

## SELECTED TITLE I POLICIES

### 2415.01 ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS AND ACCOUNTABILITY (M)

The No Child Left Behind Act of 2001 (NCLB), §1111, requires New Jersey to have an accountability system to include challenging academic content and academic achievement standards. New Jersey's Core Curriculum Content Standards define those skills needed for children to be successful in the twenty-first century. These skills are measured by State assessments and New Jersey's accountability design determines a school's progress toward meeting established standards. This progress measure is referred to as Adequate Yearly Progress (AYP).

#### Testing Requirements

In accordance with NCLB, beginning in the 2002-2003 school year, schools must administer language arts/literacy and mathematics tests in three grade spans: grades 3 through 5, grades 6 through 8. By the 2005-2006 tests must be administered every year in grades three through eight. Beginning in the 2007-2008 school year, science achievement must also be tested. At least 95% of each pupil group must participate in the assessment process. Pupils who have been enrolled in the school for less than one academic year are not included in the accountability process. Pupils with disabilities who are moved from their neighborhood school to receive services at another school will be included in their home school's accountability process. Pupils with limited English proficiency must also be assessed, with accommodations. Pupil progress must also be assessed by pupil group (pupils from major racial and ethnic groups, economically disadvantaged pupils, pupils with disabilities, and pupils with limited English proficiency) in accordance with the requirements of NCLB.

#### Adequate Yearly Progress (AYP)

The New Jersey Department of Education (NJDOE) will establish starting points for AYP and incremental increases in expectations for all schools with the goal of all schools and pupil groups reaching 100 percent proficiency in language arts/literacy, math, and science by the 2013-2014 school year.

#### School Level Accountability

Each school's proficiency statistics in each area and pupil subgroup will be compared to the State-wide benchmarks. Results for subgroups with fewer than the number of pupils designated by the NJDOE will be suppressed or excluded from the analysis. Intervals of confidence of 90% will be applied to school results. If a subgroup is identified as not having met AYP, a "safe harbor" may be reached if the

percentage of pupils not meeting AYP has decreased by at least 10% from the previous school year

## NJDOE School Classification System

The NJDOE will classify schools into six categories of progress based on a school's progress toward meeting the established standards. These categories are:

1. Category I – Schools in Need of Improvement

These schools did not achieve AYP and have an achievement gap of more than 25% in attaining the State standards. The progress achieved by these schools demonstrates that significantly greater assistance is needed to reach full State standards.

This includes those schools that met the above criteria for one or more grade levels, even though they also achieved Category II, Schools in Performance Monitoring, in another grade level.

2. Category II – Schools in Performance Monitoring

These schools did not achieve AYP; however the schools have demonstrated the ability to make progress toward incrementally eliminating the achievement gap; 25% or less of students failed to achieve the State standards in one content area. If AYP is not made in the next academic year the school will enter Category I.

Category II includes those schools that met the above criteria even though they also achieved Category III, Schools Approaching the Standards, in another grade level.

3. Category III – Schools Approaching the Standards

These schools have nearly achieved AYP; less than 5% of students have not achieved State standards in only one content area. These schools are likely to meet the State standards within one academic year. However, if AYP is not made in the next academic year the school will enter Category II.

Category III includes those schools that met the above criteria even though they also achieved Category IV, Schools Receiving Conditional Approval, in another grade level.

4. Category IV – Schools Receiving Conditional Approval

These schools have achieved their designated AYP and are progressing toward meeting the State standards. These schools must be monitored for maintenance of achievement.

Category IV includes those schools that met the above criteria even though they also achieved Category V, Schools Receiving Full Approval, in another grade level.

5. Category V – Schools Receiving Full Approval

Category V schools have met State standards in at least one of the prior two years in each subject area.

6. Category VI – Schools Demonstrating Excellence

Category VI schools have always met or exceeded State standards and may be considered exemplary models of success.

### The School Improvement Process

Schools that have not made adequate yearly progress for two consecutive school years in the same content area will be identified as needing school improvement before the beginning of the next school year. If any school in the district is identified as a Title I school in need of improvement, the following steps need to be taken in the Title I portion of the Consolidated Application/Plan for funding of programs governed under the No Child Left Behind Act. The plan must be developed in accordance with NCLB §1116 and NJDOE guidelines and shall include:

1. Improvement Plan – The school must develop a two-year improvement plan showing programs and strategies that will be adopted to improve teaching and learning.
2. Professional Development – The school must provide professional development for the school's staff to improve their skills. At least ten percent of the school's Title I allocation for two years must be spent to support these professional development activities.
3. Intra-district Choice – The district must develop and offer an intra-district school choice program that includes the process to be used to notify parent(s)/legal guardian(s) of pupils enrolled in the school of the school's designation as a school in need of improvement. An intra-district school choice program must offer parent(s)/legal guardian(s) the opportunity to transfer their child to another school within the district that is not identified for improvement.

4. Supplemental Services – The school must offer and provide supplemental educational services to disadvantaged children in accordance with NCLB and NJDOE guidelines.

Districts with schools that fail to make AYP, after being identified as needing school improvement, by the end of the first full year after identification must continue to:

1. Offer the intra-district school choice option to parent(s)/legal guardian(s);
2. Make available supplemental educational services in accordance with NCLB §1116; and
3. Provide technical assistance in accordance with NCLB §1116.

Districts that have schools that fail to make AYP by the end of the second full year after being identified as needing school improvement must continue 1, 2 and 3 above and take at least one of the following corrective actions as identified in NCLB:

1. Replace the school staff who are relevant to the failure to make adequate yearly progress;
2. Institute and fully implement a new curriculum that includes appropriate professional development for all relevant staff that is based on scientifically based research and offers substantial promise of improving educational achievement for low-achieving students and enabling the school to make adequate yearly progress;
3. Significantly decrease management authority at the school level;
4. Appoint an outside expert to advise the school on its progress toward making adequate yearly progress based on its school plan;
5. Extend the school year or school day for the school; and/or
6. Restructure the internal organizational structure of the school.

If, after one full year of corrective action, a school subject to corrective action continues to fail to make AYP, the district shall continue to offer the intra-district school choice option, make available supplemental educational services and prepare a plan and make necessary arrangements for alternative governance in accordance with NCLB §1116.

The district may delay, for a period not to exceed one year, implementation of certain corrective action and/or restructuring in accordance with NCLB §1116.

Funds for transportation and supplemental educational services shall be provided in accordance with NCLB, §1116.

#### No Child Left Behind §1116

First Reading: April 28, 2009

Adoption: May 27, 2009

#### 2415.02 TITLE 1 - FISCAL RESPONSIBILITIES (M)

The Eastampton Board of Education will comply with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001.

#### Maintenance of Effort

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(a), the Eastampton Board of Education will maintain a combined fiscal effort per student, or aggregate expenditures, of State and local funds with respect to the provision of the free public education in the Local Education Agency (LEA) for the preceding fiscal year that is not less than ninety percent of the combined fiscal effort per student, or the aggregate expenditures, for the second preceding fiscal year.

#### Comparability with Multiple Schools

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(c), the Eastampton Board of Education directs the Superintendent to assign teachers, administrators, and auxiliary personnel to the schools in such a way that the equivalence of personnel is ensured among schools.

#### Comparability of Materials and Supplies

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(c), the Eastampton Board of Education directs the Superintendent to distribute curriculum materials and instructional supplies to the schools in such a way that the equivalence of such material is ensured among schools.

#### No Child Left Behind Act of 2001, §1120A

First Reading: April 28, 2009

Adopted: May 27, 2009

## 2415.03 HIGHLY QUALIFIED TEACHERS (M)

### Introduction

The No Child Left Behind Act (NCLB) of 2001 requires all teachers be or become highly qualified in the core academic content area(s) they teach. New, newly hired and veteran teachers in non-Title I schools and veteran teachers in Title I school-wide and targeted assistance programs must satisfy the definition of a Highly Qualified Teacher by the end of the 2005-2006 school year. New and newly hired teachers in Title I schools must satisfy the definition by September 2003.

### Definitions

“Equivalent of an undergraduate major” is a 30-credit coherent sequence of courses in a subject field that includes study at the introductory, intermediate and advanced levels.

“New Jersey HOUSE Standard” is New Jersey’s High Objective Uniform State Evaluation Standard to provide teachers with an alternative means of demonstrating their content knowledge for the core academic subject(s) they teach. The New Jersey HOUSE Standard is the means by which teachers can document their content expertise in the core academic subject(s) they teach. The New Jersey HOUSE Standard uses a Content Knowledge Matrix to document college coursework, professional activities, teaching activities, and successful teaching performance.

“New to the Profession” are teachers in their first year of teaching and hired after the first day of school in the 2002-2003 school year. In Title I schools, these teachers must be highly qualified at the time of hire. In non-Title I schools, these teachers must be highly qualified as of the end of the 2005-2006 school year.

“Newly hired teachers” are teachers with prior teaching experience who are either returning to teaching after an absence or are changing school districts. Teachers changing building, class or grade-level assignments within their district are not considered newly hired. In Title I schools, these teachers must be highly qualified at the time of hire. In non-Title I schools, these teachers must be highly qualified by the end of the 2005-2006 school year.

“School Organization” is the most typical organizational structures in New Jersey and are as follows:

- Elementary schools (K-5, K-6, K-8) in which classes are self-contained and teachers provide instruction in the full range of content to a single class, all day.

- Middle schools (5-8, 6-8) are those in which classes are departmentalized and teachers provide instruction in one or more content areas to different classes of students throughout the day.
- Secondary schools (9-12) are those in which classes are departmentalized and teachers provide instruction in one or more content areas to different classes of students throughout the day.

“Teacher – Bilingual Education” is a bilingual teacher that provides direct instruction in one or more content areas in students’ native language and English as a replacement for content instruction provided in a classroom where only English is spoken. The teacher must satisfy the federal definition of a Highly Qualified Teacher for the content area(s) and level(s) they teach.

“Teacher – ESL” is an ESL teacher that provides daily support to students with limited English proficiency and may co-teach classes with a Language Arts Literacy instructor. ESL teachers may also provide direct instruction in English, reading or language arts. When ESL teachers provide direct instruction, they must satisfy the federal definition of a Highly Qualified Teacher based on the grade level of the content/curriculum they teach rather than the chronological age of their students.

“Teaching Assignment” is an assignment teaching in the grade level and/or core academic subject area. It is not the class schedule. Multiple sections of the same course (i.e., three classes of freshman composition or two periods of world history) count as one teaching assignment. Teaching all subjects to one class of elementary or special education (elementary) students all day (i.e., 5th grade, 2nd grade) is one assignment.

“Testing Option” provides the teacher an opportunity to submit a passing score on a State licensing exam taken in New Jersey or a passing score on a State licensing exam taken in another State as verification they have satisfied the federal definition of a Highly Qualified Teacher. Examples of appropriate tests include: The National Teacher Exam (NTE); the Praxis II Elementary Education: Content Knowledge Test; the Praxis II Content Knowledge Test(s) for the relevant content area teaching assignment(s). The Praxis II series of Content Knowledge Tests for the middle school level will become available in New Jersey during the 2003-2004 school year.

“Undergraduate Major” is defined as thirty credits of content coursework within the subject field listed as the major.

“Veteran Teachers” in Title I schools are teachers who were hired before the first day of school in 2002-2003. These teachers may use the New Jersey HOUSE Standard to satisfy the federal definition of a Highly Qualified

Teacher. Experienced teachers who are newly hired may also use the New Jersey HOUSE Standard. “Veteran Teachers” in non-Title I schools are teachers who are hired before the first day of school in 2005-2006. These teachers may use the New Jersey HOUSE Standard to satisfy the federal definition of a Highly Qualified Teacher. All veteran teachers must be highly qualified by the end of 2005-2006.

#### NCLB Core Academic Content Areas

All teachers with primary responsibility for direct instruction in one or more of the core academic content areas are required to demonstrate they satisfy the federal definition of a Highly Qualified Teacher. This includes elementary generalists who teach all subjects to a particular grade/class, special education teachers who provide direct instruction in one or more content areas, middle and secondary level content area instructors and basic skills supplemental teachers. This also includes bilingual teachers and English as a second language (ESL) teachers who provide direct instruction in core academic content.

The New Jersey Core Curriculum Content Standards that align with the list of core academic subjects of §9101 of NCLB are: language arts literacy, science, mathematics, social studies, world languages, and visual and performing arts. Teachers in the areas of health, physical education, technological literacy, career education and consumer, family and life skills and those holding educational services certificates are not required to satisfy the federal definition of a Highly Qualified Teacher.

#### Requirements - Title I Schools and Programs

New to the profession and newly hired elementary teachers must, as of September 2003, do as follows:

1. Hold at least a bachelor’s degree from a regionally accredited institution of higher education;
2. Hold a valid New Jersey teaching certificate for which no requirements have been waived (i.e., no emergency certification); and
3. Pass a rigorous State test of content knowledge and teaching skills in the basic elementary school curriculum (may have been a State certification test such as the National Teacher Examination (NTE) or Praxis II Elementary Education: Content Knowledge Test).

Newly hired elementary teachers may use the New Jersey HOUSE Standard, if needed. However, these teachers must meet the requirement at the time of hire. New to the profession elementary teachers may not use the New Jersey HOUSE Standard.



Veteran elementary teachers who have been working in schools supported with Title I funds prior to the 2002-2003 school year and veteran elementary teachers who are transferring to Title I schools within the district have until the end of the 2005-2006 school year to satisfy the definition of a Highly Qualified Teacher using the criteria listed above or by fulfilling the New Jersey HOUSE Standard in lieu of passing a rigorous State test of content knowledge and teaching skills for an elementary curriculum.

New to the profession and newly hired middle and secondary teachers must, as of September 2003, do as follows:

1. Hold at least a bachelor's degree from a regionally accredited institution of higher education;
2. Hold a valid New Jersey teaching certificate for which no requirements have been waived (i.e., no emergency certification);
3. Pass a rigorous State test in each core academic subject in which the teacher teaches (may have been a State certification test such as the NTE or Praxis II Content Knowledge Test for the appropriate subject and level); or
4. Successfully complete either an undergraduate major, a graduate degree, coursework equivalent to an undergraduate major, or advanced certification or credentialing (i.e., National Board Certification) for each core academic subject teaching assignment.

*Newly hired middle and secondary teachers may use the New Jersey HOUSE Standard, if needed. However, these teachers must meet the requirement at the time of hire. New to the profession middle and secondary teachers may not use the New Jersey HOUSE Standard.*

Veteran middle and secondary teachers who have been working in schools supported with Title I funds prior to the 2002-2003 school year and middle and secondary teachers who are transferring to Title I schools within the district have until the end of the 2005-2006 school year to satisfy the definition of a Highly Qualified Teacher using the criteria listed above or by fulfilling the New Jersey HOUSE Standard in each content area teaching assignment in lieu of passing a State test or having a major, advanced degree, coursework equivalent to a major, or an advanced credential (i.e., National Board certification) for each content area teaching assignment.

#### Requirements – Non-Title I Schools

New to the profession, newly hired and veteran elementary teachers must, by the end of the 2005-2006 school year, do as follows:

1. Hold at least a bachelor's degree from a regionally accredited institution of higher education;
2. Hold a valid New Jersey teaching certificate for which no requirements have been waived (i.e., no emergency certification); and either:
  - a. Pass a rigorous State test of content knowledge and teaching skills in the basic elementary curriculum (may have been a State certification test such as the NTE Praxis II Elementary Education: Content Knowledge Test); or
  - b. Document ten points on the New Jersey HOUSE Standard as an Elementary Generalist.

New to the profession, newly hired and veteran middle and secondary teachers must, by the end of the 2005-2006 school year do as follows:

1. Hold at least a bachelor's degree from a regionally accredited institution of higher education;
2. Hold a valid New Jersey teaching certificate for which no requirements have been waived (i.e., no emergency certification); and one of the following:
  - a. Pass a rigorous State test in each core academic subject in which the teacher teaches (may have been a State certification test such as the NTE or Praxis II Content Knowledge Test for the appropriate subject and level); or
  - b. Hold an undergraduate major, a graduate degree or thirty credits of coursework equivalent to an undergraduate major for each core academic subject teaching assignment; or
  - c. Hold National Board Certification in the content area(s) of the teaching assignment; or
  - d. Document ten points on the New Jersey HOUSE Standard for each core academic subject teaching assignment.

Districts may hire middle and special education teachers for the 2003-2004 school year who satisfy the requirements for a standard instructional license under the current State licensing regulations. Middle and special education teachers must pass the relevant Praxis II Content Knowledge Test(s) in the 2003-2004 school year. The

Praxis II Content Knowledge Test(s) for middle grades will be available early in 2004.

Special Education Teachers who provide direct content instruction must pass the relevant Praxis II Test(s) at the appropriate grade level(s) for the subject(s) they teach based on the grade level of the content/curriculum they teach. Requirements for special education teachers who provide consultative/support (in-class and pull-out) services and/or who co-teach with a content area instructor in general education settings will be as required based on the final version of the reauthorized IDEA legislation.

#### Parent Notification

In September of each school year, schools receiving Title I funds (including funds used for before/after school programs) must notify all parents/legal guardians of their right to inquire about the qualifications of their child's teacher(s). In November each year, schools receiving Title I funds must notify parents if any of their child's teachers have not yet satisfied the federal definition of a Highly Qualified Teacher or if their child has been instructed for four or more weeks by a teacher who has not yet satisfied the definition of a Highly Qualified Teacher. Parent notification requirements apply to the entire school whether or not the teacher is paid in whole or in part by Title I funds or teaches within a target assistance program.

The New Jersey Model for Identifying Highly Qualified Teachers – September 2003 provides the guidance to school districts for teachers to meet the highly qualified teacher requirements of NCLB. The Superintendent will ensure the school district completes its responsibilities in the implementation of the Highly Qualified Teacher requirement of No Child Left Behind Act of 2001.

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No Child Left Behind Act of 2001, §1119  
The New Jersey Model for Identifying Highly Qualified Teachers,  
Department of Education, August 2003

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First Reading: April 23, 2009

Adoption: May 27, 2009

#### 2415.04 TITLE I - PARENTAL INVOLVEMENT (M)

A school district that receives Title I funds must implement programs, activities and procedures for the involvement of parents in programs assisted by Title I funding. The district will reserve not less than one percent of its allocation under subpart 2 to carry out these requirements, (unless the district's allocation is \$5,000 or less), which shall include promoting family literacy and parenting skills. Parents of

pupils receiving Title I services shall be involved in the decisions regarding how funds will be allotted for parental involvement activities.

Each school served with Title I funds shall jointly develop with, and distribute to, parents of participating pupils, this parental involvement policy, agreed on by such parents, that shall describe the means for carrying out the requirements of No Child Left Behind Act (NCLB) of 2001, §1119(a) through (f). Parents will be notified of this policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand. This policy shall be made available to the local community and updated periodically to meet the changing needs of parents and schools within the district.

“Parent”, for the purposes of this policy, means a parent and/or legal guardian. “School”, for the purposes of this policy, is a specific school in a Target Assistance Title I program or schools within the district in a school-wide Title I program.

#### Policy Involvement

Each school served with Title I funds will:

1. Convene an annual meeting, at a convenient time, to which all parents of participating pupils shall be invited and encouraged to attend, to inform parents of their school’s participation and the requirements of this Policy, and the right of the parents to be involved;
2. Offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with Title I funds, transportation, child care, or home visits, as such services relate to parental involvement;
3. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs, including the planning, review, and improvement of the school parental involvement policy and the joint development of the school-wide program plan under NCLB, §1114(b)(2);
4. Provide parents of participating pupils:
  - a. timely information about programs required by NCLB, §1118;
  - b. a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and

- c. if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and
5. Submit any parent comments on the plan when the school makes the plan available to the Board of Education, if the school-wide program plan under §1114(b)(2) of NCLB is not satisfactory to the parents of participating pupils.

### Shared Responsibilities For High Student Academic Achievement

Each school served by Title I funds shall jointly develop with parents of all pupils served with Title I funds, a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards. The compact will:

1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the pupils served by Title I funds to meet the State's student academic achievement standards, and the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television watching; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and
2. Address the importance of communication between teachers and parents on an ongoing basis through, at a minimum:
  - a. parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual pupil's achievement;
  - b. frequent reports to parents on their children's progress; and
  - c. reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.

### Building Capacity For Involvement

To ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, each school and school district assisted with Title I funds:

1. Shall provide assistance to parents of pupils served by the school in understanding such topics as the State's academic content standards and State student academic achievement standards, State and local academic assessments, the requirements of this Policy, and how to monitor a child's progress and work with educators to improve the achievement of their children;
2. Shall provide materials and training to help parents to work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement;
3. Shall educate teachers, pupil services personnel, Building Principals, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;
4. Shall, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents to more fully participate in the education of their children;
5. Shall ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand;
6. May involve parents in the development of training for teachers, Principals, and other educators to improve the effectiveness of such training;
7. May provide necessary literacy training from Title I funds if the school district has exhausted all other reasonably available sources of funding for such training;
8. May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care

costs, to enable parents to participate in school-related meetings and training sessions;

9. May train parents to enhance the involvement of other parents;
10. May arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation;
11. May adopt and implement model approaches to improving parental involvement;
12. May establish a district-wide parent advisory council to provide advice on all matters related to parental involvement in Title I programs;
13. May develop appropriate roles for community-based organizations and businesses in parent involvement activities; and
14. Shall provide such other reasonable support for parental involvement activities under this Policy as parents may request.

#### Accessibility

In carrying out the parental involvement requirements of NCLB, §1118 and this Policy, the school and school district, to the extent practicable, shall provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, to include providing information and school reports required under NCLB, §1111 in a format and, to the extent practicable, in a language such parents understand.

The district will inform parents of any parental information and resource centers that provide training, information, and support to parents and individuals who work with local parents, school districts, and schools receiving Title I funds.

The Superintendent of Schools will submit this Policy to the New Jersey Department of Education for review to be sure the Policy meets the requirements of NCLB, §1118.

No Child Left Behind Act of 2001, §1118

First Reading: April 28, 2009

Adoption: May 27, 2009

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## 2415.05 PUPIL SURVEYS, ANALYSIS AND/OR EVALUATIONS (M)

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. §1232h; 34 CFR Part 98) applies to school districts that receive funding from the United States Department of Education.

### Consent

PPRA requires written consent from parents/legal guardians and pupils who are eighteen years old or emancipated minor pupils before minor students are required to participate in a survey, analysis, or evaluation funded in whole or in part by a program of the United States Department of Education that concerns one or more of the following eight areas referred to as “protected information surveys”:

1. Political affiliations or beliefs of the pupil or pupil’s parent;
2. Mental or psychological problems of the pupil or pupil’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as with lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

This consent requirement also applies to the collection, disclosure or use of pupil information for marketing purposes, referred to as “marketing surveys”, and for certain physical examinations and screenings.

### “Opt a Pupil Out” Notice

The parents and eligible pupils will be provided an opportunity to opt a pupil out of participating in:

1. The collection, disclosure, or use of personal information obtained from pupils for marketing, to sell, or otherwise distribute information to others;



2. The administration of any other “protected information survey” not funded in whole or in part by the United States Department of Education; and
3. Any non-emergency, invasive physical examination required as a condition of attendance, administered by the school district or its agents, and not necessary to protect the immediate health and safety of a pupil, except for hearing, vision, scoliosis screenings, or any physical examination or screening permitted or required under State law.

### Inspection

The parents and eligible pupils, upon request and before administration or use, have the right to inspect:

1. Protected information surveys of pupils;
2. Instruments used to collect personal information from pupils for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

The Assistant Principal/Director of Curriculum, Instruction and Technology shall be responsible for obtaining the consent, annual direct notification to parents and eligible pupils at the start of each school year and after any substantive changes of the “opt a pupil out” rights and the inspection rights provisions of PPRA and this Policy. The “opt a pupil out” notice shall include any specific or approximate dates of the activities eligible for a pupil to “opt out.”

### PPRA Consent/Opt Out Violations

*Parents or students who believe their rights under PPRA may have been violated may file a complaint with United States Department of Education.*

The Protection of Pupil Rights Amendment (PPRA)  
(20 U.S.C. §1232h; 34 CFR Part 98)  
No Child Left Behind Act of 2001, Title X, Part F, §1061

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