sanctions deemed to be appropriate by the Commissioner of Education or his/her designee shall be imposed, and may include action to suspend, terminate, or refuse to award continued Federal or State financial assistance, pursuant to N.J.S.A. 18A:55-2.

N.J.A.C. 6A:7-1.9

Adopted:



POLICY GUIDE

ADMINISTRATION

1530/page 1 of 2

Equal Employment Opportunities

Jun 16

M

[See POLICY MEMO No. 116]

[See POLICY ALERT Nos. 136, 168, 191 and 209]

1530 EQUAL EMPLOYMENT OPPORTUNITIES

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

The Board shall ensure all persons shall have 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 or sexual orientation, gender, **gender identity or expression**, 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, **gender identity or expression**, 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, **gender identity or expression**, 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.

The Board shall not enter into a contract with a 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 or sexual orientation, gender, **gender identity or expression**, socioeconomic status, or disability, either in employment practices or in the provision of benefits or services to students or employees, pursuant to N.J.A.C. 6A:7-1.1.



POLICY GUIDE

ADMINISTRATION

1530/page 2 of 2

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.

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:



REGULATION GUIDE

ADMINISTRATION

R 1530/page 1 of 4

Equal Employment Opportunity Complaint Procedure

Jun 16

M

[See **POLICY ALERT Nos. 116, 191 and 209**]

R 1530 EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE

A. Purpose and Application

1. The purpose of this procedure is to give any district employee or candidate for employment the opportunity to appeal 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, gender, **gender identity or expression**, 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 Readington School District.
2. “Complaint” means an alleged discriminatory act or practice.
3. “Complainant” means a staff member who alleges a discriminatory act or practice.



REGULATION GUIDE

ADMINISTRATION

R 1530/page 2 of 4

Equal Employment Opportunity Complaint Procedure

4. "Day" means a working or calendar day as identified.
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 Readington School District.

C. Procedure

1. A complainant who believes that he/she has been harmed or adversely affected by a discriminatory practice or act prohibited by law and/or policy shall discuss the matter with his/her immediate supervisor in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within thirty working days, the complainant may submit a written complaint to the 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 employee, if any, responsible for the allegedly discriminatory act,
 - d. The results of discussions conducted in accordance with paragraph C.1., 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 seven working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.



REGULATION GUIDE

ADMINISTRATION

R 1530/page 3 of 4

Equal Employment Opportunity Complaint Procedure

4. The response of the Affirmative Action Officer may be appealed to the Superintendent in writing within three working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have acted discriminatorily.
5. On his/her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than seven working days after the request for a hearing has been submitted. The Superintendent may also require 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 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.
7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than three working days after receipt of the Superintendent's decision. The appeal shall include:
 - a. The original complaint,
 - b. The response to the complaint,
 - c. The Superintendent's decision,
 - 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.



REGULATION GUIDE

ADMINISTRATION

R 1530/page 4 of 4

Equal Employment Opportunity Complaint Procedure

9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
10. The Board will render a written decision no later than forty-five calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
11. The complainant will be informed of his/her right to appeal the Board's decision to the:
 - a. Commissioner of Education
New Jersey State Department of Education
P.O. Box 500
Trenton, New Jersey 08625-0500
Telephone: (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
Telephone: (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.

Issued:



POLICY GUIDE

ADMINISTRATION

1550/page 1 of 1

Affirmative Action Program for Employment and
Contract Practices

Jun 16

M

[See POLICY ALERT Nos. 116, 167, 172, 191 and 209]

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 Board will ensure all persons 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 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.

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, **gender identity or expression**, religion, disability, or socioeconomic status, either in employment practices or in the provision of benefits or services to students 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, **gender identity or expression**, 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, **gender identity or expression**, religion, disability, or socioeconomic status, pursuant to N.J.A.C. 6A:7-1.1.

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

Adopted:



POLICY GUIDE

PROGRAM
2200/page 1 of 3
Curriculum Content
Jun 16
M

[See POLICY ALERT Nos. 95, 120, 137, 147, 153 and 209]

2200 CURRICULUM CONTENT

The Board of Education will provide the instruction and services mandated by law and rules as necessary for the implementation of a thorough and efficient system of free public education and such other instruction and services as the Board deems appropriate for the thorough and efficient education of the students of this district. The Board shall annually approve a list of all programs and courses that comprise the district's curriculum and shall approve any subsequent changes in the curriculum in accordance with Policy No. 2220.

For purposes of this policy "curriculum" means planned learning opportunities designed to assist students toward the achievement of the intended outcomes of instruction.

The curriculum will be reviewed by the Superintendent and approved annually by the Board. In accordance with law, the curriculum shall, as a minimum, include the curricular mandates of N.J.S.A. 18A - Education and N.J.A.C. 6 and 6A - Education and all of the New Jersey Core Curriculum Content Standards and Cumulative Progress Indicators.

Districts with secondary school(s)

[and the courses required by Policy No. 5460 and N.J.A.C. 6A:8-5 for high school graduation.]

The Superintendent is responsible for implementing the curriculum approved by the Board.

The Board directs the curriculum be consistent with the educational goals and objectives of this district, the New Jersey Core Curriculum Content Standards and responsive to identified student needs. The Superintendent shall, in consultation with teaching staff members, assure the effective articulation of curriculum across all grade levels and among the schools in the district.



POLICY GUIDE

PROGRAM
2200/page 2 of 3
Curriculum Content

The curriculum shall provide programs in accordance with Board policies and the New Jersey Core Curriculum Content Standards, including but not limited to:

1. Preparation of all students for employment or post secondary study upon graduation from high school;
2. Instruction in workplace readiness skills, visual and performing arts, comprehensive health and physical education, language arts literacy, mathematics, science, social studies (including instruction on the Constitution of the United States, United States history, Community Civics, and the geography, history and civics of New Jersey), and World Languages;
3. Continuous access to sufficient programs and services of a library/media facility, classroom collection, or both, to support the educational program of all students in accordance with Policy No. 2530;
4. Guidance and counseling to assist in career and academic planning for all students, in accordance with Policy No. 2411;
5. A continuum of educational programs and services for all children with disabilities, in accordance with Policy No. 2460 and Regulation Nos. 2460.1 through 2460.14;
6. Bilingual education, English as a Second Language, and English language services for students of limited English language proficiency, when the number of such students so necessitates, in accordance with Policy No. 2423;
7. Programs and services for students at risk who require remedial assistance in accordance with ~~Policy Nos.~~ **Policies** 2414, 2415, and 5460;
8. Equal educational opportunity for all students in accordance with ~~Policy Nos.~~ **Policies** 2260, 5750, and 5755;
9. Career awareness and exploration as required, and vocational education as appropriate;



POLICY GUIDE

PROGRAM
2200/page 3 of 3
Curriculum Content

10. Educational opportunities for students with exceptional abilities, in accordance with Policy No. 2464;
11. Instruction in accident and fire prevention;
12. A substance abuse prevention program;
13. A program for family life education; and
14. Programs that encourage the active involvement of representatives from the community, business, industry, labor and higher education in the development of educational programs aligned with the standards.

N.J.S.A. 18A:6-2; 18A:6-3; 18A:35-1 et seq.
N.J.A.C. 6A:8-1.1 et seq.; 6A:14 et seq.
New Jersey Core Curriculum Content Standards

Adopted:



REGULATION GUIDE

PROGRAM
R 2200/page 1 of 1
Curriculum Content
Jun 16
M

[See POLICY ALERT Nos. 153 and 209]

R 2200 CURRICULUM CONTENT

Courses of study and instructional materials and programs shall be designed to eliminate discrimination and promote understanding and mutual respect between children **regardless of different** races, colors, creeds, ~~sexes~~, **age, marital status, affectional or** sexual orientations, **gender, gender identity or expression, religion,** ancestries, national origins, ~~social or~~ socioeconomic status, and/or disabilities.

In order to eliminate possible bias in the curriculum, staff shall use the following criteria:

- A. When instructional material contains stereotypes or discriminatory statements, staff should help students identify the stereotypes or discriminatory statement(s) and discuss with students the consequences of repeated stereotyping and discriminatory statements.
- B. If a particular instructional material is highly objectionable, staff should not use it, ~~N.J.A.C. 6:4-1.3(f)~~; such material should be brought to the attention of the Building Principal so that the Affirmative Action Officer can evaluate the objectionable material. Alternatively, the teacher might discuss the questionable material instead of eliminating it, depending on the makeup and maturity of the class and the purposes of the instruction.
- C. Another recommended technique for handling materials that contain biases or stereotypes is to offset it by using unbiased supplementary materials, ~~N.J.A.C. 6:4-1.3(f)~~.
- D. Community involvement when developing instructional programs and attendant materials shall be encouraged.

Issued:



POLICY GUIDE

PROGRAM

2260/page 1 of 3

Affirmative Action Program for School
and Classroom Practices

Jun 16

M

[See POLICY ALERT Nos. 95, 116, 191 and 209]

2260 AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES

The Board of Education shall provide equal and bias-free access for all students 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 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 of **English language learners** and **their** progress in learning English of ~~language-minority students~~ pursuant to N.J.A.C. 6A:15-1.3(eb);
4. Utilizing bias-free multiple measures for determining the special needs of students 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 students; and
6. Ensuring that 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 that 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.



POLICY GUIDE

PROGRAM

2260/page 2 of 3

Affirmative Action Program for School and Classroom Practices

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 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, **gender identity or expression**, 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, **gender identity or expression**, 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, **gender identity or expression**, 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.



POLICY GUIDE

PROGRAM

2260/page 3 of 3

Affirmative Action Program for School and Classroom Practices

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

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

N.J.A.C. 6A:7-1.7

Adopted:



POLICY GUIDE

PROGRAM
2411/page 1 of 2
Guidance Counseling
Jun 16
M

[See POLICY ALERT Nos. 102, 153, 168, 172 and 209]

2411 GUIDANCE COUNSELING

The Board of Education requires that a planned program of guidance and counseling be an integral part of the educational program of the schools to assist students in making and implementing informed educational and occupational choices including academic, career and personal/social development.

A program of guidance and counseling, including developmental career guidance and exploration, shall be offered to all students in this school district and shall include the services of teaching staff members certified as guidance personnel and other designated teaching staff members.

The Superintendent is directed to implement a guidance program that carries out the purposes of this policy and:

1. Involves teaching staff members at all appropriate levels;
2. Honors the individuality of each student;
3. Is integrated with the total educational program;
4. Is coordinated with available resources of the community;
5. Provides for cooperation of school staff with parent(s) ~~or legal guardian(s)~~ and shares parents' ~~or legal guardians'~~ concern for the development of their children;
6. Provides for the means of sharing information among appropriate staff members in the student's interest;
7. Is available equitably to all students and prohibits biased counseling and the use of materials that discriminate among students on the basis of their race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression**, ~~social or economic~~ **socioeconomic** status, or disability; and



POLICY GUIDE

PROGRAM
2411/page 2 of 2
Guidance Counseling

8. Establishes a referral system that utilizes all the aid the schools and community offer, guards the privacy of the student, and monitors the efficacy of such referrals.

N.J.A.C. 6A:19-1.2; 6A:8-2.2

N.J.A.C. 6A:7-1.7; 6A:8-3.2

Adopted:



REGULATION GUIDE

PROGRAM
R 2411/page 1 of 3
Guidance and Counseling
Jun 16
M

[See POLICY ALERT Nos. 153 and 209]

R 2411 GUIDANCE AND COUNSELING

A. Counseling Services

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

B. Career Awareness and Exploration

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



REGULATION GUIDE

PROGRAM
R 2411/page 2 of 3
Guidance and Counseling

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

C. Consulting Services

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



REGULATION GUIDE

PROGRAM
R 2411/page 3 of 3
Guidance and Counseling

- f. Establishment and maintenance of fruitful relationships with State and local agencies for the purpose of professional referral and the sharing of experiences,
- g. Cooperation with business and industry to facilitate student job placement and vocational training, and
- h. Maintenance of a library of occupational and educational information.

D. Evaluation

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

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

Issued:



POLICY GUIDE

PROGRAM
2423/page 1 of 5
Bilingual and ESL Education
Jun 16
M

[See POLICY ALERT Nos. 94, 102, 110, 120, 137,
141, 145, 187, 191 and 209]

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 **English language learners (ELLs)** ~~students of Limited English Proficiency (LEP)~~ as required by law and rules of the State Board of Education. ~~ELLs Students of LEP~~ are those students whose native language is other than English and who have **varying degrees of English language proficiency in any one of the domains of** ~~sufficient difficulty~~ speaking, reading, writing, or ~~understanding~~ **listening and is synonymous with limited** the English speaking ability pursuant to N.J.S.A. 18:35-15 to 26 language English language proficiency test, so as to be denied the opportunity to learn successfully in the classrooms where the language of instruction is English.

Identification of ~~LEP Students~~ **ELLs**

The Board will conduct a screening process to determine the native language of each ~~ELL student~~ at the time of enrollment in the school district. A census shall be maintained of all **identified** students whose native language is other than English. The English language proficiency of each student whose native language is not English shall be determined by a screening process that includes the administration of a New Jersey Department of Education-approved English language proficiency test, an assessment of the student's level of reading in English, a review of the student's previous academic performance, **including their performance on results of** standardized tests in English, and a review of the input of teaching staff members responsible for the educational program **for ELLs of the limited English proficient students.**

Program Implementation

The district shall provide the following programs:

1. An English language services program **to improve the English language proficiency of ELLs** whenever there are **at least one or more**, but fewer than ten ~~LEP students~~ **ELLs** enrolled ~~within the schools of~~ **in the school** district. English language services shall be **provided** in addition to the regular school program;



POLICY GUIDE

PROGRAM

2423/page 2 of 5

Bilingual and ESL Education

2. An ESL program **that provides at least one period of ESL instruction based on student language proficiency** whenever there are ten or more ~~LEP students~~ **ELLs** enrolled ~~within the schools of~~ **in the school** district; and
3. A bilingual **education** program whenever there are twenty or more ~~LEP students~~ **ELLs** in any one-language classification **enrolled in the school district pursuant to N.J.S.A. 18A:35-18**. Where the age range, grade span, and/or geographical location of eligible students makes a full-time bilingual program impractical, the Board may **annually** 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 students.

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 student participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years **pursuant to N.J.S.A. 18A:35-19**.

Bilingual, ~~ESL~~ **English as a Second Language**, and English Language Services Program Enrollment, Assessment, Exit, and Re-entry

Students enrolled in a bilingual, ESL, or English language services program shall be assessed annually **using 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 students~~ **ELLs** enrolled in a bilingual, ESL, or English language services program shall be placed in a monolingual English **p**Program when they have demonstrated readiness to function successfully in the English-only program. **The** ~~This~~ process **to determine the readiness or inability of the individual student to function successfully in the English-only program** shall be initiated by the student's level of English proficiency as measured by a New Jersey Department of Education-established standard on an English language proficiency test, ~~and~~ **T**he readiness of the student shall be further assessed on the basis of multiple indicators **that which shall include**, at a minimum; ~~include~~ classroom performance; the



POLICY GUIDE

PROGRAM

2423/page 3 of 5

Bilingual and ESL Education

student's reading level in English;; the judgment of the teaching staff member or members responsible for the educational program of the student;; and performance on achievement tests in English.

In accordance with provisions of N.J.S.A. 18A:35-22.1, a ~~parent(s) or legal guardian(s)~~ may remove a student who is enrolled in a bilingual education program at any time; except that during the first three years of a student's participation in a bilingual education program, **the parent(s) or legal guardian(s)** may only remove the student at the end of each school year. If during the first three years of a student's participation in a bilingual education program, a ~~parent(s) or legal guardian(s)~~ wishes to remove the student 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.

Newly exited students 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.

When the ~~exit~~ review process **for exiting a student from a bilingual, ESL, or English language services program has been** is completed, the student'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 of Schools or designee _____**, who will provide a written explanation for the decision within _____ **seven** working days ~~of receiving the written appeal~~. The complainant may appeal this decision in writing to the Board **within seven calendar days of receiving the Superintendent's or designee's written explanation of the decision**. The Board will review the appeal and respond in writing **to the parent** within forty-five calendar days **of the Board's receipt of the parent's written appeal to the Board**. A complainant not satisfied with the Board's **determination of the appeal** ~~explanation~~ may appeal to the Commissioner of Education.



POLICY GUIDE

PROGRAM

2423/page 4 of 5

Bilingual and ESL Education

Parental Involvement

The parent(s) or legal guardian(s) of ~~ELLs student of limited English proficiency~~ will be notified in accordance with the provisions of N.J.A.C. 6A:15-1.13 that their child has been identified as eligible for enrollment in a bilingual, ESL, or English language services program. Notice shall be in writing; **and in the language in which the parent(s) 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 **a statement the information that the parents have the option of declining their child's enrollment in a bilingual program, and shall be given an opportunity to do so if they choose so chose.**

The district will notify the parent(s) or legal guardian(s) of the ~~LEP student ELLs~~ by mail ~~no later than~~ **within** thirty days after the beginning of the school year that their child has been identified as **of the child's identification.** ~~eligible for enrollment in a bilingual, ESL, or English language services program. If the student has not been identified as LEP prior to the beginning of the school year, then the parent(s) or legal guardian(s) must be notified within two weeks of the student's placement in a bilingual, ESL, or English language services program.~~

Parent(s) or legal guardian(s) shall receive progress reports **of students enrolled in bilingual, ESL, or English language services programs** in the same manner and frequency as **progress reports are** those sent to parents or legal guardians of other students **enrolled in the district.**

The Superintendent or designee will provide for the maximum practical involvement of parent(s) of ELLs ~~Parent(s) or legal guardian(s) of students of limited English proficiency will be offered opportunities for involvement in the development and review of program objectives and dissemination of information to and from the district Boards of Education and communities served by the bilingual, ESL, or English language services education programs. A school district that implements a bilingual education program shall establish a parent An advisory committee on bilingual education shall be formed with of which the majority membership will be being parent(s) or legal guardian(s) of students of limited English proficiency of ELLs.~~



POLICY GUIDE

PROGRAM
2423/page 5 of 5
Bilingual and ESL Education

Graduation

~~ELLs Students 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.

Program Plan

The Superintendent shall prepare and submit a plan for a bilingual, ESL, or English language services program every three years to the Board and 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 through 18A:35-25
N.J.A.C. 6A:15-1.1 et seq.

Adopted:



REGULATION GUIDE

PROGRAM
R 2423/page 1 of 18
Bilingual and ESL Education
Jun 16
M

[See POLICY ALERT Nos. 137, 141, 145, 187, 191 and 209]

R 2423 BILINGUAL AND ESL EDUCATION

A. Definitions

1. "Bilingual education program" means a full-time program of instruction in all ~~those~~ courses or subjects ~~which~~ **that** a child is required by law or rule to receive, given in the native language of ~~the limited English proficient students~~ **English language learners (ELLs)** 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 students~~ **ELLs** enrolled in the programs, **and** in the aural comprehension, speaking, reading, and writing of English; and in the history and culture of the country, territory, or geographic area ~~which~~ **that** is the native land of the parents of ~~limited English proficient students~~ **ELLs** enrolled in the program, and in the history and culture of the United States. ~~All students in bilingual education programs receive English as a second language instruction.~~
2. "Bilingual part-time component" means a program alternative in which students 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 students receive daily instruction from a certified bilingual teacher in identified subjects and with specific assignments on an individual student basis.
4. "Bilingual tutorial program" means a program alternative in which students 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.



REGULATION GUIDE

PROGRAM

R 2423/page 2 of 18

Bilingual and ESL Education

5. "Dual-language bilingual education program" means a full-time program of instruction in elementary and secondary schools ~~which~~ **that** provides structured English language instruction and instruction in a second language in all content areas for ~~LEP~~ **ELL** students and for native English speaking students enrolled in the program.
6. "Educational needs" means the particular educational requirements of ~~students of limited English proficiency,~~ **ELLs**; 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~~ **at least one period** of instruction based on student language proficiency which teaches aural comprehension, speaking, reading, and writing in English using second language teaching techniques, and incorporates the cultural aspects of the student'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.~~

"English language development standards" means the 2012 Amplification of the English Language Development Standards, Kindergarten - Grade 12, incorporated herein by reference, as amended and supplemented, developed by the World-Class Instructional Design and Assessment (WIDA) Consortium. They are the standards and language competencies ELLs in preschool programs and elementary and secondary schools need to become fully proficient in English and to have unrestricted access to grade-appropriate instruction in challenging academic subjects. The standards are published by the Board of Regents of the University of Wisconsin System, on behalf of the WIDA Consortium (www.wida.us) and are available for review at <http://www.wida.us/standards/eld.aspx>.



REGULATION GUIDE

PROGRAM

R 2423/page 3 of 18

Bilingual and ESL Education

9. "English language learner" or "ELL" means a student whose native language is other than English. The term refers to students with varying degrees of English language proficiency in any one of the domains of speaking, reading, writing, or listening and is synonymous with limited English speaking ability as used in N.J.S.A. 18A:35-15 to 26.
910. "English language proficiency test" means a test ~~that~~ which measures English language skills in the areas of aural comprehension, speaking, reading, and writing.
4011. "English language services" means services designed to improve the English language skills of ~~students of limited English proficiency ELLs~~. These services, provided in school districts with less than ten ~~students of limited English proficiency ELLs~~, are in addition to the regular school program and ~~have as their goal the development of~~ **are designed to develop** aural comprehension, speaking, reading, and writing skills in English.
- ~~11. "ESL standards for Pre-Kindergarten through grade twelve students" 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 students 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~~ **that** must be applied before a student may be exited from a bilingual, ESL, or English language services education program.
13. "High-intensity ESL program" means a program alternative in which students 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.



REGULATION GUIDE

PROGRAM

R 2423/page 4 of 18

Bilingual and ESL Education

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 students in an instructional program alternative receive English as a second language.
- ~~15. "Limited English proficient (LEP) students" means students 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~~15. "Native language" means the language first acquired by the student, the language most often spoken by the student, or the language most often spoken in the student's home; regardless of the language spoken by the student.
- ~~17~~16. "Parent(s)" **for the purposes of Policy and Regulation 2423** means the natural parent(s) or the legal guardian(s), foster parent(s), surrogate parent(s), or person acting in the place of a parent with whom the student legally resides. **When** ~~Where~~ parents are separated or divorced, parent means the person(s) who has legal custody of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.
- ~~18~~17. "Review process" **is means** the process established by the Board of Education to assess ~~limited English proficient students~~ **ELLs** for exit from a bilingual, ESL, or English language services programs.
- ~~19~~18. "Sheltered English instruction" **is means** an instructional approach used to make academic instruction in English understandable to ~~LEP~~ **ELLs** students. Sheltered English classes are taught by regular classroom teachers who have received training on strategies to make subject-area content comprehensible for **ELLs** ~~LEP~~ students.



REGULATION GUIDE

PROGRAM
R 2423/page 5 of 18
Bilingual and ESL Education

B. Identification of Eligible ~~Limited~~ English Language Learners (ELLs)
Proficient (LEP) Students

1. The Superintendent of Schools will designate a teaching staff member(s) who _____ will determine the native language of each ~~ELL LEP~~ student at the time of enrollment of the student in the school district. The district _____ will:

- a. Maintain a census indicating all students identified whose native language is other than English; and
- b. Develop a screening process, initiated by a home-language survey, to determine which students 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, and shall be designed to distinguish students who are proficient English speakers and need no further testing.

~~Report annually to the New Jersey Department of Education as part of the Fall LEP Enrollment Summary, the number of all LEP students whose native language is other than English and, of that group, the number who are LEP students.~~

- ~~2. The Board approved screening process, initiated by a home language survey, shall determine which students 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 and shall be designed to distinguish those students that are proficient English speakers and need no further testing.~~

32. The district shall determine the English language proficiency of all Kindergarten to grade twelve students, who are not screened out, **and** whose native language is other than English, by **administering** ~~the administration of~~ a Department of Education-approved English language proficiency test, assessing the level of



REGULATION GUIDE

PROGRAM
R 2423/page 6 of 18
Bilingual and ESL Education

reading in English, reviewing the previous academic performance of students, **including their performance on** ~~as well as~~ standardized tests in English, and reviewing the input of teaching staff members responsible for the educational program for **ELLs** ~~the limited English proficient students~~. Students 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 **shall be considered ELLs**, ~~are students of limited English proficiency~~. The district shall also use age-appropriate assessment methodologies to identify ~~limited English proficient~~ preschool **ELLs** ~~students in order~~ to determine their individual language development needs.

C. Bilingual Programs for ~~Limited English Proficient Students~~ **Language Learners (ELLs)**

1. All Kindergarten through ~~twelfth~~ grade ~~twelve LEP students~~ **ELLs** enrolled in the district **pursuant to N.J.S.A. 18A:7F-46** will be **provided with all** ~~receive~~ required courses and support services outlined in a. through g. below to prepare ~~LEP students~~ **ELLs** 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 **ELLs** ~~LEP students~~. The district shall also provide appropriate instructional programs to eligible pre-school ~~LEP students~~ **ELLs** based on need according to the New Jersey Preschool **Program Implementation Guidelines, 2015 Teaching and Learning Expectations: Standards of Quality (2004)**. **The guidelines provide developmentally appropriate recommendations** ~~These standards are guidelines for~~ good practice and are intended for **school** districts that provide preschool programs.

- a. **The Board of Education shall establish** English language services designed to improve ~~the~~ English language proficiency of **ELLs** ~~LEP students~~ whenever there are **at least one or more**, but fewer than ten ~~LEP students~~ **ELLs** enrolled ~~within the schools of~~ **in the school** district. English language services shall be **provided** in addition to the regular school program.



REGULATION GUIDE

PROGRAM

R 2423/page 7 of 18

Bilingual and ESL Education

- b. **The Board of Education shall establish** ~~a~~An ESL program that provides **at least one** ~~up to two~~ periods of ESL instruction based on student language proficiency whenever there are ten or more ~~LEP students~~ **ELLs** enrolled ~~within the schools of~~ **in the school** district.
- (1) ~~An~~ The ESL curriculum that addresses the WIDA English ~~II~~language **development** ~~Proficiency~~ ~~s~~Standards as ~~amended and supplemented~~ shall be developed and adopted by the Board to address the instructional needs of **ELLs** ~~LEP students~~.
 - (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. **The Board of Education shall establish** A bilingual education programs ~~will be established~~ whenever there are twenty or more ~~limited English proficient students~~ **ELLs** in any one-language classification enrolled in the **school** district pursuant to N.J.S.A. 18A:35-18. The bilingual education programs shall:
- (1) Be designed to prepare ~~LEP students~~ **ELLs** to acquire sufficient English skills and content knowledge to meet the Core Curriculum Content Standards. All ~~LEP students~~ **ELLs** participating in the bilingual programs **shall** ~~will~~ also receive ESL instruction;
 - (2) Include a ~~bilingual program~~ curriculum that addresses the Core Curriculum Content Standards, the WIDA English ~~II~~language **development** ~~s~~Standards, and the use of two languages. The bilingual education curriculum shall be adopted by the Board; and
 - (3) Include a full range of required courses and activities offered on the same basis and under the same rules that apply to all students within the **school** district.



REGULATION GUIDE

PROGRAM

R 2423/page 8 of 18

Bilingual and ESL Education

- d. ~~ELLs LEP students will~~ **shall** be provided **with** equitable instructional opportunities to participate in all non-academic courses necessary to meet the Core Curriculum **Content** Standards, including comprehensive health and physical education, the visual and performing arts, and career awareness programs. ~~The These~~ instructional opportunities shall be designed to assist ~~LEP students~~ **ELLs** to fully comprehend all subject matter and demonstrate their mastery of the content matter.
- e. The **Board of Education** ~~district~~ shall offer sufficient courses and other relevant supplemental instructional opportunities in grades nine through twelve to enable ~~LEP students~~ **ELLs** to meet the Core Curriculum Content Standards for graduation. When sufficient numbers of students are not available to form a bilingual class in a subject area, **the Board shall develop** plans ~~shall be developed~~ in consultation with and approved by the New Jersey Department of Education to meet the needs of the students.
- f. **The Board of Education shall design** ~~a~~Additional programs and services ~~shall be designed~~ to meet the special needs of eligible ~~LEP students~~ **ELLs** and will include, but not be limited to: remedial instruction through Title I programs; special education; school-to-work programs; computer training; and gifted and talented education services.
- g. The **Board of Education** may establish dual-language bilingual education programs in ~~its the~~ schools and may make provisions for the coordination of instruction and services with the ~~school~~ district's ~~w~~World ~~I~~languages program. **Dual-language bilingual education programs** ~~This program, if established by the Board,~~ shall also enroll students whose primary language is English, and shall be designed to help students achieve proficiency in English and in a second language while mastering subject-matter skills. **To the extent necessary,** ~~instruction shall, to the extent necessary,~~ be in all courses or subjects of study **that allow** ~~allowing~~ students to meet all grade promotion and



REGULATION GUIDE

PROGRAM

R 2423/page 9 of 18

Bilingual and ESL Education

graduation standards. Where possible, ~~these~~ **classes in dual-language bilingual programs shall** ~~will~~ be comprised of approximately equal numbers ~~of students of limited English proficiency and~~ **of ELLs and of** students whose native language is English.

2. The Board **of Education** may establish a program in bilingual education for any language classification with fewer than twenty students.

D. Waiver Process **Provided by Statute**

The school district may request a waiver from **N.J.A.C. 6A:15-1.4(d)** ~~establishing a bilingual education program, pursuant to N.J.S.A. 18A:35-18,~~ to establish **annually** an instructional program alternative ~~on an annual basis~~ with the approval of the Department of Education when there are twenty or more students eligible for the bilingual education program in Kindergarten through grade twelve, and the **school** district is able to demonstrate **that it would be impractical to provide a full-time bilingual program** ~~that due to age range, grade span, and/or geographic location of eligible students, it would be impractical to provide a full-time bilingual program.~~

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



REGULATION GUIDE

PROGRAM
R 2423/page 10 of 18
Bilingual and ESL Education

E. Department of Education Approval of Bilingual, ESL, or English Language Services Programs

1. **Each school district providing a** ~~The school district's bilingual program, ESL program, or English language services program~~ **plans shall be submitted a plan every three years to the New Jersey Department of Education every three years for approval. At its discretion, the Department of Education may request modifications, as appropriate. Plans submitted by the school district for approval shall include information on the following** ~~The plans will include the following information:~~

- a. Identification of students;
- b. Program description;
- c. Number of certified staff hired for the program;
- d. Bilingual and ESL curriculum development;
- e. Evaluation design;
- f. Review process for exit; and
- g. A budget for bilingual and ESL programs ~~and/or~~ **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 Department of Education will establish procedures for monitoring and evaluation of school district bilingual/ESL programs by means of its district and school accountability process.**

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



REGULATION GUIDE

PROGRAM

R 2423/page 11 of 18

Bilingual and ESL Education

3. ~~The district's bilingual/ESL programs will be monitored and evaluated by 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 student of the school's failure no later than thirty days after the failure occurs.~~

F. Supportive Services

1. Students enrolled in bilingual, ESL, or English language services programs shall have full access to educational services available to other students in the **school** district.

2. To the extent that it is administratively feasible, supportive services to **ELLs** ~~LEP students~~, such as counseling, tutoring, and career guidance, should be provided by bilingual personnel who are familiar with and knowledgeable of the unique needs and background of **the ELLs** ~~LEP students~~ and their parents.

G. In-service Training

1. **A plan shall be developed for in-service training will be provided for bilingual, ESL, and mainstream teachers; administrators who supervise bilingual/ESL programs; and administrators and any personnel who observe and evaluate teachers of ELLs. The plan shall based on their needs and to include instructional strategies and appropriate assessments to help LEP students ELLs meet the Core Curriculum Content Standards and the WIDA English IIanguage development Proficiency sStandards. All ESL and bilingual teachers shall will receive training in the use of the ESL curriculum.**

2. The Professional Development Plan of the **school** district shall include the needs of bilingual and ESL teachers, **which** ~~that~~ shall be addressed through in-service training.



REGULATION GUIDE

PROGRAM
R 2423/page 12 of 18
Bilingual and ESL Education

H. 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 **pursuant to N.J.S.A. 18A:6-38 et seq. and 18A:35-15 to 26.**
2. ESL Classes - a valid New Jersey instructional certificate in **ESL English as a second language pursuant to N.J.S.A. 18A:6-38 et seq. and N.J.A.C. 6A:9B-10.5.**
3. English Language Services - a valid New Jersey instructional certificate.

I. Bilingual, **English as a Second Language** ~~ESL~~, and English Language Services Program Enrollment, Assessment, Exit, and Re-entry

1. All **ELLs** ~~LEP students~~ from Kindergarten through ~~twelfth~~ grade **twelve** shall be enrolled in the bilingual, ESL, or English language services program **established by the Board of Education as prescribed in N.J.A.C. 6A:15-1.4(b) through (e) and 1.5(a), and P.L. 1995, c. 59 and c. 327.**
2. Students enrolled in ~~the~~ a bilingual, ESL, or English language services program shall be assessed annually **using** ~~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. **ELLs** ~~LEP students~~ enrolled in **the bilingual, ESL, or English language services program** ~~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. **The This process to determine the readiness or inability of the individual student to function successfully in the English-only program** shall be initiated by the student's level of English proficiency as measured by a Department of Education-established



REGULATION GUIDE

PROGRAM
R 2423/page 13 of 18
Bilingual and ESL Education

standard on an English language proficiency test;. ~~The and the~~ readiness of the student shall be further assessed on the basis of multiple indicators ~~that which~~ shall **include**, at a minimum;
~~include~~ classroom performance;; the student's reading level in English;; the judgment of the teaching staff member or members responsible for the educational program of the student;; and performance on achievement tests in English ~~according to P.L. 1991, c.12.~~

4. A parent(s) ~~or legal guardian(s)~~ may remove a student who is enrolled in a bilingual education program pursuant to provisions in N.J.S.A. 18A:35-22.1.
5. ~~Students enrolled in a bilingual, ESL, or English language services program shall be assessed annually to determine their progress in achieving English language proficiency goals and readiness for exiting the program.~~
65. Newly exited students 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-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 **with the approval of the Principal.**
 - b. A waiver of the minimum time limitation may be approved by the Executive County Superintendent upon request of the Superintendent if the student is experiencing extreme difficulty in adjusting to the mainstream program.
 - c. The recommendation for retesting **shall** ~~will~~ be based on the teacher's judgment that the student is experiencing difficulties due to problems in using English as evidenced by the student's inability to: communicate effectively with peers and adults; understand directions given by the teacher; and/or comprehend basic verbal and written materials.



REGULATION GUIDE

PROGRAM
R 2423/page 14 of 18
Bilingual and ESL Education

- d. The student shall be tested using a different form of the test or a different language proficiency test than the one used to exit the students.
 - e. If the student scores below the State-established standard on the language proficiency test, the student shall be re-enrolled into the bilingual or ESL program.
76. When the review process for exiting a student from a bilingual, ESL, or English language services program has been completed, **the district shall notify by mail** the student's parent(s) or legal guardian(s) ~~shall be informed by mail~~ of the **placement determination of placement**. If the parent(s), legal guardian(s) or teaching staff member disagrees with the placement, he/she may appeal the **placement** decision in writing to the **Superintendent or designee** _____, who will provide a written explanation for the decision within _____ **seven** working days **of receiving the written appeal**. The complainant may appeal this decision in writing to the Board **of Education within seven calendar days of receiving the Superintendent's or designee's written explanation of the decision**. The Board will review the appeal and respond in writing **to the parent within forty-five calendar days of the Board's receipt of the parent's written appeal to the Board**. 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. 6A:3.
- J. Graduation Requirements for ~~Limited English Proficient~~ **Students Language Learners**
- All **ELLs** ~~LEP students~~ must satisfy requirements for high school graduation according to N.J.A.C. 6A:8-5.1(a).
- K. Location of Programs
- All bilingual, ESL, and English language services programs shall be conducted within classrooms ~~approved by the Executive County Superintendent of Schools~~ within the regular school buildings of the ~~school district per~~ **pursuant to N.J.S.A. 18A:35-20**.



REGULATION GUIDE

PROGRAM
R 2423/page 15 of 18
Bilingual and ESL Education

L. Notification to ~~Parents/Legal Guardians~~

1. The school district will notify **by mail** the parents(s) or legal guardian(s) of the LEP student of **ELLs by mail of the fact** no later than thirty days after the beginning of the school year that their child has been identified as eligible for enrollment in a bilingual, ESL, or English language services program. **The district shall issue the notification within thirty days of the child's identification. Notice shall include a statement that the parents may decline their child's enrollment in a bilingual program, and they shall be given an opportunity to do so if they choose. The notice shall be in writing and in the language in which the parent(s) possesses a primary speaking ability, and in English, and shall include the following information:** ~~The parent(s) or legal guardian(s) must be notified within two weeks of the student's placement in a bilingual, ESL, or English language services program, if the student has not been identified as a LEP student prior to the beginning of the school year.~~
 - a. **Why** ~~The notice shall inform the parent(s) or legal guardian(s) why~~ the student was identified as **an ELL**;
 - b. **Why** ~~LEP and why~~ the student needs to be placed in a **language instructional educational program that will help him or her develop and attain English proficiency and meet State academic standards** ~~bilingual, ESL, or English language services program~~;
 - bc. ~~The notice will include the~~ student's level of English proficiency, how **the such level of English proficiency** was assessed, and the student's academic level;
 - ed. ~~The notice will include the~~ method of instruction **the school district will use that will be used** to serve the student, including a description of other ~~methods of instruction~~ **methods** available and how those methods differ in content, instructional goals, and the use of English and a native language, if applicable;



REGULATION GUIDE

PROGRAM

R 2423/page 16 of 18

Bilingual and ESL Education

- de. ~~The notice will inform the parent(s) or legal guardian(s)~~
How the program will meet the **student's** specific needs of ~~the student~~ in attaining English and meeting State standards;
- ef. The **program's** ~~notice will include the~~ exit requirements, the expected rate of transition into a classroom not tailored for **ELLs** ~~LEP students~~; and, in the case of high school students, the expected rate of graduation; **and**
- fg. ~~The notice will inform the parent(s) or legal guardian(s)~~
How the instructional program will meet the objectives of **the an individualized** education program of a student 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 choose 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 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 student's level of English proficiency, that a student should exit from a program of bilingual education, the district shall notify the parent(s) or legal guardian(s) of the student by mail.~~



REGULATION GUIDE

PROGRAM
R 2423/page 17 of 18
Bilingual and ESL Education

2. **The school district shall send progress reports to** ~~The parent(s) or legal guardian(s)~~ of students enrolled in a bilingual, ESL, or English language services programs ~~shall receive progress reports~~ in the same manner and frequency as progress reports are sent to parent(s) ~~and legal guardian(s)~~ of other students enrolled in the school district.
3. Progress reports shall be written in English and in the native language of the parent(s) ~~or legal guardian(s)~~ of students enrolled in the bilingual **and** ~~or~~ ESL program unless **the school district** ~~it~~ can be demonstrated and documented in the three-year plan **required in N.J.A.C. 6A:15-1.6(a)** that ~~the~~ **this** requirement would place an unreasonable burden on the district.
4. The **school** district shall notify the parent(s) ~~or legal guardian(s)~~ when **a** students meets the exit criteria and ~~are~~ **is** 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.

M. Joint Programs

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

N. Parental Involvement

1. The **Superintendent or designee** _____ will provide for **the** maximum practicable involvement of parent(s) ~~or legal guardian(s)~~ of LEP students **ELLs** in the development and review of program objectives and dissemination of information to and from the **district** Boards of Education and communities served by the bilingual, ESL, or English language services education programs.



REGULATION GUIDE

PROGRAM

R 2423/page 18 of 18

Bilingual and ESL Education

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.~~
32. A **school** district that implements a bilingual education program shall establish a parent advisory committee on bilingual education **of** ~~on~~ which the majority will be parents ~~or legal guardians of~~ students of **ELLs** ~~limited English proficiency~~.

Issued:



POLICY GUIDE

PROGRAM
2610/page 1 of 1
Educational Program Evaluation
Jun 16
M

[See POLICY ALERT Nos. 140, 172 and 209]

2610 EDUCATIONAL PROGRAM EVALUATION

The Board of Education directs the Superintendent to develop and implement a systematic plan for the continuous evaluation of the educational program against the educational goals established by this Board. To this end, the Superintendent shall employ such tests and methods as may be indicated by sound professional judgment. Wherever possible, the assessment program shall follow evaluation procedures set forth in the course guides.

The Superintendent shall maintain a calendar of assessment activities and shall make periodic evaluation reports to the Board during the school year. Findings of the assessment program may be used to evaluate the progress of students and the effectiveness of staff members. The Board will annually make available to the public the collective progress of students toward the goals of the district.

The Board will annually, prior to the end of the school year and in conjunction with appropriate members of the administrative staff, conduct a review of the educational progress of the district, assess district and student needs, and establish long range and short range objectives for the educational program. The Board's annual report will be submitted to the Commissioner of Education as required.

The Superintendent shall annually recommend improvements in the educational program based on the Board's evaluation of the district's program. The Board reserves the right to employ experts from outside the school district to serve in the evaluation process.

N.J.S.A. 18A:7A-11

N.J.A.C. 6:8-3.2; 6A:8-4.1 et seq.

N.J.A.C. 6A:19-2.6 [**vocational districts**]

Adopted:



POLICY GUIDE

PROGRAM
2622/page 1 of 3
Student Assessment
Jun 16
M

[See POLICY ALERT Nos. 120, 135, 147, 153, 168, 170, 197, 205 and 209]

2622 STUDENT ASSESSMENT

The Commissioner of Education shall implement a system and related schedule of Statewide assessments to evaluate student achievement of the Core Curriculum Content Standards in accordance with the provisions of N.J.A.C. 6A:8-4.1 et seq. The Board of Education is required to administer the applicable Statewide assessments according to the schedule prescribed by the Commissioner.

State assessments provide parents with important information about their child's progress; detailed diagnostic information about each individual student's performance that educators, parents, and students can utilize to enhance foundational knowledge and student achievement; and include item analysis which will clarify a student's level of knowledge and understanding of a particular subject or area of a subject. The data derived from State assessments will be utilized by teachers and administrators to pinpoint areas of difficulty and customize instruction accordingly. Such data can be accessed and utilized as a student progresses to successive school levels.

The New Jersey Department of Education, pursuant to State law and regulations, requires all students to take State assessments as scheduled. There is no provision for a student to opt-out of Statewide assessments. If a student is absent on a testing date, the student will be expected to take the missed test on another school day. Parents and students will be informed of all scheduled testing dates, including make-up testing dates for students who missed the initial testing date.

Statewide Assessment System

The Superintendent of Schools shall develop and annually present to the Board for its approval an assessment program that complies with the rules of the State Board of Education.

Test Administration Procedures and Security Measures

All Statewide assessments shall be administered in accordance with the Department of Education's required test administration procedures and security measures. Any breach of such procedures or measures shall be immediately reported to the Superintendent or designee.



POLICY GUIDE

PROGRAM
2622/page 2 of 3
Student Assessment

Documentation of Student Achievement

The Department of Education shall provide the Superintendent with documentation of student achievement after administration of each test in accordance with the provisions of N.J.A.C. 6A:8-4.2. The Board shall maintain an accurate record of each student's performance on Statewide assessments in accordance with N.J.A.C. 6A:8-4.2. Information regarding individual student test scores shall only be released in accordance with Federal and State law.

Accountability

The Superintendent shall report preliminary and final results of annual assessments to the Board of Education as required by the New Jersey Department of Education. The Board will provide parents, students, and citizens with results of annual assessments according to N.J.A.C. 6A:8-4.23. The Board shall provide appropriate instruction to improve skills and knowledge for students performing below established levels of student proficiency in any content area either on Statewide or local assessments. All students are expected to demonstrate the knowledge and skills of the Core Curriculum Content Standards as measured by the Statewide assessment system.

Public Reporting

In accordance with the requirements of N.J.A.C. 6A:8-4.5, the Department of Education shall report annually to the State Board of Education and the public on the progress of all students and student subgroups in meeting the Core Curriculum Content Standards as measured by the Statewide assessment system. In public reporting of school and district performance data, the Department of Education shall not compromise the confidentiality of individual students.

Parental Notification

Parents shall be informed of the district assessment system and of any special tests that are to be administered to their children.



POLICY GUIDE

PROGRAM
2622/page 3 of 3
Student Assessment

Student Accommodations/Modifications

The Board shall provide appropriate accommodations or modifications to the Statewide assessment system as specified by the Department of Education for English Language Learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act as determined by the Individualized Educational Plan (IEP) or 504 Team in accordance with N.J.A.C. 6A:8-4.1(d)1.

N.J.S.A. 18A:7C-1

N.J.A.C. 6A:8-4.1 et seq.; 6A:8-5.1; 6A:14-1.1 et seq.; 6A:14-3.7;
6A:14-4.10

Adopted:



POLICY GUIDE

STUDENTS

5750/page 1 of 2

Equal Educational Opportunity

Jun 16

M

[See POLICY ALERT Nos. 95, 116, 136, 168 and 209]

5750 EQUAL EDUCATIONAL OPPORTUNITY

The Board of Education directs that all students enrolled in the schools of this district shall be afforded equal educational opportunities in strict accordance with law. No student shall be denied access to or benefit from any educational program or activity or from a co-curricular or athletic activity on the basis of the student's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression**, ~~social or economic~~ **socioeconomic** status, or disability. The Board shall assure that all students are free from harassment, sexual or otherwise.

The Board directs the Superintendent to allocate faculty, administrators, support staff members, curriculum materials, and instructional equipment supplies among and between the schools and classes of this district in a manner that ensures equivalency of educational opportunity throughout this district. The school district's curricula in the following areas will eliminate discrimination, promote mutual acceptance and respect among students, and enable students to interact effectively with others, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression**, ~~social or economic~~ **socioeconomic** status, or disability:

1. School climate/learning environment;
2. Courses of study, including Physical Education;
3. Instructional materials and strategies;
4. Library materials;
5. Software and audio-visual materials;
6. Guidance and counseling;
7. Extra-curricular programs and activities;
8. Testing and other assessments.



POLICY GUIDE

STUDENTS

5750/page 2 of 2

Equal Educational Opportunity

The school district's curricula will include Multi-cultural Education content and practices, instruction on African-American History in the teaching of U.S. History and instruction on the Holocaust and other acts of ~~G~~genocide.

Affirmative action shall be taken to ensure that students are protected from the effects of discrimination, in accordance with Policy ~~N~~ 2260. Students who experience less than equal educational opportunities or experience discrimination shall use the procedure established by Regulation ~~N~~ 5750 to report and appeal any harassment or discriminatory practice.

The conduct of teaching staff members shall exemplify the highest principles of equality and democracy. Conduct and attitudes that display discrimination are contrary to the policies of this Board and, further, are destructive to the self esteem that this Board wishes to encourage in all students. A teaching staff member's act of derision or enmity, in any form, against a person or persons on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression**, ~~social or economic~~ **socioeconomic** status, or disability shall be considered to be conduct unbecoming to a professional staff member of this district and shall be subject to appropriate discipline.

The Superintendent shall develop and promulgate a procedure by which a student or parent may appeal Board policy, district practice, or the act or omission of any district employee that allegedly violates this policy.

42 U.S.C.A. 12101

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

N.J.S.A. 18A:4A-1, et seq.

N.J.S.A. 18A:6-5 et seq.; 18A:36-20

N.J.A.C. 6A:7-1.1 et seq.; 6A:14-1.2

Adopted:



POLICY GUIDE

STUDENTS

5755/page 1 of 3

Equity in Educational Programs and Services

Jun 16

M

[See POLICY ALERT Nos. 136 and 209]

5755 EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES

Equity In Student Access

It is the policy of the Board of Education to ensure equal and bias-free access to all school facilities, courses, programs, activities, and services, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression**, ~~social or economic~~ **socioeconomic** status, or disability.

The school district administration will ensure: that all students will have equal and barrier-free access to all school and classroom facilities, that minority and female students are not under-represented in gifted and talented or accelerated/advanced courses and that minority and male students are not over-represented in detentions, suspensions, expulsions, dropouts, or special needs classifications. Support services will be available to all students and that all limited English-proficient students and students with disabilities will have equal and bias-free access to all school programs and activities. The school district will ensure equal and bias-free access for all students to computers, computer classes, vocational education classes, and technologically-advanced instructional assistance, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression**, ~~social or economic~~ **socioeconomic** status, or disability.

The Board of Education will refrain from locating new facilities in areas that will contribute to imbalanced, isolated, or racially identifiable school enrollments. The school district administration will assign students to ensure that the racial/national origin composition of each school's enrollment reflects the composition of the districtwide enrollment and so that school and classroom enrollments are not identifiable on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression**, ~~social or economic~~ **socioeconomic** status, or disability.



POLICY GUIDE

STUDENTS

5755/page 2 of 3

Equity in Educational Programs and Services

Students will not be separated or isolated by race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation ~~or sex~~, **gender, gender identity or expression**, ~~social or economic~~ **socioeconomic** status, or disability within schools, courses, classes, programs, or extracurricular activities. Bias-free multiple measures for determining the special needs of language-minority students and students with disabilities will be utilized. Pregnant students will be permitted to remain in the regular school program and activities and if not permitted to attend school by her doctor, the student will be provided equivalent instruction.

Equity in Guidance Programs and **Support** Services

The school district will ensure the guidance program **and support services** provides access to adequate and appropriate counseling services for **all students, including, but not limited to**, minority students, limited English-proficient students, non-college bound students, and students with disabilities. A full range of possible career, professional, and/or vocational choices will be presented to all students.

Equity in Physical Education Training

All school district physical education programs will be co-educational, ~~with the exception of wrestling practice and a minimum of 75% of the electives are chosen by at least 30% of enrolled male and female students, when the physical education programs are elective~~ **with any exceptions to be in accordance with Federal and State laws and regulations.**

Equity in Athletic Programs

The school district's athletic program will provide equitable opportunities for female and male students to participate in athletics and equitable support for cheerleading programs and comparable facilities for male and female teams. The athletic program will have relatively equal numbers of varsity and sub-varsity teams for male and female teams and equitable scheduling of night games, practice times, and numbers of games for male and female teams.



POLICY GUIDE

STUDENTS

5755/page 3 of 3

Equity in Educational Programs and Services

Appeal Procedure

Any student or their parent(s) ~~or legal guardian(s)~~ may appeal school practices involving equity through the procedure established in Regulation ~~No.~~ 5750.

N.J.A.C. 6:4-1 et seq.

Title IX of the Education Amendments of 1972

~~Athletic Guidelines 1986~~

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

Adopted:

