

Strauss Esmay Series 2000 Program

DISTRICT REGULATIONS

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2131 - EDUCATIONAL GOALS (Regulation)

M

The Board of Education, under the direction of the Superintendent, has consulted with teaching staff members, pupils, parents, and other residents in the formulation of the educational goals of this district and has invited comment on those goals at a public meeting. The educational goals thereafter adopted by the Board and listed in this policy address the needs of the pupils of this district and constitute the base to which the instructional program shall be anchored.

The district educational goals shall be reviewed, updated, and adopted at least once every five years in a process that insures appropriate consultation and opportunity for public comment.

The educational program of this district shall help each pupil

1. Acquire basic skills in obtaining information, solving problems, thinking critically, and communicating effectively;
2. Acquire a stock of basic information concerning the principles of the physical, biological, and social sciences, the historical record of human achievements and failures, and current social issues;
3. Become an effective and responsible contributor to the decision-making processes of the political and other institutions of the community, state, country, and world;
4. Acquire the knowledge, skills, and understanding that permit the pupil to play a satisfying and responsible role as both producer and consumer;
5. Acquire job entry level skills and the knowledge and skills necessary for further education;
6. Acquire the understanding of and the ability to form responsible relationships with a wide range of other people, including those with social and cultural characteristics different from the pupil's own;
7. Acquire the capacities for playing satisfying and responsible roles in family life;
8. Acquire the knowledge, habits, and attitudes that promote personal and public health, both physical and mental;
9. Acquire the ability and the desire for creative expression in one or more of the arts and learn to appreciate the aesthetic expressions of other people;
10. Acquire an understanding of ethical principles and values and the ability to apply them to the pupil's own life;

11. Develop an understanding of the pupil's own worth, abilities, potentials, and limitations; and
12. Learn to enjoy the process of learning and to acquire the skills necessary for a lifetime of continuous learning and adaptation to change.

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

N.J.A.C. 6:8-2.1

Adopted: 21 December 1995

2230 - COURSE GUIDES (Regulation)

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

A. Preparation

1. The preparation of course guides is the responsibility of departmental supervisors at the secondary level and of the Principal at the elementary level.
2. Course guides are best developed with the assistance of the teaching staff members who will use them. Accordingly, appropriate staff representatives will be appointed to committees to study, revise, and/or develop course guides.
3. In grades 9-12, pupils may be asked to participate in the development and revision of course guides.

B. Content

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

C. Implementation

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

Adopted: 21 December 1995

2310 - REMOVING A STUDENT FROM A PROGRAM (Regulation)

For those instances when a parent, legal guardian, or adult student requests a change in the student's program (such as At Risk, Title I or Bilingual), he/she should be given an opportunity to make statements in support of removal from the program.

The following procedure is to be used in the event such a request is made.

Step I:

- A. The appeal must be made in writing to the building administrator.
- B. The building administrator will then inform the appropriate staff member and/or guidance counselor who will then arrange a meeting with the parent.
- C. During this meeting the appeal process will be explained.
- D. The staff member and/or guidance counselor will report back to the building administrator.
- E. The parent will receive a letter explaining the disposition of the request, with a copy to the assistant superintendent.

Step II:

- A. Assistant Superintendent of Schools.
- B. Superintendent of Schools
- C. Board of Education
- D. County Superintendent of Schools
- E. Commissioner of Education

Adopted: 21 December 1995

2414 - AT RISK STUDENTS (Regulation)

M

A. Assessment

1. Each pupil will be assessed, upon entrance into the educational system and annually thereafter, to identify pupils who do not meet minimum state and local standards for proficiency in the basic skills of communication and computation. Pupils so identified will be provided with an individual comprehensive assessment. This regulation does not apply to an educationally disabled pupil whose individualized educational program specifically exempts him or her from the district's assessment program.
2. Proficiency levels in the third and sixth grades will be assessed by administration of a standardized Test of Basic Skills. The attainment of proficiency levels by secondary pupils will be assessed by the administration of the state mandated high school proficiency test. The assessment records of a pupil who transfers to this district will be obtained, and assessment records of pupils who transfer from this district will be forwarded to the school in which the pupil enrolls.
3. Information regarding the district's assessment program, along with interpretive materials, will be released to the public as required by rules of the State Board of Education.

B. Skills Improvement Plan

The basic skills improvement plan to be prepared and recommended to the Board for submission to the County Superintendent will provide for:

1. The enrollment in preventive and remedial programs of compensatory education of pupils in grades kindergarten through 3 who do not meet locally established state approved standards of proficiency in communications and/or computation, pupils in grades 4 through 9 who do not meet state minimum levels of proficiency in communications and/or computation, and pupils in grades 10 through 12 who have not passed the high school proficiency test;
2. The screening of pupils, within one month of enrollment, to determine whether they should be enrolled in preventive and remedial programs;
3. Supplemental instructional and related activities and services responsive to identified deficiencies and designed to meet the academic, social, economic, and environmental needs of pupils;

4. Continuing communication between teaching staff members and the parents of pupils receiving compensatory education;
5. Evaluation of the progress of pupils toward proficiency in basic skills;
6. Evaluation of the effectiveness of the district compensatory education program, in terms of pupil gains and other relevant factors; and
7. A detailed budget for the administration, personnel, supplies, equipment, training of staff, and health and community services required for the compensatory education program.

C. ISIP

1. A pupil who has completed three academic years beyond kindergarten and performs below state minimum levels of proficiency will be provided with an individual student improvement plan (ISIP). The ISIP will be developed and implemented by the Director of Federal and State Programs, and the classroom teacher will be responsible for monitoring its development, implementation, and evaluation.
2. Both the pupil and the pupil's parent will be notified of the pupil's need for compensatory education and the content of the pupil's ISIP. Notification will be made in writing in the language or mode of communication that is understood by the pupil and the parent.
3. Evaluation and remediation of pupils who demonstrate deficiencies at the end of the eleventh grade and during the twelfth grade will be conducted in accordance with Policy No. 5460 on high school graduation.

Adopted: 21 December 1995

2431.1 - EMERGENCY PROCEDURES FOR ATHLETIC PRACTICES AND COMPETITIONS (Regulation)

M

A. Precautions

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

B. Precautions

1. All athletic coaches, including assistant coaches, will be trained in first aid and in the identification of injured and disabled pupil athletes.
2. Athletic coaches are responsible at all times for the supervision of pupils to whom they have been assigned. Pupils shall not be left unattended at any time.
3. Pupils who participate in athletic competition shall be trained in proper athletic procedures, in the proper use of athletic equipment, and in the proper use of protective equipment and clothing.
4. Pupil athletes shall be required to report promptly to the athletic coach any injury or disability occurring to the pupil himself or herself or to another pupil.
5. First aid supplies and equipment shall be readily available at all athletic activities and shall be maintained in proper condition.
6. Health personnel shall be present at the following athletic activities:
 - a. The school medical inspector shall be present at all home football games.
 - b. An ambulance shall be present at all home football games.

C. Emergency procedures

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

1. The athletic coach shall immediately notify the health personnel shall assume responsibility for the emergency treatment of the pupil.
2. If no health personnel are present, or if none can be immediately summoned to the pupil's aid, the athletic coach shall administer such first aid as may be necessary.
3. If the pupil's injury or disability requires more than routine first aid, the athletic coach shall
 - a. Summon an ambulance by calling the Police Department at 201-365-3900.
 - b. Arrange for the pupil's transportation to the nearest hospital or the office of the school medical inspector.
4. The athletic coach or his or her designee shall promptly notify the building principal, the Superintendent, and the pupil's parent of the pupil's injury or disability and the condition and location of the pupil.
5. An injured or disabled pupil who has been transported away from school premises must be accompanied by the athletic coach, a member of the athletic department, a health professional, or other responsible adult known to the athletic coach.
6. These procedures shall be followed when the injured or disabled pupil is a member of a visiting team or district, and every effort shall be made to cooperate with the staff of the district in which the pupil is enrolled.

D. Reports

1. The athletic coach shall complete and file a report of every injury or disability that occurs to a pupil in the course of his or her participation in the athletic program of this district, regardless of the severity of the injury or disability. The report shall include
 - a. The date of the incident;
 - b. The name, age, grade level, and gender of each injured or disabled pupil;
 - c. The district in which the pupil is enrolled;
 - d. The name and district of each pupil involved in the incident;

- e. A narrative account of the incident;
 - f. A detailed description of the injury or disability;
 - g. The treatment given on school premises and the names of the health personnel, if any, who treated the pupil;
 - h. The place, if any, to which the pupil was taken and the persons who accompanied the pupil; and
 - i. A memorandum of the notice given to the pupil's parent.
2. Copies of the report shall be filed with the school nurse and the building principal within 48 hours of the incident.
 3. The building principal shall report the incident to the Superintendent, who shall report to the Board of Education.
 4. A copy of each report of an incident of pupil injury or disability that occurs in the course of athletic activities shall be maintained by the athletic director, who shall analyze reports for patterns that indicate a need for revision of the district's safety and/or athletics program. The athletic director shall report the findings of his or her analysis to the Superintendent at the close of each sport season.
 5. The parent or guardian of each injured or disabled pupil will be given assistance in the completion and filing of insurance claim forms.

E. Readmission to athletic activities

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

Adopted: 21 December 1995

2432 - SCHOOL SPONSORED PUBLICATIONS (Regulation)

A. Objectives

The program of school sponsored publications is intended to

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

B. Guidelines

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

C. Prohibited material

No school sponsored publication may contain materials that

1. Are grossly prejudicial to an ethnic, national, religious, or racial group or to either gender;

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

D. Review procedures

1. To insure compliance with these rules, all material intended for publication in a school sponsored publication will be reviewed by the advisor.
2. The author of material found unacceptable for publication in a school sponsored publication pursuant to paragraph D1 may appeal that decision to the principal.
3. The principal will promptly convene a committee comprised of the advisors of the school newspaper, yearbook, and literary magazine and the president of each class.
4. The committee will review the appeal, including the material and the advisor's specific reason for rejecting the material, and will render an advisory opinion to the principal.
5. The principal will decide whether or not the material may be published and will deliver his or her decision to the appellant within two school days of the receipt of the appeal.

6. If the principal denies publication, the author may appeal that decision to the Superintendent and any adverse decision of the Superintendent may be appealed to the Board of Education. At each level, a decision will be made within three school days of the receipt of the appeal.

E. Faculty duties

Faculty advisors to school sponsored publications shall

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

F. Distribution

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

Adopted: 21 December 1995

2460 - SPECIAL EDUCATION (Regulation)

M

Exemption of Educationally Disabled Pupils From The High School Graduation Requirements According to N.J.A.C. 6:8-7.1(b), 6:28-1.4(a)1, 3.6 and 4.8

A. Criteria for Exempting Educationally Disabled Pupils

Students shall be expected to adhere to the graduation requirements unless specifically exempted in the individualized education program. The Child Study Team and other participants in the individualized education program meeting shall review each of the graduation components to determine if there should be an exemption. Criteria for determining exemptions are as follows:

1. Attendance

Students with serious medical or health related or emotional conditions which significantly interfere with functioning may be exempted from the attendance requirement.

2. Course Proficiencies

Students whose educational needs preclude placement in the mainstream high school courses for all or part of the day may be exempted from the proficiencies of the regular education courses, provided that the student's individualized education program does not incorporate these local and state course proficiencies. However, these students are expected to meet the proficiencies if they can successfully meet a significant portion of the requirements and benefit from the regular program.

3. Credit and Curriculum Distribution Requirements

Exemptions from local or state requirements for the number and/or distribution of credits required for graduation may be made if the student:

- a. Has medical or other serious handicapping conditions which preclude participation in specific subject areas (e.g. medically based exemption for physical education);
- b. Has experienced serious disruptions in educational programs due to a handicapping condition; in this circumstance, the Child Study Team, school administrator(s), staff and parent/guardian or adult pupil must review the student's record to determine that a delay in graduation will significantly interfere with the student's prospects for post-secondary interventions or services and that this outweighs the benefit of continued High School

education; or that a delay in graduation will adversely affect his/her emotional status to a significant degree so as to limit future functioning.

4. High School Proficiency Test (HSPT)

Any student whose individual education program does not include the range of skills assessed on a particular subtest of the HSPT may be exempted from passing that section. A student who will be adversely affected by taking the test shall be exempted. Adversely affected means that a pupil will suffer _____.

B. Procedures For Written Approval of Superintendent for Exemptions

After meeting with the parent to develop the individualized education program, the case manager shall submit the individualized education program with graduation exemptions to the Supervisor of Special Services for a review. The names of High School classified students and their exemption status shall be maintained by the Supervisor of Special Services, who shall be responsible for submitting this information to the Superintendent, obtaining his/her written approval, and maintaining a record of the approval.

C. Annual Reporting of Students Graduated Under Special Education

The case manager shall notify the Supervisor of Special Services by May 1 of the classified students who are expected to meet the requirements of their individualized education programs for graduation the following June. The Supervisor shall review the individualized education program requirements of these students and inform the Superintendent in writing of the names of classified students who will be graduating. The Supervisor of Special Services shall prepare the annual report of Special Education graduates for submission to the Commissioner of Education. The Superintendent shall present this data to the Board of Education by September 30; no personally identifying information will be available publicly.

D. Participation of Educationally Disabled Students in the Special Review Assessment (SRA) Process

1. Educationally disabled pupils who are eligible for the standard SRA process are those who will complete all graduation requirements and are not exempted from the HSPT and have not yet passed it by the eleventh grade Spring administration. The deficient HSPT skills must be identified during the individualized education program meeting and specified in the individualized education program. The goals and objective in the individualized education program must address the deficient HSPT skills that the educationally disabled pupil will receive instruction in as part of the SRA process. No deficient HSPT skill may appear on the SRA Student Profile Form unless it also appears on the pupil's individualized education program. The pupil's twelfth grade individualized education program, eleventh and tenth

grade individualized education programs, and the most recent HSPT Individualized Student Report must be attached to the SRA Student Profile Form.

The SRA review panel for educationally disabled students eligible for the standard SRA process shall include a member of the Child Study Team other than the case manager and three certified teachers who have knowledge of special education, such as teachers of the educationally disabled who do not have direct responsibility for the pupil.

2. Educationally disabled pupils who have been exempted from the HSPT because they will be adversely affected by taking the test shall participate in an Alternative SRA process. As there is no prior HSPT administration, the student begins with a score of zero and must demonstrate mastery of a sufficient number of proficiencies to earn enough SRA points to _____ HSPT score.

Procedures for Prevention of Needless Public Labeling (N.J.A.C. 6:28-1.4(a)2)

The Superintendent or designee shall ensure that no educationally disabled or potentially disabled pupil be identified by name at a Board of Education meeting, in its minutes, or any public meeting conducted by the school district unless the parent/guardian or adult pupil expressly requests in writing such disclosure. References to pupils and data shall be reduced to code for inclusion in any public record.

Any information regarding individual pupils or classes shall not be released to outside agencies unless the adult pupil or parent/guardian signs a written permission form which specifically states the information to be released and to whom. Further, the Superintendent, faculty and other personnel will avoid unnecessary and needless public labeling of such pupils, including the avoidance of public address announcements designating pupils as educationally disabled or as in a special education program, any open identification of classrooms with signs so designating, or any item of open or general circulation which so designated an individual, pupil or class.

The Supervisor of Special Services is responsible for ensuring that the release of information to outside agencies regarding educationally disabled students complies with District's Policies for Pupil Records. The Supervisor shall inform all administrators of these procedures.

In regard to the public release of information to newspapers or other types of publications, the Principal of the program attended by the student(s) shall have the responsibility of reviewing and approving the contents and ensuring that written consent has been obtained from the parent or adult pupil.

For each HSPT skill mastered, the pupil is awarded a preestablished number of points. These points cannot exceed the total number of items used to assess the skills on the HSPT. The District shall use the most recent SRA/HSPT Conversion Worksheet at the time the SRA begins to determine the number of skill deficiencies which must be demonstrated to convert to an HSPT passing score. Documentation may begin as early as grade nine, but must begin by grade twelve.

The pupil completes the SRA process as soon as a sufficient number of points is earned to convert to a passing HSPT score.

The case manager is responsible for notifying the building principal that an Alternate SRA is needed for a student. An individual SRA portfolio shall be maintained by the building principal for each educationally disabled pupil eligible for the Alternative SRA in one of two potential documentation areas: course work performance or practical demonstration. Mastery of each HSPT skill area may be documented through either of these two potential areas. The case manager must review the progress of the student toward meeting the requirements of the SRA and include this information in the individualized education program.

If the building Principal and Superintendent certify attainment of the sufficient number of SRA points to equal an HSPT passing score in reading, writing and mathematics, the Superintendent shall notify the Department of Education, Office of Special Education Programs, by March 1 or the need for an SRA review. The Alternate Special Review Assessment Student Profile Form shall be sent by that date to the Director of the Division of Special Education for review, which shall notify all parties of its action by April 15.

Compilation, Maintenance, Access to and Confidentiality of Pupil Records (N.J.A.C. 6:28-1.4(a)3)

These procedures apply to all pupil records, which shall include any information concerning an individual pupil gathered from within or outside this school system and maintained within the District regardless of the form; these records may be handwritten, printed, computerized, microfilmed, on tape, etc.

A. Definitions

1. Parent/guardian refers to the natural parents, legal guardians, surrogates or foster parents of a pupil. It should be assumed that all correspondence and communication shall be with the custodial parent. However, divorced or separated parents/guardians not having custody of the pupil are also privileged under this policy when requesting access to information in writing, provided such parental rights have not been terminated by a court of competent jurisdiction. In the event that these rights have been so terminated or limited, the pupil's legal custodian must submit appropriate legal documentation to the administrator who is the custodian of the pupil's file so that improper access to the pupil's records is not granted. This administrator is responsible for inserting information regarding termination or limitation of access in the pupil's file and taking action to prevent distribution of any records or computerized mailings of information to the noncustodial parent/guardian who has been denied access.
2. Mandated pupil records means records required by New Jersey regulations including the following:

- a. Personal data - name, address, date of birth, name of parents/guardians, citizenship, and sex; but not data which indicates religious or political affiliation of the pupil or parents (unless requested in writing by the parent or adult student) or the labeling of the pupil as illegitimate;
 - b. Daily attendance;
 - c. Pupil progress recorded as standardized test scores, report cards, grade or other special program assignments (ESK, GATS, PAR, speech, supplemental, speech, etc.)
 - d. Health history and status records compiled in accordance with State regulations including results of any physical examinations given by qualified district employees.
 - e. All other records required to be kept by State regulations including records of students classified by the Child Study Team.
3. Permitted records are defined as records approved by the Board of Education that are considered necessary to promote the educational welfare of the pupil. Permitted records must be authorized by resolution adopted by the Board at a regular public meeting. The Board shall report annually at a public meeting a description of the type of pupil records it has authorized certified school personnel to collect and maintain. Records so authorized must comply with code standards as to relevance and objectivity. These records include:
- a. Personally authenticated observations, assessments, ratings and anecdotal reports recorded by professional staff members in performance of their duties and intended for review by another person, provided that the originator signs and dates the record; information recorded solely as a memory aid for the originator becomes a pupil record when it is reviewed by any other person, including a substitute;
 - b. Information, scores, and results obtained from standardized tests or other measures administered by professional staff in addition to the assessments of progress noted above in regard to mandated records;
 - c. Educationally relevant information provided by the parent(s)/guardian(s) or adult pupil regarding the pupil's achievements or school activities;
 - d. Correspondence with the pupil and/or the pupil's parent(s)/guardian(s) or correspondence about the pupil which is educationally relevant;
 - e. Forms such as those used for emergency notification, registration, withdrawal or transfer, schedule or schedule changes;

- f. Records of disciplinary infractions, penalties, and disciplinary hearings in so far as they remain educationally relevant;
 - g. Records of co-curricular and athletic activities and achievements;
 - h. Class rank;
 - i. Awards and honors;
 - j. Notations of additional records maintained in a separate file;
 - k. Entries indicating review of the file by an authorized person;
 - l. Intervention records of students experiencing learning and/or behavioral problems who have not been classified or referred for evaluation.
4. Student directory information means a publication of a district which includes the following information relating to a pupil: name, address, telephone number, grade level, date and place of birth, dates of attendance, major field of study, participation in officially recognized activities, weight and height relating to athletic team membership, degrees, awards, the most recent education agency attended by the pupil, and other similar information.

- B. The building principal or designee shall be responsible for maintaining and securing pupil records in his/her school. These records are to be maintained in a central location. The Supervisor of Special Services shall be responsible for the maintenance and security of records for students who are classified.

The school nurse shall be the custodian of records related to physical, health and the emergency notification.

The principal or Supervisor of Special Services, where appropriate, or their designees shall review all pupil records annually to determine the educational relevance of the contents. Records which are no longer descriptive of the student or educationally relevant, shall be removed and destroyed, except that prior notice must be given for classified students. Such information shall be destroyed and not be recorded elsewhere, and no record of any such deletion shall be made.

All pupil records will be securely maintained under lock and key to protect the integrity of the records and prevent access by unauthorized persons. Secretarial and clerical personnel, including properly assigned aides, may handle and view pupil records only to the limited extent necessary to enter data, amend records, file materials, copy pages, and conduct routine clerical tasks, as specifically directed and supervised by professional personnel.

Any computerized program utilized for the electronic storage and retrieval of pupil information must provide adequate security blocks to protect the records against improper

access and alteration. To guard against the loss of pupil records, the administrator responsible for their maintenance must keep an updated duplicate copy.

C. Access to Pupil Records

1. Access to pupil records shall mean the right to view, make notes, and/or have a reproduction of the pupil records. It is presumed that the custodial parent(s)/guardian(s) or adult pupil has the authority to give consent to others to gain access to records, unless the District has been provided with evidence that there is a legally binding instrument or court order governing such matters as divorce, separation or custody to the contrary. The administrator responsible for pupil records shall permit access to these records only by the following persons and under the circumstances outlined below:
 - a. The parent(s)/guardian(s) of a minor pupil or of an adult pupil who is financially dependent and still enrolled in the public school system; or the parent(s)/guardian(s) of an adult pupil who has been declared legally incompetent; the parent of an emancipated minor pupil shall be given access to the records with the written permission of that pupil.
 - b. An adult pupil or with written parental permission, a minor pupil; or a sixteen year old pupil who will be graduating at the end of the term or who is planning to withdraw at the end of the term.
 - c. Certified staff members with assigned educational responsibility for the pupil.
 - d. _____.
 - e. The Commissioner of Education and members of the New Jersey Department of Education staff who are required to review records in the performance of their responsibilities;
 - f. Officers and employees of a state agency responsible for protective and investigative services when pupils are referred for suspected child abuse;
 - g. Persons not affiliated with the school who have the written consent of the parent(s)/guardian(s) to gain access to the records; in such cases, a written request for access and the written permission from the parent(s)/guardian(s) must be first presented to the administrator responsible for the records and information in the records under review shall not be transferred to a third party without the consent of the parent(s)/guardian(s);
 - h. Persons who would not otherwise have access upon presentation of a court order and provided that the parent(s)/guardian(s) or adult pupil has been given at least three days written notice of the name of the requesting agency

and the records being required; such notice to the parent(s)/guardian(s) is not required when there is a judicial order to the contrary; only those portions of the record related to the purpose of the court order shall be disclosed;

- i. Bona fide researchers approved by the Superintendent after submission of a written request specifying the nature of the research, the relationship of the records to that research, and assurances that the pupil(s) shall remain anonymous and information shall be kept confidential;
 - j. Non adult pupils or other appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the pupil or other persons; in such cases, consideration shall be given to the seriousness of the threat to the health and safety of the student or others, the need for the information to meet the emergency, the likelihood that the parties to whom the information is disclosed can deal with the emergency, and the extent to which time is of the essence in dealing with the emergency.
2. Authorized persons shall be granted access to records with-in ten days of a written request, or prior to any review or hearing conducted in accordance with State Board of Education regulations, whichever comes first. In addition, prior to any meeting regarding an individualized education program, the parent(s)/guardian(s), adult pupil or designated representative with the appropriate consent, shall be permitted to inspect and review the contents of a pupil's records. All requests should be made to the case manager or the Supervisor of Special Services in either verbal or written form.
 3. The principal or Supervisor of Special Services or designee shall be present during the time of inspection to provide interpretation of records where necessary; to prevent alteration, damage or loss; and, to restrict review in cases where limitation is a condition of access.
 4. No pupil record shall be altered or destroyed during the time period between a request to review and the actual review.
 5. _____ professional staff member with responsibility for the pupil shall be limited to the record or portion of the record related to the purpose for which access was granted. A parent/guardian or adult pupil shall have access to or be specifically informed about only that portion of another pupil's record that contains information about his/her own child or himself/herself.
 6. In every case of review by persons other than parents/guardians, pupil's or persons with assigned educational responsibility for the pupil, an entry shall be made in the record indicating the name of the person(s) granted access, the reasons access was granted, the time and circumstances of the review, the records under review, and purpose for which data was used.

7. A record may be withheld from a parent/guardian or pupil authorized in § 18A:26 or § 18A:27 above only when the local education agency obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court may be withheld. When the local education agency has or obtains evidence of such court order the parent or adult pupil shall be notified in writing with five days of his or her request that access to the record has been denied and that the person has the right to appeal this decision to the court issuing the order.
8. An authorized person may request a photocopy of all or a portion of that part of the pupil's record to which the reviewer was granted access. Copies will be made by district personnel for a reasonable fee; the administrator responsible for the records may waive the fee if the charge would prevent the parent(s)/guardian(s) or pupil from exercising rights of access and appeal under pupil records regulations and/or due process right for students with disabilities.
9. Directory information shall be provided to educational, occupational, and military recruiters. At the beginning of each school year, parents/guardians or adult pupils shall be provided with a ten day period to submit a written statement to the Superintendent prohibiting the school from including any or all types of information about the students in any student information directory before allowing access to this document by educational, occupational and military recruiters pursuant to N.J.S.A. 18A:36-19.1. Written notification to parent(s)/guardian(s) of the availability for directory information to educational, occupational and military recruiters shall be contained in the High School Student Handbook and the district calendar. Annually, directory information is reported at a Board of Education meeting.
10. No liability shall be attached to any member, officer or employee of the district for permitting access or furnishing pupil records in accordance with these regulations.
11. When the dominant language of the parent/guardian or adult pupil is not English, or the parent or adult pupil is hearing impaired, interpretation of the record in the method of communication or dominant language shall be provided whenever feasible.

D. Rights of Appeal for Parents and Adult Pupils in Regard to Records

Parents and adult pupils may challenge pupil records on the grounds of inaccuracy, irrelevancy, nonpermissive disclosure, inclusion of improper information or denial of access organizations, agencies and persons. The parent of adult pupil may seek to:

- a. Expunge inaccurate, irrelevant or otherwise improper information from the record;

- b. Insert additional data as well as reasonable comments as to the meaning and/or accuracy of the records;
- c. Request an immediate stay of disclosure pending final determination of the challenge procedure described below.

To appeal the contents of a pupil record, the parent(s)/guardian(s) or adult pupil must notify the Superintendent in writing of the issues related to that record. The Superintendent or his/her designee shall meet with the parent/guardian or adult pupil within ten days of the notification. If the issue is not resolved at that time and the Superintendent does not make the requested changes, the parent(s)/guardian(s) or adult pupil is to be informed of the right to appeal to the Board of Education or the Commissioner of Education and that this appeal should occur within the days of the Superintendent's decision. If the appeal goes to the district Board of education, a determination must be made within twenty days of the request and the parent(s)/guardian(s) informed in writing of the Board's decision and of the right to appeal to the Commissioner of Education. The appeal to the Board shall be held in private session, unless the parent(s)/guardian(s) or adult pupil requests a public hearing. During all stages of this process, the parent or adult pupil shall have a full and fair opportunity to present evidence relevant to the issue. A record of the appeal proceedings and outcome shall be made a part of the pupil record with copies made available to the parent(s)/guardian(s) or adult pupil.

Appeals of records of classified students shall be made in accordance with procedures specified under N.J.A.C. 6:28.

Regardless of the outcome of any appeal, a parent or adult pupil shall be permitted to place a statement in the pupil record commenting upon the information in the pupil record or setting forth any reasons for disagreement with the decisions. Such statements shall be maintained as part of the pupil record as long as the contested portion of the record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information must also be disclosed to that party.

E. _____

1. While the student is still enrolled in the public school system, the record is regarded as incomplete and not subject to the Destruction of Public Records Law (N.J.S.A. 47:3-15).
2. Upon graduation or permanent departure of a pupil from the school system, the parent(s)/guardian(s) or adult pupil shall be notified in writing by the principal when records other than those which are required to be permanently maintained will be destroyed and that a copy of the entire pupil record will be provided to them upon request. In regard to Child Study Team records, the Supervisor of Special Services shall provide this notification. The district shall maintain in perpetuity the pupil's name, date of birth, sex, address, telephone number, grades, attendance record, classes attended, grade level completed, year completed, name of

parent(s)/guardian(s) and citizenship status. The district may destroy the other mandated or permitted records after receiving written parental permission.

3. Destruction and disposal shall be accomplished in a manner which ensures confidentiality; documents should be sufficiently shredded to that information cannot be retrieved.
4. Reasonable attempts must be made to provide notification and secure written consent before records are destroyed. Attempts will be judged unsuccessful after registered mail to the last known address is returned as undeliverable or after notification having been received, the parent(s)/guardian(s) or adult pupil fails to submit written consent within 20 days of receipt of notification.
5. The District shall retain the student profile form, with all appropriate attachments, of any pupil assessed by a special review assessment, for one year after the graduation of the pupil's class.
6. Responsibility for the maintenance of records in perpetuity shall be with the school principal for students who have graduated or left the District.
7. No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent(s)/guardian(s) or adult pupil.

Identification, Location and Evaluation of Pupils who are Potentially Educationally Disabled (N.J.A.C. 6:28-1.4(a)4)

A. Information Regarding Students Receiving Special Education Services

The Supervisor of Special Services shall maintain a current listing of all pupils receiving special education and/or related services and any students who have been referred and/or classified and who may not be receiving such services. This information shall be reviewed regularly and be on file for all required local and state reports.

B. Identification Process

The Supervisor of Special Services shall be responsible for identifying all resident children between the ages of three and twenty one who may be educationally disabled and who are not receiving special education and/or related services are required under N.J.A.C. 6:28. Children below the age of three who are potentially educationally disabled shall be identified, located and evaluated through programs operated by and through contracts with the Department of Health. Inquiries regarding services for children below the age of three shall be referred to the Supervisor of Special Services. Assistance and information will be provided to establish contact with the appropriate agency(ies).

1. Procedures for identification shall include input from instructional, administrative and other professional staff, parents and agencies concerned with child welfare, as

outlined in N.J.A.C. 6:28-3.2. Criteria for identifying potentially educationally disabled children shall include the physical, sensory, emotional, communication, cognitive and social areas of functioning, as listed in N.J.A.C. 6:28-3.2(b)1.

2. Specific identification procedures include, but are not limited to the following sources of information:

Screenings for preschool and kindergarten

District-wide academic and aptitude testing programs

District-wide medical screening

Reports from parents, school staff, child welfare agencies, hospitals, physicians, etc.

Records from previous district

Building level Pupil Assistance Committee records.

3. In addition, the District shall participate in local, regional and state "Child Fund" activities. The Supervisor of Special Services will be responsible for conducting this search through news releases and contacts with local pediatricians, nursery schools, libraries and other appropriate groups on an annual basis.
4. For children who are identified as potentially preschool handicapped at least ninety days before the third birthday, the Child Study Team shall obtain parental consent, determine eligibility and, if the pupil is eligible, develop and make available an Individualized Education Program. This must be implemented not later than the date on which a child attains age three. If a child is so identified less than ninety days before the third birthday, the regulations or N.J.A.C. 6:28-2.1(c) shall apply, with the ninety day time line commencing on the date of receipt of parent consent for the evaluation.

C. Referral

1. Before a student is referred to the Child Study Team, interventions in the regular public school program shall be provided to alleviate educational problems, unless the nature of these difficulties warrants direct referral (i.e. entrance from early intervention programs, extreme physical handicaps, etc.) to the Child Study Team. The regular education staff member(s) under the supervision of the principal shall maintain written documentation of the interventions and their effects; interventions through the building Pupil Assistance Committee, shall be implemented before referral to the Child Study Team.
2. When interventions have not been effective and services beyond the regular education program may be needed, a request for evaluation shall be submitted by the Principal to the Supervisor of Special Services. The Supervisor of Special Services will submit the Request for Evaluation to the appropriate Child Study Team to determine if a comprehensive evaluation is warranted.

3. A parent(s)/guardian(s) may initiate a referral of a child by making a written request, which is to be forwarded immediately to the Child Study Team. The Team is to respond in writing within thirty days, stating its decision and reasons.
4. Any student referred to the Child Study Team shall have a vision screening conducted by the school nurse and an audiometric screening conducted in accordance with N.J.A.C. 6:29-8, except in the case of direct preschool referrals.
5. When the Division of Youth and Family Services, Department of Human Services, identifies a potentially educationally disabled pupil for whom the District is responsible, the Child Study Team shall accept that identification.

D. Evaluation

Upon receipt of a request for an evaluation, the Child Study Team shall meet to determine the need for a comprehensive evaluation. The Team shall inform the parent in writing of its determination and provide an explanation is warranted, it shall confer with the appropriate staff to determine the student's communication skills and dominance in English and the native language. The Child Study Team shall then design an initial evaluation plan, designating the:

Specific information needed to assess all relevant areas of functioning
Evaluation procedures necessary to obtain this information
Language(s) or method of communication to be used for assessing the student
Child Study Team member who will be case manager

The initial evaluation plan may not be implemented without the signed consent of the parent/guardian. Before requesting that the parent give written content, the Child Study Team shall provide the parent(s)/guardian(s) with copies of the following documents: the procedural safeguards statement published by the New Jersey Department of Education and N.J.A.C. 1:6A; the initial evaluation plan described above; and its written conclusion regarding the need for this evaluation. If the parent(s)/guardian(s) refuses to consent to a Child Study Team evaluation, the Team shall consult with the Supervisor of Special Services. The District may initiate mediation according to N.J.A.C. 6:28-2.6 or due process according to N.J.A.C. 6:28-2.7.

The evaluation shall be completed within time lines consistent with those established in N.J.A.C. 6:28-2.1(c).

The initial evaluation shall consist of assessments by a school psychologist, a learning disabilities teacher-consultant, a school social worker and a physician employed by the District. The evaluation shall include an appraisal of the student's current functioning and the instructional implications of each Child Study Team member's findings.

Each Child Study Team member shall consider the eligibility requirements for special education and related services while conducting the assessment; the Team shall use

information obtained during the assessments, including those related to any relevant medical condition, to determine the instructional needs of the student; and the Team must include pertinent information from the student's parent(s), teacher(s) and other relevant sources.

When standardized instruments are used, these are to be individually administered, valid and reliable, and normed on a representative population.

The Child Study Team shall include in an initial evaluation all categories of functional assessment(s) defined below:

- A structure observation by each Child Study Team member;
- Interview with the student's parent(s) and the teacher(s) who identified the student as potentially educationally disabled;
- A review of the student's developmental educational history including records and interviews;
- A review of the documented prereferral interventions;
- One or more informal measures including, but not limited to, surveys and inventories, work samples, trial teaching, self reports, criterion referenced or curriculum based assessments, and informal rating scales.
- The required components of each initial evaluation shall be as follows:
 1. A comprehensive health appraisal meeting the requirements of N.J.A.C. 6:28-5.4(d)1 performed by the school physician (or a physician employed by the parent utilizing the District form) with supplemental health information provided by the school nurse.
 2. A psychological assessment conducted by a school psychologist employed by the Board of Education to include: an appraisal of the student's current cognitive, social, adaptive, and emotional status.
 3. An educational assessment conducted by a learning disabilities teacher consultant employed by the Board of Education to include: evaluation and analysis of the student's academic performance and learning characteristics.
 4. A social assessment conducted by a school social worker employed by the Board of Education to include: direct communication with the parent(s)/guardian(s) and student; appraisal of the student's adaptive social functioning and emotional development; analysis of the family, social, and cultural factors affective the student's learning and behavior in the school setting.

5. A speech and language assessment for children ages three to five conducted by a speech correctionist or speech-language specialist employed by the Board of Education to include communication with the parent(s)/guardian(s), an appraisal of speech and language development; an observation of the student.
6. Assessments by other specialists as required in N.J.A.C. 6:28-3.5(d) for specific classifications:
 - Auditorially handicapped - an audiologist; and a speech and language specialist;
 - Communication handicapped - a speech and language specialist;
 - Emotionally disturbed - a psychiatrist experienced in working with children;
 - Neurologically impaired - a physician trained in neuro-developmental assessment;
 - Orthopedically handicapped - a physician qualified to conduct an orthopedic evaluation;
 - Visually handicapped - a specialist legally qualified to determine visual disability;
 - Autistic - a speech and language specialist; and a physician trained in neurodevelopmental assessment;
 - Multiply handicapped - all specialists required for any of the separate handicapping conditions being considered for the determination of multiply handicapped.

The Child Study Team members shall prepare written reports of each of their findings, including a statement regarding any behaviors noted during the evaluation which are relevant to the student's academic functioning.

Reports and evaluations by other public school district Child Study Teams, approved clinics and agencies, or professionals in private practice may be accepted and approved, in writing, by the District Child Study Team. If not accepted, a written rationale shall be provided.

The requirements for a Child Study Team evaluation does not apply to a student confined at home or to hospital for 60 calendar days or less by a physician or to a pupil with a speech

or language problem when the nature of the problem does not warrant a comprehensive evaluation.

By June 30 of a pupil's last year in a program for the preschool handicapped, the Child Study Team shall reevaluate and if appropriate, classify according to N.J.A.C. 6:28-3.5.

E. Determination of Eligibility

At the completion of an initial evaluation, the Child Study Team shall convene a meeting according to N.J.A.C. 6:28-2.3(h) to determine if the student is eligible for special education and/or related services and, if eligible, to determine a single classification as defined in N.J.A.C. 6:28-3.5(D). The case manager is responsible for notifying all participants in sufficient time to permit them to participate. Classifications are to be determined collaboratively at this meeting by the Child Study Team, parent(s), a teacher having knowledge of the student's educational performance, and, if they choose to participate, the referring staff member(s) and principal.

The parent is to be given written notice of the eligibility determination which meets the requirements of N.J.A.C. 6:28-2.3(d and f). The referring staff member shall also be given a written summary, signed by the Child Study Team, of the eligibility decision and recommendation.

Classifications are to be made in accordance with the definition in N.J.A.C. 6:28-3.5(d).

_____ data indicate more than one handicapping condition, but who does not meet the criteria for classification as multiply handicapped, shall receive the classification category which best describes his or her educational status and needs; the individualized education program shall address any additional behavior or conditions and individual program and/or service requirements.

The summary of Child Study Team findings for an educationally disabled student who is being classified as perceptually impaired shall include statements indicating: the presence of a specific learning disability; the evidence supporting the Team conclusion regarding the presence of a specific learning disability; and the effects of any environmental, cultural, or economic disadvantages. A student classified as perceptual impaired must manifest a severe discrepancy between intellectual ability and current achievement in one or more of the following areas: listening, comprehension; mathematic computations, mathematic reasoning or written expression.

The classification of preschool handicapped shall be assigned to children ages three through five who have a handicapped condition and/or a measurable developmental impairment requiring special education related services.

When a student has been evaluated to determine if he or she is "eligible for speech language service", and eligibility meeting shall be held with the speech correctionist or speech and language specialist conducting the evaluation, the parent(s), and at least one other certified

staff member. This person may be a teacher having knowledge of the student's educational performance; another speech-language specialist; or other school personnel qualified to provide or supervise special education.

An educationally disabled student remains eligible for special education and/or related services until he or she is reevaluated and declassified according to N.J.A.C. 6:28-3.7; receives a high school diploma according to the requirements of N.J.A.C. 6:28-4.8; or reaches the end of the school year in which he or she turns twenty-one. A student who turns twenty-one after June 30 is eligible for services during the following school year.

An educationally disabled student between the ages of sixteen and twenty-one who leaves school voluntarily before receiving a high school diploma may re-enroll at any time up to and including the school year in which his or her twenty-first birthday occurs. N.J.A.C. 6:28-2.1(b).

A child whose fifth birthday occurs on or before October 31 of the school year in which admission is sought is eligible for evaluation, classification, and placement in a special education program.

Provision of Full Educational Opportunity to Pupils With Educational Disabilities (N.J.A.C. 6:28-1.4(a)5)

A. Comprehensive System of Personnel Development

A Comprehensive System of Personnel Development (CSPD) shall be implemented that include:

1. In-service training of regular and special education instructional and support personnel;
2. Assurance that all personnel necessary to implement the special education program of this district are appropriately and adequately prepared and trained;
3. Provision for reasonable participation by professional staff, parent(s)/guardian(s), community member, individuals with disabilities and groups representing the disabled.

The Comprehensive System of Personnel Development shall be designed following a needs survey conducted by the Supervisor of Special Services every three years in conjunction with the triennial Special Education Plan. The survey shall be developed by the Supervisor, with input from staff and parents of classified students. The Supervisor is responsible for its distribution to a representative sample of regular and special education teaching staff, administrators, parents, community members, individuals with disabilities, and agencies concerned with the welfare of individuals with disabilities. The Supervisor shall convene a committee including representatives of those groups to collate results, establish priorities and develop an implementation plan. The Supervisor shall coordinate the Comprehensive

System of Personnel Development with other in-service programs conducted at the building and district levels and monitor its implementation.

The Supervisor of Special Services shall acquire significant information regarding the education of pupils with disabilities from research, demonstrations, projects, etc... and disseminate this to staff, administrators, parents, etc... Such information shall be available when the Comprehensive System of Personnel Development is being designed.

B. Facilities, Programs, Personnel and Related Services

The Supervisor of Special Services shall conduct a needs assessment of these four areas as part of the Three Year Special Education Plan. The survey shall be developed by the Supervisor with the assistance of staff, administrators and parents. The Supervisor shall distribute it to a representative sample of regular and special education teachers, parents, individuals with disabilities and agencies concerned with the welfare of individuals with disabilities. The survey results shall be the basis of the Three year Plan, which will be developed by representatives of these groups. The Supervisor of Special Services shall present the Plan to the Board for approval, monitor its implementation, and report progress to the Superintendent and the Board of Education annually. The Supervisor shall notify the superintendent if the Plan is not being implemented so that corrective action may be taken.

Participation of And Consultation With Parents Toward The Goal of Providing Full Education Opportunity N.J.A.C. 6:28-1.4(a)6

A. Consent

Written consent must be obtained from a parent prior to an initial evaluation and initial implementation of a special education program and/or related services. If a pupil is already classified as eligible for speech-language services, additional consent must be obtained prior to an initial Child Study Team evaluation and implementation of a special education program and/or related services. When seeking consent, the district shall provide notice which meets the procedural requirements outlined below.

B. Notice

Written notice must be provided to the parent(s)/guardian(s) or adult pupil whenever the District:

1. Proposes to initiate or change the classification, evaluation or educational placement of a pupil or the provision of a free, appropriate public education to that pupil;
2. Requests consent;
3. Plans to conduct a reevaluation;

4. Invokes disciplinary action resulting in a significant change in placement;
5. Approves or denies the written request of the parent(s)/guardian(s) to initiate or change the classification, evaluation or educational placement of the pupil or the provision of a free, appropriate public education to the pupil.
6. Approves or denies the written request of the parent(s)/guardian(s) to initiate or change the classification, evaluation or educational placement of the pupil or the provision of a free, appropriate public education to the pupil.

Notice must be clearly written in a language understandable to the general public and, whenever feasible, in the language used for communication by the parent/guardian or adult pupil. It shall contain a description of any action being proposed, or if in response to a written request of the parent, the action being denied or approved and an explanation of the reason(s) for the decision. The notice shall include a description of any options considered by the District and the reasons why they were not chosen. Any procedures, tests, records, reports or other factors used by the District in making its decision must be described in the notice. A copy of the procedural safeguards document published by the New Jersey Department of Education must accompany written notices.

Written notice is to be given on later than fifteen days after a determination is made and not less than fifteen days before the date on which the decision is to be implemented, unless the parent/guardian agrees to an earlier date. Documentation of parental consent for implementation prior to this fifteen day period is to be maintained in the pupil's Child Study Team record. Upon receipt of any written parental required, the District shall provide written notice of decisions to the parent(s) within thirty calendar days.

Administrators, Child Study Team members and other staff shall forward all written requests from parents for actions or services under N.J.A.C. 6:28 to the Supervisor of Special Services for response; they are to consult with the Supervisor before initiating any actions which required written notice to the parent(s)/guardian(s) or adult pupil. The Supervisor of Special Services is responsible for the development of any forms, letters, or other documents which are used to provide written notice. The Supervisor of Special Services shall keep administrators and Child Study Team members informed about requirements for notice under N.J.A.C. 6:28-2.3.

In regard to an initial evaluation, the Guidance Counselor is to send the parent(s)/guardian(s) written notice consistent with the requirements outlined above and including a description of interventions in the regular education program and their outcomes. The Team is then to review the student records and other available information to determine if an evaluation is needed and inform the parent(s)/guardian(s) in writing of its decision, in accordance with the procedures outlined in the evaluation section.

After concluding an initial evaluation and conducting the eligibility meeting, the Child Study Team must provide written notice of the eligibility determination and specifically

inform the parent(s)/guardian(s) or adult pupil of the fifteen day period before its implementation. The parent will be provided with a copy of N.J.A.C. 6:28 at the time of eligibility determination. When there is an initial determination that a pupil is eligible for special education and/or related services, a meeting to develop the Individualized Education Program is to be held after the expiration of this fifteen day time period, unless the parent/guardian or adult pupil agrees in writing to an accelerated action or shorter notice period. When the parent/guardian consents to an initial individualized education program, the Child Study Team must provide a copy of the individualized education program, along with the procedural safeguards booklet published by the New Jersey Department of Education. Parental consent to an initial individualized education program does not go into effect until fifteen days after the date of agreement, unless the parent gives written permission for earlier implementation.

In regard to reevaluations, written notice also must be given fifteen days prior to beginning the assessments, or implementing a change in the eligibility determination, or implementation of the new individualized education program, unless the parent/guardian agrees in writing to an accelerated action or shorter notice period.

The Child Study Team must also provide written notice prior to implementing any change in an evaluation plan or the individualized education program, including the Annual Review or any interim revision involving the placement of the pupil or the provision of a free, appropriate public education to the pupil.

The case manager is responsible for providing the written notices on Department of Special Services forms to parent(s)/guardian(s) in regard to evaluations, eligibility, individualized education program, and reevaluations, and for monitoring adherence to the time lines.

All provisions for notice apply to an adult pupil, who must be provided with a copy of N.J.A.C. 6:28 and the procedural safeguards statement published by the New Jersey Department of Education upon attainment of the eighteenth birthday.

C. Participation in Decisions and Meetings

Parent(s)/guardian(s) shall be given the opportunity to participate in evaluations, eligibility decisions, and the development of the individualized education program and Annual Review.

Meetings shall be conducted to determine eligibility and to develop, review and revise the pupil's individualized education program. Each meeting shall include the parent, teacher(s) having knowledge of the pupil's educational performance; the pupil when appropriate; at least one member of the Child Study Team; and referring certified school personnel, the school principal and other appropriate individuals if they choose to attend. For pupils classified as eligible for day training, a curriculum consultant from the Department of Human Services shall be scheduled to participate.

In regard to Child Study Team participation in meetings, all three members of the Team shall be scheduled to attend the meeting(s) to determine initial eligibility and develop the initial individualized education program; those members of the Team who assessed the pupil are required for the eligibility and individualized education program meeting(s) for a reevaluation; the case manager is to attend the Annual Review for any meetings to revise the individualized education program.

For pupils classified as eligible for speech-language services, the participants in meetings are to include the parent, speech-language specialist, and at least one of the following: a teacher having knowledge of the educational performance of the pupil, another speech-language specialist, or personnel qualified to supervise or provide special education.

The case manager shall schedule meetings and notify the parent/guardian or adult pupil in writing of the date, time, purpose and participants. The notification shall be written in the language used for communication by the parent/guardian or adult pupil, unless it is not feasible to do so. The time and place shall be mutually agreed upon and the notification shall be early enough to ensure that the parent/guardian has the opportunity to attend. The Child Study Team case manager shall seek alternative methods for including the parent/guardian in decision making, including individual and conference calls, if he/she cannot attend a meeting. The case manager shall document all efforts to secure parental participation. If these provide unsuccessful, the meeting may be conducted without a parent/guardian.

Foreign language translators or sign language interpreters shall be provided by the District when necessary and at no cost to the parent/guardian. The case manager shall notify the Supervisor of Special Services when an interpreter is needed; the case manager shall arrange for an interpreter approved by the Supervisor. The selection of the mode of communication with the parent/guardian and a rationale for its choice shall be noted in writing in the pupil record. If it is not feasible to provide written translation of the individualized education program or eligibility reports into the language used by the parent/guardian, the case manager shall ensure that the parent/guardian is given an English language copy, and document that an appropriate explanation was provided in the parent's/guardian's language.

Provision of Special Services to Enable Educationally Disabled Pupils to Participate in Regular Educational Programs (N.J.A.C. 6:28-1.4(s)7)

An educationally disabled pupil shall participate in the regular school program provide by the District when the individualized education program does not describe any restrictions. The Child Study Team and parent shall consider any supplementary aids and services which may enable the pupil to perform satisfactorily in a regular education setting as part of the individualized education program development process. At the individualized education program meeting, the Child Study Team and parent/guardian shall review regular education adaptations or support services and determine which if any are appropriate for the pupil. The decision will be based on the nature of his/her disability and educational needs, as described and documented in the Child Study Team reports.

_____ students to participate in regular programs, the Supervisor of Special Services if responsible for designing an action plan to implement the support services identified through the needs assessment in the Special Education Three Year Plan. In regard to the provision of services for individual students, the case manager has the responsibility for their coordination.

Individualized Education Program (N.J.A.C. 6:28-1.4(a)8)

An individualized education program (IEP) for each pupil who is eligible for special education and/or related services shall consist of a basic plan and an instructional guide.

The basic plan shall be developed after completion of the Child Study Team's evaluation and within the time lines specified in N.J.A.C. 6:28-2.1(e). The Child Study Team which evaluated the child, teacher(s) with knowledge of the student's educational performance, and the parent(s) shall participate in the development of the basic plan. The principal and other people when appropriate, such as the pupil or additional staff members, may attend if they choose to participate.

The individualized education program meeting for pupils classified as eligible for speech-language services shall be attended by the speech-language specialist or an individual qualified to provide or supervise special education (N.J.A.C. 6:28-3.5b). The individualized education program for students placed on home instruction for medical reasons shall be prepared according to N.J.A.C. 6:28-3.6(d).

With the exception of an individualized education program for a student classified as eligible for speech-language services, the basic plan shall have the components described below:

1. A statement of the pupil's eligibility for special education or related services;
2. A statement of current educational status which describes the pupil's present levels of education performance and adaptive behavior as defined in N.J.A.C. 6:28-3.6(e)2.
3. A statement of annual goals to be achieved under the individualized education program;
4. A statement of measurable objectives designed to attain the annual goals;
5. A description of the pupil's education program including:
 - a. Rational for program and placement;
 - b. An explanation or why the program is the least restrictive environment;
 - c. A description of the extent to which the pupil will participate in the regular educational programs, including modifications of curriculum and

instructional methods, and any precautionary arrangements for the safety of the pupil, when necessary;

- d. A description of exemptions and rationale for exemptions from regular education program options, including discipline, testing, and/or graduation requirements (refer to procedures for High School Graduation Requirement Exemptions for more detailed descriptions of the information which must be included in the individualized education program for such exemptions);
 - e. For pupils age 14 and over, a description of post secondary outcomes which indicate the preparation provided for one or more of the following;
 - f. A statement and rationale for the portion of the school day the pupil is expected to be in a special education setting, including, when appropriate, the length of the school day and an extended school year;
 - g. A statement specifying the language to be used for instruction, of other than English;
 - h. A statement describing the specific related services including date of implementation, duration and frequency;
 - i. A statement describing the rules and responsibilities of school personnel involved in implementing the individualized education program;
 - j. The criteria, procedures, and schedule for evaluating the student's attainment of goals and objectives.
6. Instructional strategies fitted to the pupil's learning styles.
 7. Techniques and activities designed to support the personal and social development of the pupil.
 8. Any special equipment and instructional media and materials needed for learning.

The IEP for a student classified as eligible for speech-language services shall consist of the components outlined above which are required under N.J.A.C. 6:28-3.5(f).

The basic plan and instructional guide shall be reviewed and revised annually, or more often if necessary, at a meeting attended by the case manager, the parent(s), the teacher(s) having knowledge of the student's educational performance, the pupil if appropriate, and others at the discretion of the parent(s) and/or District.

The Annual Review of the individualized education program shall be completed by June 30 of an educationally disabled pupil's last year in a preschool or elementary school program. Input shall

be obtained from the secondary school staff when classified students are making the transition from elementary level programs.

Documentation of participation in the individualized education program development shall be maintained and a copy of the individualized education program shall be provided to the parent(s)/guardian(s). At the individualized education program meeting the case manager shall coordinate and record its development. Following the meeting, the case manager shall submit the document to the Department of Special Services for final typing. It should be mailed home after the case manager has reviewed and approved it. Translation of the individualized education program into the native language of the parents shall be done according to N.J.A.C. 6:28-2.4.

When the parent/guardian declines to participate or is in disagreement with the recommendations, the remaining participants may proceed with the individualized education program development. However, initial implementation of the special education program shall not occur without parental/guardian consent or a decision issued as a result of a due process hearing. Written consent is not required in cases other than initial implementation; however, parent(s)/guardian(s) are to be provided with a fifteen day written notice, as defined in N.J.A.C. 6:28-2.3 before implementation. The individualized education program is to be mailed home as part of the written notice when the parent/guardian has not attended the meeting, along with N.J.A.C. 6:289 and the procedural safeguards information published by the Department of Education.

A reevaluation, determination of eligibility, and, if the student is to remain classified, an Individualized Education Program are to be completed within three years of the previous classification. A reevaluation is to be completed sooner if a change in classification or significant change in placement is being considered or at the request of the parent or appropriate school staff.

The Child Study Team shall develop a reevaluation plan with the components described in N.J.A.C. 6:28-3.4(a). This plan shall include assessments by at least two Child Study Team members and other specialists as appropriate; an audiological evaluation and a speech and language assessment shall be conducted for an auditorially handicapped student in addition to the two required assessments by members of the child Study Team. The selection of Team disciplines and other specialists will be based on the student's progress in meeting the goals and objectives of the individualized education program, the nature of the handicapping condition, or other factors of concern to the parent, Team or staff. The parent will be provided with a copy of the reevaluation plan. N.J.A.C. 1:6A, the procedural safeguards document published by the Department of Education, and fifteen day notice according to N.J.A.C. 6:28-2.3.

The requirements for information to be requested from the parent and for the participation of additional specialists apply to reevaluations as well as initial evaluations. The individual Team members who are conducting the reevaluation, as stipulated in the reevaluation plan, are to perform their assessments according to the definitions in N.J.A.C. 6:28-3.4(e).

At the conclusion of the reevaluation, the members of the Child Study Team who participate in the reevaluation shall meet with the parent, a teacher having knowledge of the student, and other appropriate staff members to determine eligibility for special education and/or related services, and if the student continues to be eligible, to develop an Individualized Education Program.

During a 21 year old educationally disabled pupil's last year in an educational program, a meeting shall be held including the parent(s), the case manager, and the pupil if appropriate, to develop non-binding recommendations concerning services and resources available after the responsibility of the district has ended.

Procedures to scheduling, sending notice and conducting individualized education program/Annual Review meetings and for providing foreign language or sign language interpreters are contained in the section Participation of and Consultation with Parent(s) of Educationally Disabled Pupils.

Protection of Pupil's Rights in Regard to Evaluation and Reevaluation Procedures N.J.A.C. 6:28-2.5

A. Identification of Appropriate Evaluation Procedures

Observations, tests, interviews and any other evaluation procedures used to determine eligibility and placement of children with disabilities shall be selected and administered in a manner consistent with the professional standards of each discipline and the provisions of N.J.A.C. 6:28-2.5 and 3.4.

These measures shall be administered by the appropriate members of a multi-disciplinary team consisting of the Child Study Team, the school physician and, when required under N.J.A.C. 6:28-3.5, other specialists. Each evaluator shall employ two or more assessment procedures selected on an individual basis for the student and appropriate for the presenting issues. At least one member of the multi-disciplinary team shall be knowledgeable about the area of the suspected disability.

The personnel employing the assessment instruments shall be trained in their administration and use. Assessment procedures must be validated for the purposes for which they are being used; be selected and administered with consideration given to the pupil's cultural background and language abilities; and be administered in the pupil's native language or other mode of communication unless it is clearly not feasible to do so. When test administrators fluent in the native language cannot be located, translators will be utilized whenever feasible. When a pupil has sensory, manual or communication impairments, evaluation procedures must be selected, administered and interpreted such that results accurately reflect the ability which those procedures measure, rather than the impairment - unless the latter is the purpose of the testing.

Evaluation procedures will be selected and administered so as not to be racially or culturally discriminatory; they will be conducted on an individual basis, with information from group tests used only to supplement the individual evaluations; the evaluation process shall consider the pupil's sociocultural background and adaptive behavior in the home, school and community.

A written report, dated and signed by the evaluator, shall be prepared by each member of the multi-disciplinary team.

- B. Parents of an educationally handicapped pupil and adult pupils shall be afforded an opportunity to inspect and review all educational records with respect to the identification, evaluation and educational placement of the pupil and the provision of a free, appropriate public education. N.J.A.C. 6:28-2.9(b).

- C. Requesting/Granting an Independent Evaluation

When a parent disagrees with the evaluation of the Child Study Team, he/she may request an independent evaluation. A request should be made in writing to the Supervisor of Special Services, who shall make a determination and give a written response within thirty days of receiving the request. An independent evaluation shall be provided at no costs to the parent(s) unless the district initiates a due process hearing to show that its evaluation is appropriate and a final determination to that effect is made following the hearing.

An independent evaluation funded by the District must be conducted according to N.J.A.C. 6:28-3.4 and shall be obtained from another public school district, Educational Services Commission, Jointure Commission or a clinic or agency approved under N.J.A.C. 6:28-5. An independent medical evaluation may be obtained according to N.J.A.C. 6:28-5.1(c)3.

When a request for an independent evaluation is received, the Supervisor of Special Service shall provide information about agencies and groups approved for such services.

- D. Providing Notice According to N.J.A.C. 6:28-2.3. (Refer to Participation of and Consultation With Parents)
- E. Initiating a Due Process Hearing (Refer to Participation of Procedural Safeguards According to N.J.A.C. 6:28-2.3, 2.6 and 2.7).
- F. The district board of education shall provide information regarding the availability of free or low cost legal and other relevant services, if the parent or adult pupil requests the information. 34 CFR 300.506(c), N.J.A.C. 6:28-2.1(f). This information will be provided by the Supervisor of Special Services.

Adopted: 21 December 1995

2510 - ADOPTION OF TEXTBOOKS (Regulation)

A. Definition

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

B. Textbook selection committee

1. A textbook selection committee(s) will be named annually by the Superintendent of Schools.
2. The Committee will be chaired by the Supervisor of Reading/Language Arts and Social Studies.
3. If the Board so approves, members of the textbook selection committees may be given compensation during the summer months for the work of reviewing potential textbook selections.

C. Recommendation procedures

1. Any teaching staff member may request the textbook selection committee's consideration of a possible textbook.
2. The textbook selection committee will investigate current textbooks on the market.
3. A textbook recommended for screening should be read and examined by each of the textbook selection committee members. The committee members should have examined, wherever possible, at least three other books similar in nature to the textbook recommended for adoption.
4. Each textbook selection committee member should submit to the chairperson a written evaluation of the textbook.
5. The committee chairperson will also read and examine each recommended textbook.
6. The committee chairperson or the person initiating the request for consideration will prepare an evaluation report for submission to the Superintendent.
7. The Superintendent will forward the recommendation to the Board. He or she may first convene the textbook selection committee or confer with the chairman of the committee to discuss the evaluation report and the merits of the recommended textbook.

D. Review of textbooks currently in use

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

E. Standards of review

1. In the review of any suggested textbook, the textbook selection committee shall consider
 - a. The reliability and reputation for scholarship of its author and publisher;
 - b. Whether the content of the textbook
 - (1) Relates to the course of study in which it will be used,
 - (2) Can be read and understood by the pupils for which its use is intended,
 - (3) Is accurate and up to date,
 - (4) Clearly distinguishes fact from opinion,
 - (5) Is well organized and presented,

- (6) Includes helpful and thoughtfully prepared indices, graphic materials, references, bibliographies, glossaries, and appendices, and
 - (7) Is biased.
- c. The ways in which a proposed textbook improves on the book it replaces;
 - d. Whether the proposed textbook's binding, paper, and typeface are appropriate and durable;
 - e. The cost and probable life of the proposed textbook;
 - f. Whether the presentation of any controversial subject is objective and suitable to the maturity of the pupils for whose use the book is intended;
 - g. The experience other schools and/or districts may have had with the use of the proposed textbook; and
 - h. The textbook's compliance with the district's affirmative action plan for school and classroom practices, as set forth in Policy No. 2260.

Adopted: 21 December 1995

2531 - USE OF COPYRIGHTED MATERIALS (Regulation)

A. Literary Material

1. A single copy may be made of any of the following by or for a teacher at his or her individual request for scholarly research or for use in teaching or in preparation for teaching a class:
 - a. A chapter from a book;
 - b. An article from a periodical or newspaper;
 - c. A short story, short essay or short poem, whether or not from a collective work; or
 - d. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper.
2. Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:
 - a. Each copy includes a notice of copyright and
 - b. The material copied is brief and the copying is spontaneous and noncumulative as measured by the following definitions of brevity, spontaneity, and noncumulative effect.
 - (1) Brevity: A reproduced work is brief if it consists of the following:
 - (a) Poetry: Not more than a complete poem if fewer than 250 words and if printed on not more than two pages, or an excerpt from a longer poem if the excerpt is not more than 250 words. These numerical limits may be expanded to permit completion of an unfinished line of poetry.
 - (b) Prose: Not more than a complete article, story, or essay of fewer than 2,500 words; or an excerpt from any prose work of not more than 1,000 words or ten percent of the work, whichever is less, but in any event a minimum of 500 words. These numerical limits may be expanded to permit completion of an unfinished prose paragraph.
 - (c) Illustration: Not more than one chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.

- (d) Special works: Certain works in poetry, prose or in poetic prose which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience often fall short of 2,500 words in their entirety. Paragraph 2i(b) above notwithstanding, such special works may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than ten percent of the words found in the text thereof may be reproduced.
- (2) Spontaneity: Reproduction of a copyrighted work is spontaneous if:
 - (a) The copying is at the instance and inspiration of the individual teacher; and
 - (b) The inspiration and decision to use the work and the moment of its use of maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission to use the work.
 - (3) Noncumulative Effect: Reproduction of a copyrighted work is noncumulative if:
 - (a) The copying of the material is for only one course in the school in which the copies are made;
 - (b) Not more than one short poem, article, story, essay or two excerpts has been copied from the same author or more than three from the same collective work or periodical volume during one class term. This section does not apply to current new periodicals and newspapers and current news sections of other periodicals.
 - (c) There have been no more than nine instances of such multiple copying for one course during one class term. This section does not apply to current new periodicals and newspapers and current news sections of other periodicals.
3. Notwithstanding any of the above, the following prohibitions shall be in effect:
- a. Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used separately.

- b. There shall be no copying of or from works intended to be consumable in the course of study or of teaching. Consumable works include workbooks, exercises, standardized tests, test booklets, answer sheets, and like material.
- c. Copying shall not substitute for the purchase of books, publishers' reprints, or periodicals; or be directed by higher authority; or be repeated with respect to the same item by the same teacher from term to term.
- d. No charge shall be made to the pupil for the copied material.

B. Televised material

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

C. Music

- 1. The following uses of copies of copyrighted music are permissible.

- a. Emergency copies of printed music may be made to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies are substituted in due course.
 - b. For academic purposes other than performance:
 - (1) Multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement, or aria, but in no case more than ten percent of the work. The number of copies shall not exceed one copy per pupil.
 - (2) A single copy of an entire performable unit (section, movement, aria, etc.) that is (a) confirmed by the copyright proprietor to be out of print or (b) unavailable except in a larger work, may be made by or for a teacher solely for the purpose of scholarly research or in preparation to teach a class.
 - c. Printed copies that have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist.
 - d. A single copy of recordings of performances by pupils may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.
 - e. A single copy of a sound recording (such as a tape, disc, or cassette) of copyrighted music may be made from sound recordings owned by the school district or by an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the district or the teacher. (This pertains only to the copyright of the music itself and not to any copyright that may exist in the sound recording.)
2. The following uses of copies of copyrighted music are prohibited.
- a. Copying to create or replace or substitute for anthologies, compilations, or collective works;
 - b. Copying of or from works intended to be consumable in the course of study or of teaching such as workbooks, exercises, standardized tests, answer sheets, and like material;
 - c. Copying for the purpose of performance, except as permitted in paragraph C1a;

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

D. Computer software

- 1. A software program shall not be copied onto a blank disk except as expressly permitted by the program itself.
- 2. An archival disk may be made as a back-up program disk. The archival disk shall be used only when the original software disk has been mistakenly damaged or destroyed and may not be used for any other purpose.
- 3. Software shall not be loaded into more than one computer at any one time.

E. Obtaining Permission for Copying

- 1. A teacher may request and obtain permission to copy material from a copyrighted work; the teacher may then use the work as expressly permitted and will not be bound by the limitations and prohibitions set forth above.
- 2. Request for permission must be in writing and should be sent, together with an envelope addressed to the sender, to the permissions department of the publisher of the work. The request should include
 - a. The title, author or editor, and edition of materials for which permission is sought;
 - b. The exact material to be used, with specification of amount, page numbers, chapters, including, if possible, a photocopy of the material;
 - c. The number of copies the requestor proposes to make;
 - d. The use to be made of the duplicated materials;
 - e. The form of distribution;
 - f. Whether or not the copies will be sold; and
 - g. The process by which the material will be reproduced.
- 3. A copy of the written permission granted by the publisher or copyright owner shall be preserved by the principal.

Adopted: 21 December 1995

