

NJPSA



Education

LAW

PRIMER

CHAPTER 1 - No Child Left Behind



NEW JERSEY PRINCIPALS AND SUPERVISORS ASSOCIATION
12 CENTRE DRIVE, MONROE TOWNSHIP, NJ 08831-1564
609-860-1200 FAX: 609-860-2999 EMAIL: njpsa@njpsa.org WEB: www.njpsa.org

© 2003, New Jersey Principals and Supervisors Association.

INDEX

NJPSA EDUCATION LAW PRIMER

INTRODUCTION

ADEQUATE YEARLY PROGRESS PAGE 5

What does it mean?

Established measures of improvement –
To be met by each district, school and subgroup

Categories of subgroups

Exceptions

Ramifications for schools and districts not achieving state standards for two consecutive years

Ramifications for schools and districts not achieving state standards for three consecutive years

Ramifications for schools and districts not achieving state standards for four consecutive years

Ramifications for schools and districts not achieving state standards for five consecutive years

Report Cards

Transfer option

When must students and the parents be given the option to transfer?

Will parents have a choice of which school to send their children?

How long can the student remain in the school of choice?

Can the transfer option be denied because of a school's lack of capacity?

Who should be given priority?

Are districts required to provide transportation?

When are districts required to provide supplemental educational services?

What are Supplemental Educational Services?

What requirements must the district meet when offering supplemental educational services?

What notice must be provided on how to obtain supplemental educational services?

When will states be eligible to receive a waiver from the requirements regarding supplemental educational services?

State must notify district within 30 days of approval/disapproval of waiver.

Definition of “provider”

Requirements of providers on the state list.

Development of supplemental educational services.

CALCULATING ADEQUATE YEARLY PROGRESS PAGE 13

Part I. Preliminary Data Checks

_____ Step 1 –

Part II. Secondary Measures

Part III. Test Score Adjustments

_____ Step 1 - Statistically Significant

_____ Step 2 – Student Mobility

_____ Step 3 - Misclassification Rate

Part IV. Review of Test Results

_____ Step 1 - Test Results for All Students

Part V. Safe Harbor

Part VI. Final Data Checks

_____ Step 1 – Secondary Measures for Safe Harbor

_____ Step 2 - Final question

Part VII. Schools Where No State Test is Administered

HIGHLY QUALIFIED TEACHER REQUIREMENTS

INDEX

NJPSA EDUCATION LAW PRIMER

PAGE 20

FREQUENTLY ASKED QUESTIONS

1. What schools must comply with NCLB's requirements for "highly qualified" teachers?
2. What teachers are required to meet the highly qualified definition?
3. What are the consequences for an individual teacher who does not meet the highly qualified requirement?
4. What are the criteria for determining whether or not a teacher is highly qualified?
5. How do I determine whether a teacher at grades 6, 7 or 8 is an elementary generalist or a middle school teacher?
6. What are the timelines for teachers in Title I schools to satisfy the highly qualified requirement?
7. What are the requirements for teachers working in an elementary school that has adopted the Success for All model?
8. What are the timelines for teachers in schools receiving no Title I funds to satisfy the highly qualified requirement?
9. What documentation must be completed to determine whether or not teachers satisfy the highly qualified requirement?
10. What documentation must be completed if a teacher is found not to meet the federal definition for highly qualified?
11. Who must complete the NJ HOUSE (High Objective Uniform Standard Evaluation) Standard: Content Knowledge Matrix?
12. What are the major components of the NJ HOUSE matrix?
13. What constitutes high-quality, sustained professional development under the NJ HOUSE standard?
14. How much credit can a teacher receive for successful teaching experience under the NJ HOUSE standard?
15. What monitoring requirements are districts subject to

regarding NCLB's highly qualified requirement?

16. What are the requirements for parent notification?

THE UNSAFE SCHOOL CHOICE OPTION POLICY

PAGE 31

School grounds defined

States given flexibility to determine offenses

Policy approved by the NJ State Board of Education

Persistently dangerous school defined

Example of formula for calculating persistently dangerous

Timeline for DOE notification to schools

Timeline for district's notice to the DOE

Affect of no capacity

Duration of transfer

Corrective action

Early warning

Student victims of criminal offenses

Transfer option for student victims of criminal offenses

Charter Schools

Special Schools

Statutory references for violent criminal offenses

Financial resources

SCHOOL PRAYER – CURRENT STATUS OF LAW

PAGE 36

Statement of assurance

INDEX

NJPSA EDUCATION LAW PRIMER

Inconsistency between Federal guidance and current law

**SUMMARY OF FEDERAL GUIDANCE ON
SCHOOL PRAYER** PAGE 38

Prayer during non-instructional time

Organized prayer groups and activities

Teachers, administrators and other school employees

Moment of silence

Accommodation of prayer during instructional time

Religious expression in class assignments

Student assembly and extracurricular activities

Prayer at graduation

Baccalaureate ceremonies

NJPSA EDUCATION LAW PRIMER

SEPTEMBER, 2003

Earlier this year, NJPSA announced that it would be expanding its legal services. We indicated that among the additional services we would endeavor to provide was an education law “primer” for the school practitioner. Our plan is to cover a wide variety of topics ranging from the law of tenure and seniority, to labor-management issues, to student drug testing and discussions of the latest cases dealing with the law of sexual harassment. We also plan to discuss major revisions in state and federal laws that affect New Jersey’s public schools. Our goal is to ultimately present this primer in a logical web based format. The intent is to provide our members with valuable information to assist them in their daily duties.

Our first topic is the No Child Left Behind Act (NCLB) enacted in 2001. We have chosen this topic because this massive federal legislation is only now beginning to have its full impact on New Jersey’s schools. It is important to note that this is only a primer – a summary or overview of the law. It is not intended to be an exhaustive study and shouldn’t be used as such. However, we are hopeful it will serve as an accessible and useful summary of the major provisions of NCLB for school leaders.

In order to make the Primer as user friendly as possible, it will soon be available on NJPSA’s website (www.njpsa.org) in the Members Only area. Members may click on any topic of interest to immediately access information on that particular issue. The website will also provide useful links to other resources.