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Paterson Public Schools Gifted & Talented Procedural Complaint Process

Overview

New Jersey Administrative Code 6A:8-3.1 defines students who are gifted and talented as those students who possess or demonstrate high levels of ability in one or more content areas when compared to their chronological peers in the local district and who require modification of their educational program if they are to achieve in accordance with their capabilities. According to N.J.A.C. 6A:8-3.1, all public-school districts must have a board-approved gifted and talented identification process and provide services for identified students enrolled in the grades of that school district. The regulations require that identification and services be made available to students in grades K-12.

The “Strengthening Gifted and Talented Education” law (18A:35-35) codifies a requirement included in State Board of Education regulations that boards of education ensure that appropriate instructional adaptations and educational services are provided to gifted and talented students in kindergarten through grade 12 to enable them to participate in, benefit from, and demonstrate knowledge and application of the New Jersey Student Learning Standards.

NJDOE Statutes and Regulations:

<https://www.state.nj.us/education/aps/cccs/gandt/regs.htm>

Pursuant to A4710 1R: Strengthening Gifted and Talented Education Act, the following protocol must be used to file a complaint alleging that a school district is not in compliance with the provisions of the Act. The alleged occurrence of noncompliance must have taken place within one year of filing the complaint.

Please be advised that the complaint process is different from an appeal for placement of a student. The complaint process only deals with alleged procedural compliance as outlined in the “Strengthening Gifted and Talented Education” Act. This process will yield no change to prior student placement decisions.



Complaint Procedure:

- The individual shall submit their name, address, contact information; and
- A statement that Paterson Public School District is not in compliance with the provisions of this Act, and the specific facts on which the allegation of non-compliance is based. An individual who believes that the school district has not complied with the provisions of this Act may file a complaint with the Superintendent. Based on the decision of the Superintendent to affirm, reject, or modify the district's action in the matter, the individual may file a petition of appeal for the written decision by the Superintendent in the following order utilizing the same above described format:
 - Board of Education - Based on the decision of the Board of Education to affirm, reject, or modify the district's action in the matter, the individual may file a petition of appeal of the written decision; to
 - Executive County Superintendent (investigation must be completed within 60 days) - Based on the decision of the Executive County Superintendent to affirm, reject, or modify the district's action in the matter, the individual may file a petition of appeal of the written decision; to
 - Commissioner of Education via Office of Controversies and Disputes in accordance with N.J.S.18A:6-9 and the procedures set forth in State Board of Education regulations.

Should the Paterson Public School District be found to be in non-compliance with the Act, remediation of the Gifted and Talented Program will take place.