

## R 9270 HOME SCHOOLING AND EQUIVALENT EDUCATION

Home schooling is an educational program provided at home, usually by the parent(s) of the child. Children are taught using their own curriculum or published home school curriculum. The Board of Education recognizes that home schooling is an option for parent(s) under the compulsory education law.

### A. Legal Requirement for Compulsory Attendance

1. N.J.S.A. 18A:38-25 requires all children six to sixteen years to attend the public schools or a day school in which there is given instruction equivalent to that provided in the public school for children of similar grades and attainments or to receive equivalent instruction elsewhere other than school.
2. The parent(s) of a child that is home schooled is responsible to ensure their child receives instruction equivalent to that provided in the public school for children of similar grades and attainments or to receive equivalent instruction elsewhere other than school.
3. The Superintendent may report to the appropriate municipal authorities those children whom he/she has reason to believe are not offered instruction outside the schools equivalent to that offered in the public schools for children of similar ages or attainments.
4. If the Superintendent makes a report, the parent(s) of a student receiving instruction elsewhere other than school may notify the Superintendent of their child's educational program status and provide sufficient information to satisfy the district that equivalent instruction is being offered.
5. Parent(s) of a home schooled student are not required to seek approval from the district or to submit materials to the Superintendent in order to permit it to make a determination as to the equivalency of the instruction.

### B. Truancy/Violations of Compelling Attendance

1. When a Superintendent and Board believe a person is not complying with the compulsory education law (N.J.S.A. 18A:38-25 et seq.) they must initiate truancy proceedings in municipal court where a parent may be found guilty of a disorderly persons offense and fined in accordance with N.J.S.A. 18A:38-27 and N.J.S.A. 18A:38-31.



2. If the parent(s) are challenged in court by the Superintendent or Board, the district must demonstrate, beyond a reasonable doubt, that the parents are not providing a curriculum that is academically equivalent to that provided in the public school for a child of similar grade and attainment.
- C. District Requirements for Home Schooled Students
1. Unless requested by the parents, and agreed to by the school district, the school district is not required or permitted to:
    - a. Test a child educated at home;
    - b. Review the quality of instruction received at home; or
    - c. To monitor the results of home instruction.
  2. When children are educated at home and are not enrolled in a school, the school district will not provide entitlements or privileges of students enrolled in the school district unless specifically provided in the federal special education laws.
  3. A child educated at home shall not receive a state endorsed high school diploma from the Board of Education.
- D. Students With Disabilities
1. The Superintendent will consider requests for evaluation of all potentially disabled home schooled children and make determinations whether or not to conduct evaluations.
    - a. If the school district's Child Study Team (CST) determines that an evaluation is required, the procedures as outlined in N.J.A.C. 6:28-3.4 are followed.
    - b. If the child is eligible for special education, the CST will determine a classification category and develop an Individualized Education Program (IEP) in accordance with N.J.A.C. 6:28-3.6.
    - c. Home schooled children with disabilities may be provided a special education program including related services.



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- d. If a home schooled child with disabilities re-enrolls in the public school, the school district must implement the special education program described in the IEP. The school district will also review the IEP annually and be ready to conduct re-evaluation every three years.
- e. The school district will notify the parent(s) of a classified child who is being educated at home to offer services as required by law. The documentation of this notice will be maintained in the child's record file.
- f. Any determination by the school district CST regarding the provision of a special education program to a classified child who is being educated at home may be challenged by the parent(s).

## E. Curricular and Co-Curricular Activities

When children are educated at home and are not enrolled in a school, the school district is not required to provide any of the entitlements or privileges of students enrolled in the school district unless specifically provided in the federal special education laws.

1. Curricular activities - Home schooled children ~~will not~~ **may** be permitted to participate in school curricular activities, (e.g. field trips).
2. Co-Curricular activities - Home schooled children ~~will not~~ **may** be permitted to participate in school co-curricular activities, (e.g. clubs and athletics).
3. Textbooks - The school district will not loan books or materials to home schooled children.

Home Schooling in New Jersey  
PTM NO. 1400.66 New Jersey Department of Education,  
30 April 1997  
Commissioner of Education Correspondence dated 9 April 1998

Adopted: 15 January 2013; Revised: \_\_\_\_\_



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## 2460 SPECIAL EDUCATION

The Randolph Board of Education assures compliance with Part B of the Individuals with Disabilities Education Act (IDEA) and the New Jersey Administrative Code 6A:14-1 et seq. Furthermore, the Board will have programs and procedures in effect to ensure the following:

1. All students with disabilities, who are in need of special education and related services, including students with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3.
2. Homeless students are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq.
3. Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.
4. An Individualized Education Program (IEP) is developed, reviewed and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.
5. To the maximum extent appropriate, students with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.
6. Students with disabilities are included in State-wide and district-wide assessment programs with appropriate accommodations, where necessary according to N.J.A.C. 6A:14-4.10. All students with disabilities will participate in State-wide assessments or the applicable alternative assessment in grades three, four, five, six, seven, eight, and high school in the applicable courses



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7. Students with disabilities are afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent as set forth in N.J.A.C. 6A:14-2.2 and Policy 2467, when appropriate.
8. The rules set forth in N.J.A.C. 6A:14 ensure a free appropriate public education is available to all students with disabilities between the ages of three and twenty-one, including students with disabilities who have been suspended or expelled from school:
  - a. The obligation to make a free, appropriate public education available to each eligible student begins no later than the student's third birthday and that an individualized education program (IEP) is in effect for the student by that date;
  - b. If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP will begin;
  - c. A free appropriate public education is available to any student with a disability who needs special education and related services, even though the student is advancing from grade to grade;
  - d. The services and placement needed by each student with a disability to receive a free, appropriate public education are based on the student's unique needs and not on the student's disability; and
  - e. The services and placement needed by each student with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the student's home as possible and, when the IEP does not describe specific restrictions, the student is educated in the school he or she would attend if not a student with a disability.



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9. Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14 will experience a smooth transition and have an IEP developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.
10. Full educational opportunity to all students with disabilities is provided.
11. The compilation, maintenance, access to, and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.
12. Provision is made for the participation of students with disabilities who are placed by their parent(s) in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.
13. Students with disabilities who are placed in private schools by the district Board are provided special education and related services at no cost to their parent(s) according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.
14. All personnel serving students with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law, pursuant to N.J.A.C. 6A:14-1.2(b)13.
15. Pursuant to N.J.A.C. 6A:14-1.2(b)4, the in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified, and that appropriate in-service training is provided. The district Board shall maintain information to demonstrate its efforts to:
  - a. Prepare general and special education personnel with content knowledge and collaborative skills needed to meet the needs of children with disabilities;
  - b. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;



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- c. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
  - d. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
  - e. Provide for joint training activities of parent(s) and special education, related services and general education personnel.
16. Instructional materials will be provided to blind or print-disabled students in a timely manner, consistent with a plan developed by the district.
17. For students with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services, the district will provide, pursuant to the Developmentally Disabled Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., and N.J.A.C. 6A:14-1.2(b)17, the necessary materials to the parent(s) to apply for such services.
18. The school district will not accept the use of electronic mail from the parent(s) to submit requests to a school official regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education.
19. The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's IEP, pursuant to N.J.A.C. 6A:14-4.5(d).
20. The school district has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of special education services as required by N.J.A.C. 6A:14-3.7(c)4.



# POLICY

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21. The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities in accordance with N.J.S.A. 18A:40-5.1 et seq. and Policy 5339.

The school district shall provide an Assurance Statement to the County Office of Education that the Board of Education has adopted the required special education policies and procedures/regulations and the district is complying with the mandated policies and procedures/regulations.

N.J.A.C. 6A:14-1 et seq.  
20 USC §1400 et seq.  
34 C.F.R. §300 et seq.

Adopted: 17 July 2012  
Revised: \_\_\_\_\_





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## R 2460 SPECIAL EDUCATION

School district officials and staff shall adhere to all regulations included in N.J.A.C. 6A:14-1.1 et seq. and the following special education regulations:

- R 2460.1 Special Education - Location, Identification, and Referral (M)
- R 2460.8 Special Education - Free and Appropriate Public Education (M)
- R 2460.9 Special Education - Transition From Early Intervention Programs to Preschool Programs (M)
- R 2460.15 Special Education – In-service Training Needs for Professional and Paraprofessional Staff (M)
- R 2460.16 Special Education - Instructional Material to Blind or Print-Disabled Students (M)

### Definitions:

Refer to N.J.A.C. 6A:14-1.3 for definitions of terms used in Regulations 2460.1 through 2460.16.

Adopted: 15 January 2013

Revised: \_\_\_\_\_



## R 2460.1 SPECIAL EDUCATION - LOCATION, IDENTIFICATION, AND REFERRAL

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

### A. Procedures for Locating Students with Disabilities

1. The Director of Special Services or designee will coordinate the effort to locate, identify and evaluate all children, ages three through twenty-one, who reside within the Randolph School District or attend nonpublic schools within the school district and who may have a disability.
2. By May 15 of each school year, the Director of Special Services or designee will conduct child-find activities, in the native language of the population, as appropriate, including but not limited to:
  - a. Development of child-find materials for distribution.
  - b. Distribution of flyers to the parent(s) of all students enrolled in the school district.
  - c. Posting of State developed child find materials on our website for potentially disabled students and/or early intervention program.
  - d. Listings of Early Intervention Program (EIP), local nursery schools and pediatricians are maintained. The district's preschool coordinator (or other) maintains contact with EIP coordinator and nursery school director.
  - e. Information is available through the Parent Advisory Group.
  - f. School resources are available to parent(s) that contain information describing special education services.
  - g. Information is available to the school district's ESL/Bilingual teachers describing child-find activities.



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Special Education - Location, Identification and Referral

- h. Students entering Kindergarten are screened annually to identify students who may have a disability.
  - i. Intervention and Referral Services Committee (I&RS) have been established in all school buildings.
3. No later than June 15 of each school year the Director of Special Services will contact by mail the Principal of the nonpublic school(s) to request input from nonpublic school parent(s) and officials for suggestions on ways to conduct child-find activities for students attending nonpublic schools.

The child-find activities for nonpublic students shall be comparable to the child-find activities for public school students.

The following individual(s) shall serve as representatives from non-public schools:

School	Title of the Individual Representing the Non-Public School
Hebrew Academy of Morris County	Dean of General Studies

Based on the suggestions from the representatives of the non-public schools and parent(s), the Director of Special Services will modify the child-find activities for the next school year, as appropriate.

## B. Procedures for Intervention in the General Education Program

A staff member or agency shall provide in writing a request for intervention services for students ages five to twenty-one, to the Building Principal or designee. The request shall contain the following:

- 1. Reason for request (including parental or adult student request);
- 2. Descriptive behavior of student performance; and
- 3. Indication of the prior interventions.

Teachers and other school professionals, as appropriate will be in-serviced annually by the Building Principal or designee regarding the procedures for initiating and providing



interventions in the general education program. The parent(s) will be informed of the procedures to initiate interventions in the general education program.

The Superintendent or designee will oversee the district's implementation/evaluation of the interventions identified.

An Intervention and Referral Services Committee (I&RS) will be in place in each school building pursuant to N.J.A.C. 6A:16-8.1 et seq. and Policy and Regulation 2417.

The Building Principal or designee will be responsible for the following:

1. The implementation and effectiveness of the building level I&RS Committee;
2. Will identify the roles and responsibilities of building staff who participate in planning and providing intervention services; and
3. Review, assess and document the effectiveness of the services provided in achieving the outcome identified in the intervention plan.
4. The I&RS Committee shall:
  - a. Plan and provide appropriate intervention services;
  - b. Actively involve the parents(s) in the development and implementation of intervention plans;
  - c. Develop an action plan for an identified student which specifies specific tasks, resources, persons responsible, completion dates, date for review;
  - d. Coordinate the services of community based social and health provider agencies;
  - e. Process and complete the documentation forms;
  - f. Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan; and



- g. Ensure the type, frequency, duration and effectiveness of the interventions are documented.

5. The Building Principal will insure that:

- a. I&RS Committees receive in-service training by the Building Principal or designee by September 30;
- b. Staff resources are updated by September 30, including information regarding I&RS committees and intervention procedures;
- c. School calendars are available and provide information on intervention services; and
- d. Parent/student resources are available at the beginning of each school year including information on intervention services.

C. Procedures for Referral

Referral procedures are included in professional staff resources and referral forms are available in the Principal's office, the Child Study Team (CST) office, and the Office of Special Services.

1. Parental Notification of Referral Procedures

Referral procedures shall be included in parent/student resources which shall be available to parent(s). These procedures and publications shall be updated annually and be distributed to the parent(s) and appropriate social service and welfare agencies no later than October 1 of each year.

2. Parent-Initiated Referral

When a parent makes a written request for an evaluation to determine eligibility for services:

- a. The written request shall be received and dated by staff of the Office of Special Services;



- b. A file will be initiated to include a timeline for processing the referral including the date that initiates the twenty-day timeline for conducting the referral/identification meeting and any forms used to open a case;
- c. Upon receipt of the referral a request for a summary and review of health and medical information regarding the student shall be forwarded to the school nurse who will transmit the summary to the (CST);
- d. Child Study Team will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date the request was received by the district;
- e. A "Notice of a Referral/Identification Meeting" will be sent to the parent(s);
- f. The notice will contain the "Parental Rights in Special Education" (PRISE) Booklet; and
- g. The referral/identification meeting (Identification Meeting) will be attended by the parent, CST and regular education teacher.

### 3. School Initiated Referral

Referral of a student to the CST may be made by administrative, instructional and other professional staff to determine eligibility for special services when:

- a. It is determined that interventions in the general education program have not been effective in alleviating the student's educational difficulties.
- b. It can be documented that the nature of the student's educational problem(s) is such that an evaluation to determine eligibility for services is warranted without delay.



- c. The Director of Special Services, through in-service training, shall ensure that students are referred who may have a disability, but are advancing from grade to grade.
  - (1) A student with a disability, who is advancing from grade to grade with the support of specially designed services, may continue to be eligible when:
    - (a) As part of the re-evaluation, the Individualized Education Plan (IEP) team determines that the student continues to require specially designed services to progress in the general education curriculum; and
    - (b) The use of functional assessment information supports the IEP team's determination.

The following procedure will be followed for a school initiated referral:

- a. A referral to the CST will be completed by the referring staff member;
- b. I&RS documentation (including, but not limited to teacher reports, grades and Record of Intervention Effectiveness) shall be forwarded with the referral to the CST along with any other relevant data;
- c. I&RS documentation does not need to be forwarded for direct referral when the nature of the student's problem is such that the evaluation is warranted without delay;
- d. The referral should be dated upon receipt by the CST;
- e. A file will be initiated to include a timeline for processing for referral including the date that initiates the twenty-day timeline for conducting the referral/identification meeting;
- f. Upon receipt of the referral, a request for a summary and review of health and medical information regarding the student shall be forwarded to the school nurse who will transmit the summary to the CST;



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- g. The case manager will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date recorded on the referral;
  - h. A "Notice of a Referral/Identification Meeting" will be sent to the parent(s);
  - i. The notice shall contain "Parental Rights in Special Education" (PRISE); and
  - j. The referral/identification meeting will be attended by the parent(s) CST and regular education teacher.
- 4. The district may use community rehabilitation programs approved by the New Jersey Department of Labor, Division of Vocational Rehabilitation Services or any other State agency empowered to accept secondary level student placement according to N.J.A.C. 6A:14-4.7(i).
  - 5. Each evaluation of the student requires an assessment to determine appropriate post-secondary outcomes as part of transition services planning, commencing at age 14.
  - 6. Each IEP Team member is required to certify in writing whether the IEP Team report reflects his or her conclusions. In the event the IEP Team report does not reflect the IEP team member's conclusion, the IEP Team member must submit a dissenting opinion in order to ensure the parent(s) is aware of dissenting opinions regarding the determination of eligibility for a specific disability.
  - 7. The parent(s) must receive a copy of their child's evaluation report and any documentation leading to a determination of eligibility not less than ten calendar days prior to the eligibility conference in order to ensure the parent(s) has a reasonable amount of time to review documentation prior to an eligibility conference.
  - 8. A student may be referred directly to the CST when warranted.

*Issued: 9 June 2008*

*Revised: 5 March 2009*

Adopted: 15 January 2013 Revised: \_\_\_\_\_





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Special Education - Free and Appropriate Public Education  
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## R 2460.8 SPECIAL EDUCATION-FREE AND APPROPRIATE PUBLIC EDUCATION

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

Procedures regarding the provision of a free and appropriate public education to students with disabilities who are suspended or expelled are as follows:

1. School officials responsible for implementing suspensions/expulsions in the district are the following:
  - a. Grades Nine – Twelve Principal/Vice Principal or designee;
  - b. Grades Six – Eight Principal/Vice Principal or designee;
  - c. Grades Pre-Kindergarten – Five Principal/Vice Principal or designee.
2. Each time a student with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager by the Principal or designee. (Notification must be in written format for documentation)
  - a. Removal for at least half of the school day shall be reported via the Electronic Violence and Vandalism Reporting System.
3. Each Principal or designee will ensure that a system is in place to track the number of days a student with disabilities has been removed for disciplinary reasons. Documentation will include:
  - a. Student's name;
  - b. The infraction;
  - c. Time suspended; and
  - d. The cumulative days suspended including removal for a portion of the school day which is counted proportionately.



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Special Education - Free and Appropriate Public Education

4. When a student is suspended from transportation:
  - a. Suspension from transportation is not counted as a day of removal if the student attended school.
  - b. Suspension from transportation is counted as a day of removal if the student does not attend school.
  - c. If transportation is included in the student's IEP as a required related service, the school district shall provide alternate transportation during the period of suspension from the typical means of transportation.
  - d. Suspension from transportation may be counted as a day of absence rather than a day of removal if the district made available an alternate means of transportation and the student does not attend school.
  
5. When a student with a disability participates in an in-school suspension program, the Principal or designee shall ensure that participation in the program is not considered removal when determining whether a manifestation determination must be conducted if the program provides the following:
  - a. Opportunity for the student to participate and progress in the general curriculum;
  - b. Services and modifications specified in the student's IEP;
  - c. Interaction with peers who are not disabled to the extent they would have in the current placement; and
  - d. The student is counted as present for the time spent in the in-school suspension program.
  
6. When a series of short-term removals will accumulate to more than ten school days in the year:
  - a. The Principal/Vice Principal or designee and the case manager will consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(c)2.



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Written documentation of the consultation between the school administration and the case manager shall be maintained by the case manager.

- b. If it is determined that there is no change in placement, the Principal/Vice Principal or designee, the case manager, and special education teacher will consult to determine the extent to which services are necessary to:
    - (1) Enable the student to participate and progress appropriately in the general education curriculum; and
    - (2) Advance appropriately toward achieving the goals set out in the student's IEP; and
  - c. Written documentation of the consultation and services provided shall be maintained in the student's file.
7. When a disabled student is removed from his/her current placement for more than ten days and the removal does not constitute a change in placement, the case manager shall convene a meeting of the IEP Team and as necessary or required, conduct a functional behavior assessment and review the behavioral intervention plan according to N.J.A.C. 6A:14 Appendix A, Individuals with Disabilities Education Act Amendments of 2004, 20 U.S.C. 1415(k). The IEP Team shall:
- a. Review the behavioral intervention plan and its implementation;
  - b. Determine if modifications are necessary; and
  - c. Modify the behavioral intervention plan and its implementation as appropriate. The plan will be modified to the extent necessary if at least one member of the team determines that modifications are necessary.

The case manager will document the date and the outcome of the meeting.

The documentation shall be placed in the student's file.

8. The district may use community rehabilitation programs approved by the New Jersey Department of Labor, Division of Vocational Rehabilitation



Services or any other State agency empowered to accept secondary level student placement according to N.J.A.C. 6A:14-4.7(f)1.

## Procedures Regarding the Provision of a Free and Appropriate Public Education to Preschool Age Students with Disabilities

To ensure that preschoolers with disabilities who are not participating in an early intervention program have their initial IEP in effect by their third birthday, a written request for an initial evaluation shall be forwarded to the district.

The following procedures will be followed:

1. A parent of a preschool-age student suspected of having a disability, who requests a Child Study Team (CST) evaluation by telephone, will be advised to submit a written request for an evaluation to the Director of Special Services.
2. Upon receipt of the written request the request shall be dated and signed by the recipient;
3. The district will respond to referrals of preschoolers according to N.J.A.C. 6A:14-3.3(e).
4. A file will be initiated for the potentially disabled preschooler;
  - a. The referral/identification meeting within twenty calendar days (excluding school holidays but not summer vacation) of the date recorded on the request;
  - b. A "Notice of Referral/Identification Meeting" (identification meeting) will be sent to the parent (s);
  - c. The notice will contain the "Parental Rights in Special Education" (PRISE) Booklet;
  - d. The meeting will be attended by the CST, including a speech language specialist, the parent(s) and a teacher who is knowledgeable about the district's program; and
  - e. A program shall be in place no later than ninety calendar days from the date of consent or the child's third birthday, whichever is later.



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Procedures Regarding the Provision of a Free, Appropriate Public Education to Students with Disabilities Who Are Advancing from Grade to Grade.

The Director of Special Services, through in-service training, shall ensure students with disabilities who are advancing from grade to grade with the support of specially designed services, continue to be eligible when, as part of a reevaluation, the IEP Team determines the student continues to require specially designed services to progress in the general education curriculum; and the use of functional assessment information supports the IEP Team's determination.

Procedures Involving Procedural Safeguards to Students Not Yet Eligible for Special Education

Disciplinary procedural safeguards will apply to students not yet eligible for special education. The parent and/or adult students may assert any of the protections of the law if the district had knowledge the student may be a student with a disability before the behavior that precipitated the disciplinary action occurred.

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*Revised: 5 March 2009*

Adopted: 15 January 2013

Revised: \_\_\_\_\_



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Special Education - Transition From Early Intervention  
Programs to Preschool Programs

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R 2460.9 SPECIAL EDUCATION - TRANSITION FROM EARLY  
INTERVENTION PROGRAMS TO  
PRESCHOOL PROGRAMS

Children with disabilities participating in early intervention programs (EIP) assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14-1.1 et seq. will experience a smooth transition and will have an Individualized Education Program (IEP) developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

Procedure for Child Study Team (CST) Member Attendance at the Preschool Transition Planning Conference:

1. The district will make available a CST member to participate in the preschool transition planning conference arranged by the designated Part C service coordinator from the early intervention system and will:
  - a. Review the Part C Individualized Family Service Plan for the child;
  - b. Provide the parent(s) written district registration requirements;
  - c. Provide the parent(s) written information with respect to available district programs for preschool students, including general education placement options; and
  - d. Provide the parent(s) a form to use to request that the Part C service coordinator be invited to the child's initial IEP meeting.
2. The district will work collaboratively with the EIP designated Part C service coordinator or early intervention system to eliminate barriers regarding meeting times and locations.



# REGULATION

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Special Education - Transition From Early Intervention  
Programs to Preschool Programs

3. School district officials shall adhere to all procedures contained in N.J.A.C. 6A:14-1.1 et seq. for transitioning children with disabilities from EIP to preschool programs.
4. The Part C service coordinator shall be invited to the initial IEP meeting for a student transitioning from Part C to Part B.

*Issued: 12 August 2008,*

*Revised: 5 March 2009*

Adopted: 15 January 2013

Revised: \_\_\_\_\_



PROGRAM

R 2460.15/page 1 of 1

Special Education – In-service Training Needs for  
Professional and Paraprofessional Staff

Feb 17

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R 2460.15 SPECIAL EDUCATION – IN-SERVICE TRAINING NEEDS FOR  
PROFESSIONAL AND PARAPROFESSIONAL STAFF

The in-service training needs for professional and paraprofessional staff who provide special education, general education, or related services will be identified and appropriate in-service special education training will be provided by the district.

The district will maintain information to demonstrate its efforts to:

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

Adopted:





PROGRAM

R 2460.16/page 1 of 1

Special Education – Instructional Material to  
Blind or Print-Disabled Students

R 2460.16 SPECIAL EDUCATION - INSTRUCTIONAL MATERIAL TO BLIND  
OR PRINT-DISABLED STUDENTS

All students that are blind or print-disabled will be provided instructional materials in a timely manner in accordance with a plan developed by the district.

The plan to provide the instructional material to blind or print-disabled students in a timely manner will:

1. Be included in the Individualized Education Program of each student with a disability;
2. Set forth the instructional materials needed by the student;
3. Indicate how the instructional material will be provided to the blind or print-disabled student; and
4. Address any assistive technology needed to permit the student to utilize the instructional material to be provided.

*Issued: 5 March 2009*

Adopted: 15 January 2013

Re-Adopted: \_\_\_\_\_



PROGRAM

2467/page 1 of 4

Surrogate Parents and Foster Parents

Feb 17

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## 2467 SURROGATE PARENTS AND FOSTER PARENTS

Federal and State laws require the Board ensure the rights of a student are protected through the provision of an individual to act as surrogate for the parent and assume all parental rights under N.J.A.C. 6A:14-2.2 when:

1. The parent, as defined according to N.J.A.C. 6A:14-1.3, cannot be identified;
2. The parent cannot be located after reasonable efforts;
3. An agency of the State of New Jersey has guardianship of the student and that agency has not taken steps to appoint a surrogate parent for the student;
4. The student is a ward of the State and no State agency has taken steps to appoint a surrogate parent for the student;
5. No parent can be identified for the student in accordance with N.J.A.C. 6A:14-1.3 except a foster parent, the foster parent does not agree to serve as the student's parent, and no State agency has taken steps to appoint a surrogate parent for the student; and
6. The student is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the student.

### Qualifications and Selection

The district will make reasonable efforts to appoint a surrogate parent within thirty days of its determination that a surrogate parent is required for a student. If the district fails to appoint a surrogate parent for a ward of the State, a judge may appoint a surrogate parent if the judge determines a surrogate parent is necessary for such a student.



The person serving as a surrogate parent shall:

1. Have no interest that conflicts with those of the student he/she represents;
2. Possess knowledge and skills that ensure adequate representation of the student;
3. Not be replaced without cause;
4. Be at least eighteen years of age;
5. Have a criminal history review in accordance with N.J.S.A. 18A:6-7.1 completed prior to his or her serving as the surrogate parent, if the school district compensates the surrogate parent for such services; and
6. Not be an employee of the New Jersey Department of Education, this district, or a public or nonpublic agency that is involved in the education or care of the child.

The Director of Special Services or designee shall serve as Surrogate Parent Coordinator and will: determine whether there is a need for a surrogate parent for a student; contact any State agency that is involved with the student to determine whether the State has a surrogate parent appointed for the student; and make reasonable efforts to appoint a surrogate parent for the student within thirty days of determining that there is a need for a surrogate parent for the student.

When a student (who is or may be a student with a disability) is in the care of a foster parent and the foster parent is not the parent of the student as defined in N.J.A.C. 6A:14-1.3, the district where the foster parent resides shall contact the student's case manager at the Division of Child Protection and Permanency (DCP&P) in the Department of Children and Families to determine whether the parent retains the right to make educational decisions and to determine the whereabouts of the parent.



## PROGRAM

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### Surrogate Parents and Foster Parents

If the parent retains the right to make educational decisions and the parent's whereabouts are known to the school district, the Surrogate Parent Coordinator shall obtain all required consent from and provide written notices to the parent.

If the district cannot ascertain the whereabouts of the parent, the foster parent, unless that person is unwilling to do so, shall serve as the parent pursuant to N.J.A.C. 6A:14-1.3. If there is no foster parent, or if the foster parent is unwilling to serve as the student's parent, the Surrogate Parent Coordinator shall consult with the student's case manager at DCP&P to assist in identifying an individual to serve as a surrogate parent and appoint a surrogate parent and obtain all required consent from, and provide written notices to, the surrogate parent.

#### Training

N.J.A.C 6A:14-2.2(d) requires the district train surrogate parents so they have the knowledge and skills that ensure adequate representation of the student. The Surrogate Parent Coordinator shall coordinate the training for surrogate parents. The training will include, but not be limited to:

1. Providing the surrogate parent a copy of:
  - a. Parental Rights in Special Education booklet;
  - b. N.J.A.C. 6A:14;
  - c. The Special Education Process;
  - d. Code Training Materials from the Department of Education website; and
  - e. Other relevant materials.



## PROGRAM

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### Surrogate Parents and Foster Parents

2. Providing the surrogate parent an opportunity to meet with the Surrogate Parent Coordinator to discuss the rights of the surrogate parent and the applicable statutes, administrative codes, and Federal laws. The Surrogate Parent Coordinator shall provide the surrogate parent the opportunity to review and to become familiar with the State and Federal requirements for assessment, individualized educational program development, and parental rights with respect to the referral and placement process, including their rights with respect to seeking a due process hearing if they disagree with the local procedure or decisions;
3. Providing the surrogate parent adequate time to become familiar with the student and the nature of the student's disability through a review of the student's record;
4. Providing the surrogate parent an opportunity to confer with the student's case manager to discuss the student; and
5. Other information and resources to provide the surrogate parent the knowledge and skills to ensure adequate representation of the student.

#### Rights of the Surrogate Parent

A surrogate parent appointed in accordance with N.J.A.C. 6A:14-2.2 shall assume all parental rights under N.J.A.C. 6A:14.

N.J.A.C. 6A:14-2.2

Adopted: 17 July 2012

Revised: \_\_\_\_\_



## 5116 EDUCATION OF HOMELESS CHILDREN

The Board of Education will admit and enroll homeless children in accordance with Federal and State laws and New Jersey Administrative Code. The Board of Education adopts this Policy to be in compliance with law and administrative code to ensure the enrollment of homeless children in school and to respond to appeals made by parents or other parties related to the enrollment of homeless children.

The Board of Education shall determine that a child is homeless when he or she resides in a publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers. A child is also determined homeless when he or she resides in a public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles including mobile homes; tents or other temporary shelters; parks; abandoned buildings; bus or train stations; temporary shelters provided to migrant workers and their children on farm sites; and the residence of relatives or friends where the homeless child resides out of necessity because his or her family lacks a regular or permanent residence of its own. A child is also determined homeless when he or she resides in substandard housing or any temporary location wherein children and youth are awaiting foster care placement.

The school district of residence for a homeless child is responsible for the education of the child and shall assume all responsibilities as required in N.J.A.C. 6A:17-2.3. The school district of residence for a homeless child means ~~is~~ the school district in which the parent of a homeless child resided prior to becoming homeless.

The school district liaison designated by the Superintendent of Schools for the education of homeless children is the Human Resources Officer. The liaison will facilitate communication and cooperation between the school district of residence and the school district where the homeless child resides and shall assume all responsibilities as outlined in N.J.A.C. 6A:17-2.4(a).

When a homeless child resides in a school district, the school district liaison shall notify the liaison of the school district of residence within twenty-four hours of receiving notification from the parent, the Department of Human Services or the Department of Children and Families, a shelter director, an involved agency, or a case manager.



Upon notification of the need for enrollment of a homeless child, the liaison in the school district of residence shall coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.5(b).

The Superintendent of the school district of residence or designee shall decide in which school district the homeless child shall be enrolled in accordance with the provisions of N.J.A.C. 6A:17-2.5.

Unless parental rights have been terminated by a court of competent jurisdiction, the parent retains all rights under N.J.A.C. 6A:17-2.1 et seq.

When a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or the designee(s) of the involved district(s) or the child's parent(s) shall immediately notify the Executive County Superintendent of Schools, who, in consultation with the Department of Education's McKinney-Vento Homeless Education Coordinator or designee, shall immediately decide the child's status. If a dispute remains between the parent and the involved school district(s) following the Executive County Superintendent's determination, the parent or the involved district Board(s) of Education may appeal to the Commissioner of Education for determination pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

When a school district designated as the school district of residence disputes its designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts shall immediately notify the Executive County Superintendent of Schools, who shall immediately make a determination, if possible, but no later than within forty-eight hours.

If the dispute regarding determination of district of residence does not involve the determination of homelessness and/or district enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the Department of Education pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f) and request a determination from the Division of Administration and Finance. If an appeal of a determination of district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.



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Education of Homeless Children

Any dispute or appeal shall not delay the homeless child's immediate enrollment or continued enrollment in the school district. The homeless child shall be enrolled in the school district in which enrollment or continued enrollment is sought by the parent, pending resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child with a disability shall be made pursuant to N.J.A.C. 6A:14.

Financial responsibility, including the payment of tuition for the homeless child, will be in accordance with N.J.A.C. 6A:17-2.8. The school district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence shall no longer list the student on its ASSA. The State shall assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12.1 and shall pay the tuition to the school district in which the child is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. under the circumstances outlined in N.J.A.C. 6A:17-2.8(c).

N.J.S.A. 18A:7B-12; 18A:7B-12.1

N.J.A.C. 6A:17-2.1 et seq.

Adopted: 17 July 2012

Revised:





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Education of Homeless Children

## R 5116 EDUCATION OF HOMELESS CHILDREN

### A. Definitions (N.J.A.C. 6A:17-1.2)

1. “School district liaison for the education of homeless children” means the person identified in the school district that facilitates all activities needed to ensure the enrollment and attendance of homeless children.
2. “School district of residence” for a homeless child means the school district in which the parent of a homeless child resided prior to becoming homeless. It may not be the school district in which the student currently resides. This is synonymous with the term “school district of origin” referenced in the McKinney-Vento Homeless Education Assistance Act. “School district of residence” for a student in a State facility means the school district in which the parent with whom the student lived prior to placement in a State facility currently resides pursuant to N.J.S.A. 18A:7B-12.b.
3. “Homeless child” means a child or youth who lacks a fixed, regular, and adequate residence, pursuant to N.J.S.A. 18A:7B-12 and N.J.A.C. 6A:17-2.2.
4. “Immediate” or “immediately” means at the instant the need for placement is made known.
5. “Parent” means the natural or adoptive parent, legal guardian, foster parent, surrogate parent, or person acting in the place of a parent such as the person with whom the child legally resides or a person legally responsible for the child’s welfare.
6. “Superintendent” means Superintendent and/or Chief School Administrator.

### B. Determination of Homelessness (N.J.A.C. 6A:17-2.2)

1. The Board of Education shall determine that a child is homeless for the purposes of N.J.A.C. 6A:17-2 when he or she resides in any of the following:



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Education of Homeless Children

- a. A publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers;
- b. A public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles including mobile homes; tents or other temporary shelters; parks; abandoned buildings; bus or train stations; or temporary shelters provided to migrant workers and their children on farm sites;
- c. The residence of relatives or friends where the homeless child resides out of necessity because his or her family lacks a regular or permanent residence of its own; **or**
- d. Substandard housing; ~~or.~~
- e. ~~Any temporary location wherein children and youth are awaiting foster care placement.~~

C. Responsibilities of the School District of Residence (N.J.A.C. 6A:17-2.3)

1. The school district of residence for a homeless child is responsible for the education of the child and shall:
  - a. Determine the school district in which the child shall be enrolled after consulting with the parent pursuant to N.J.A.C. 6A:17-2.5;
  - b. Pay the cost of tuition pursuant to N.J.S.A. 18A:38-19, when the child attends school in another school district; and
  - c. Provide for transportation for the child pursuant to N.J.A.C. 6A:27-6.2.



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Education of Homeless Children

2. The determination of the homeless child's school district of residence shall be made by the Superintendent of the school district of residence or designee pursuant to N.J.A.C. 6A:17-2.4 based upon information received from the parent, the Department of Human Services or the Department of Children and Families, a shelter provider, another school district, an involved agency, or a case manager.
  3. The district Board of Education identified in accordance with N.J.S.A. 18A:7B-12 as the school district of residence for a homeless child shall be the school district of residence until the parent establishes a permanent residence. Financial responsibility will remain with the homeless child's school district of residence until the family is deemed domiciled in another jurisdiction, pursuant to N.J.S.A. 18A:38-1.d.
- D. Designation of School District Liaisons and Their Responsibilities (N.J.A.C. 6A:17-2.4)
1. The Superintendent identifies Human Resources Officer as the district liaison for the education of homeless children. The school district liaison shall:
    - a. Facilitate communication and cooperation between the school district of residence and the school district where the homeless child resides;
    - b. Develop procedures to ensure a homeless child residing in the school district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.5;
    - c. Ensure homeless families, children, and youth receive educational services for which they are eligible, including Head Start and Even Start programs, preschool programs administered by the local education agency, and referrals to health care, dental, mental health, and other appropriate services;



## STUDENTS

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### Education of Homeless Children

- d. Inform parents of homeless children and youth of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children;
  - e. Ensure that public notice of the educational rights of homeless children and youth is disseminated where such children receive services, such as schools, family shelters, and soup kitchens;
  - f. Ensure enrollment disputes are resolved pursuant to N.J.A.C. 6A:17-2.7;
  - g. Ensure the parent of a homeless child or youth, or any unaccompanied youth, is fully informed of all transportation services, including transportation to the school district of residence, and is assisted in accessing transportation to the school selected under N.J.A.C. 6A:17-2.5;
  - h. Assist the parent to obtain the homeless child or youth's medical records or required immunizations; and
  - i. Assist an unaccompanied youth to ensure he or she is enrolled and is receiving all services pursuant to N.J.A.C. 6A:17.
2. When a homeless child resides in a school district, the district liaison shall notify the liaison of the school district of residence within twenty-four hours of receiving notification from the parent, the Department of Human Services or the Department of Children and Families, a shelter director, an involved agency, or a case manager.
  3. Upon notification of the need for enrollment of a homeless child, the liaison in the school district of residence shall coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.5(b).



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Education of Homeless Children

- E. School District Enrollment (N.J.A.C. 6A:17-2.5)
1. The Superintendent of the school district of residence or designee shall decide in which district the homeless child shall be enrolled as follows:
    - a. Enroll the homeless child in the school district of residence to the extent feasible, except when doing so is contrary to the wishes of the homeless child's parent;
    - b. Continue the homeless child's education in the school district of last attendance if it is not the school district of residence; or
    - c. Enroll the homeless child in the school district where the child resides.
  2. The Superintendent of the school district of residence or designee shall decide the school district of enrollment of a homeless child based on what is determined to be in the best interest of the child after considering:
    - a. The enrollment of the homeless child in the school district of residence to the extent feasible, except when doing so is contrary to the wishes of the child's parent.
    - b. The continuity of the child's educational program;
    - c. The eligibility of the child for special instructional programs, including but not limited to bilingual, gifted and talented, special education, early childhood, and career and technical education programs; and
    - d. The distance, travel time, and safety factors in coordinating transportation services from the residence to the school.
  3. The Superintendent of the school district of residence or designee shall determine the child's school district enrollment immediately after consultation with the parent. The school district of residence shall adhere to the following procedures:



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### Education of Homeless Children

- a. Enrollment decisions shall be made immediately upon notification of the need for enrollment. When the decision is made, the child will be enrolled immediately. If a dispute arises regarding enrollment of a homeless child, the homeless child shall be immediately enrolled in the school district in which enrollment is sought by the parent, pending resolution of the dispute pursuant to N.J.A.C. 6A:17-2.7.
  - b. Consultation with the parent regarding the enrollment decision and the right to appeal the decision shall be documented in writing.
  - c. A decision to enroll a homeless child in a school district other than the school district of residence or the school district requested by the parent shall be explained in writing and provided to the parent.
4. When a decision is made to enroll the child in a school district other than the school district of residence, the Superintendent or designee of the school district of residence shall forward to the new school district all relevant school and health records consistent with the provisions of N.J.A.C. 6A:32, School District Operations.
  5. When a homeless child with a disability is enrolled in a school district other than the school district of residence, the school district of enrollment shall treat the student as a transfer student pursuant to N.J.A.C. 6A:14, Special Education.
  6. When the school district of residence for a homeless child cannot be determined, the Superintendent or designee of the school district in which the child currently resides shall enroll the child immediately in the school district of the current residence or the school district of last attendance.
  7. The school district selected pursuant to N.J.A.C. 6A:17-2 shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment such as previous academic records, medical records, proof of residency, or other documentation.



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## Education of Homeless Children

8. Enrollment in the school district of residence, the school district of last attendance if not the school district of residence, or the school district where the child resides shall continue for the duration of homelessness, including when a family becomes homeless between academic years, and also for the remainder of the academic year if the homeless child becomes permanently housed during the academic year.
- F. Parental Rights (N.J.A.C. 6A:17-2.6)
1. Unless parental rights have been terminated by a court of competent jurisdiction, the parent retains all rights under N.J.A.C. 6A:17-2.1 et seq.
- G. Disputes and Appeals (N.J.A.C. 6A:17-2.7)
1. When a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or designee(s) of the involved school district(s) or the child's parent(s) shall immediately notify the Executive County Superintendent of Schools, who, in consultation with the Department's McKinney-Vento Homeless Education Coordinator or designee, shall immediately decide the child's status. If a dispute remains between the parent and the involved school district(s) following the Executive County Superintendent's determination, the parent or the involved district Board(s) of Education may appeal to the Commissioner of Education for a determination pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
  2. When a school district designated as the school district of residence disputes its designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts shall immediately notify the Executive County Superintendent of Schools, who shall make a determination immediately, if possible, but no later than within forty-eight hours.



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### Education of Homeless Children

- a. If the dispute regarding determination of district of residence does not involve the determination of homelessness and/or district enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the Department of Education pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f), and request a determination from the Division of Administration and Finance.
  - b. If an appeal of a determination of district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
3. Any dispute or appeal shall not delay the homeless child's immediate enrollment or continued enrollment in the school district. The homeless child shall be enrolled in the school district in which enrollment or continued enrollment is sought by the parent, pending resolution of the dispute or appeal.
  4. Disputes and appeals involving the services provided to a homeless child with a disability shall be made pursuant to N.J.A.C. 6A:14.
- H. Tuition (N.J.A.C. 6A:17-2.8)
1. When the homeless child is enrolled in a school district other than the school district of residence, the school district of residence shall pay to the school district of enrollment the tuition costs pursuant to N.J.S.A. 18A:38-19 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence shall no longer pay tuition to the school district of enrollment.
  2. The school district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence shall no longer list the student on its ASSA.





# REGULATION

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Education of Homeless Children

3. The State shall assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12.1 and shall pay the tuition to the school district in which the child is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d, under the following circumstances:
  - a. If the school district of residence cannot be determined for the homeless child;
  - b. If the school district of residence is outside of the State; or
  - c. If a child resides in a Department of Community Affairs-licensed emergency shelter or transitional living facility due to domestic violence for more than a year combined for the duration of the placement pursuant to N.J.S.A. 18A:7B-12.d.
    - (1) When the State assumes fiscal responsibility for the tuition of a homeless child, the State shall pay to the school district in which the child is enrolled the weighted base per pupil amount calculated pursuant to N.J.S.A. 18A:7F-49, and the appropriate security and special education categorical aids per pupil pursuant to N.J.S.A. 18A:7F-55 and 56.

Adopted: 15 January 2013

Revised: \_\_\_\_\_

