

### 2700 SERVICES TO NONPUBLIC SCHOOL PUPILS

~~The Board of Education shall provide, in accordance with law and to the limit of State aid available for such purposes, services to pupils enrolled in nonpublic schools located within this school district in which a child may legally fulfill compulsory school attendance requirements and which complies with Title VI of the Civil Rights Act of 1964.~~

~~Textbooks — N.J.S.A. 18A:58-37.1 et seq.  
————— N.J.A.C. 6A:23-6.1 et seq.~~

~~The Board shall, on individual request, purchase and loan, without charge, textbooks to pupils attending a nonpublic school located in this district, provided the pupil is a New Jersey resident and the pupil's tuition is not paid by a district Board of Education. Such loan of textbooks will be indicated in each book by a label. Any textbook so loaned will remain the property of this Board. Textbooks loaned to nonpublic school pupils shall be returned at the end of the school year or the district may enter into agreements with the nonpublic schools to store the textbooks without cost to this Board.~~

~~A request for the loan of textbooks shall be signed by the parent(s) or legal guardian(s) of nonpublic school pupils and submitted in writing directly to this Board or may be forwarded collectively by the nonpublic school. Requests must be received by the Board by March 1 of the preceding school year.~~

~~Textbooks shall be purchased in the same manner as are textbooks purchased for use in this district. Nonpublic school pupils shall be subject to the rules and sanctions for the care of textbooks set forth in Policy No. 5513, Care of School Property, in the same manner as are pupils of this district.~~

~~Remedial Services — N.J.S.A. 18A:46-19.1 et seq.  
————— N.J.A.C. 6A:14-1.1 et seq.~~



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~~The Board shall provide services for the identification, referral, evaluation, and determination of eligibility for special education and/or related services, the development of individualized education programs, and speech correction for articulation disorders.~~

~~The eligibility of pupils in nonpublic schools for such services shall be determined by the criteria established by rules of the State Board and used to determine the eligibility of pupils enrolled in this district for the same services. Services shall be provided only upon the written consent of the parent(s) or legal guardian(s) of the pupil and shall include procedural safeguards provided to pupils of this district under N.J.A.C. 6A:14.2 et seq. and Policy No. 2460.~~

~~Remedial services will be supplied by appropriately certified personnel who are not employees of the nonpublic school, except that speech correction may be provided by employees of the nonpublic school. Such services shall be provided only upon consent of the parent(s) or legal guardian(s) of the pupil. Services may also be provided under contract with a public or private agency approved by the Commissioner for the provision of remedial services. The location in which services are provided will be determined by the Board, and will comply with rules of the State Board.~~

~~Auxiliary Services ——— N.J.S.A. 18A:46A-1 et seq.  
————— N.J.A.C. 6A:14-1.1 et seq.~~

~~The Board shall provide supportive services for acquiring communication proficiency in the English language for children of limited English speaking ability, supplementary instruction services, and home instruction services. Auxiliary services will be provided only upon the written consent of the pupil's parent(s) or legal guardian(s).~~

~~Auxiliary services may be provided by appropriately certified personnel who are employees of this district or of the nonpublic school. Services may also be provided under contract with a public or private agency approved by the Commissioner for the provision of auxiliary services. The location in which services are provided will be determined by the Board, and will comply with rules of the State Board.~~

~~Nursing and Emergency Services ——— N.J.S.A. 18A:40-23 et seq.  
————— N.J.A.C. 6A:16-2.4 et seq.~~

~~The Board shall provide basic nursing services in accordance with N.J.A.C. 6A:16-2.4 et seq. within the limits of funds appropriated or otherwise made available for this purpose according to N.J.S.A. 18A:40-23. Nursing services shall include the extension of emergency care for pupils enrolled full time in the nonpublic school who are injured or become ill at school, or during participation on a school team or squad pursuant to N.J.A.C. 6A:16-1.4(a)1.~~



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~~The Superintendent and the administrator of the nonpublic school shall meet annually to review funding, to agree on basic nursing services and additional medical services to be provided based on funding, and to assure the nonpublic school has a copy of N.J.S.A. 18A:40-23 to 31. If agreement cannot be reached between the district and the nonpublic school, the County Office of Education shall be consulted for clarification. The district may provide additional nursing services when all basic nursing services have been provided, or will be provided, within the limits of funds appropriated or otherwise made available for this purpose according to N.J.S.A. 18A:40-23. The nursing services provided to a nonpublic school shall not include instructional services.~~

~~Funds spent on services delivered under this policy in any one nonpublic school shall not exceed the amount allocated to that school on a per pupil basis, less the cost to this district of administrative services directly attributable to the provision of such services or six percent of the funds allocated for each participating nonpublic school, whichever is less.~~

~~Nursing services shall include assistance with medical examinations and dental screening, screening of hearing examinations, maintenance of pupil health records, notification of local and county health officials of any pupil who has not been properly immunized, and the conduct of scoliosis examinations. If the Board and the nonpublic school agree, emergency care shall be provided to nonpublic school pupils who become ill or are injured in school or during participation on a school athletic team or squad in the same manner such services are provided to pupils of this district.~~

~~Nursing and health care services shall be provided by a professional registered nurse licensed in New Jersey who is an employee of this district, an employee of a third party contractor, or an independent contractor. The location of the services will be determined by the Board and will comply with the rules of the State Board.~~

~~The Board may purchase equipment and supplies for the provision of services under this policy, within the allocation of funds, and may lend any such equipment to a nonpublic school without charge provided it is understood that such equipment remains the property of the Board.~~

~~A nonpublic school pupil whose parent(s) or legal guardian(s) objects in writing to the receipt of nursing services shall not be compelled to receive such services, except for a physical examination to determine whether the pupil is ill or infected with a communicable disease.~~

~~The Superintendent or designee will retain a written statement verifying the annual meeting was held with the nonpublic school. The Superintendent or designee will also retain a copy of the contract document; Board meeting minutes approving the contract that describes the methods by which nursing services to the nonpublic pupils will be provided for the ensuing school year; a rationale for the distribution of funds; and a description of the type and number of services which~~



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~~were provided during the previous year to nonpublic pupils will be recorded on a form provided by the Commissioner of Education as required in N.J.A.C. 6A:16-2.4(a).~~

### ~~Delivery of Services~~

~~The Board shall provide any transportation necessitated by the provision of services under this policy.~~

~~Records regarding individual pupils receiving services under this policy shall be kept in accordance with State Board rules and Policy No. 8330 on Pupil Records.~~

~~The Board shall, file with the Commissioner a report on the number of nonpublic school pupils identified as eligible to receive services at a time and in a form required by the New Jersey Department of Education.~~

~~N.J.S.A. 18A:40-23 et seq.; 18A:40A-17(e);  
—18A:46-19.1 et seq.; 18A:46A-1 et seq.;  
—18A:58-37.1 et seq.  
N.J.A.C. 6A:14-1.1 et seq.; 6A:16-2.4 et seq.~~

Adopted : 17 July 2012



[See POLICY ALERT Nos. 111, 120, 142, 144, 147, 165 and 213]

### **2700 SERVICES TO NONPUBLIC SCHOOL STUDENTS**

The Board of Education shall provide, in accordance with law and to the limit of State aid available for such purposes, services to students enrolled in nonpublic schools located within this school district in which a child may legally fulfill compulsory school attendance requirements and which complies with Title VI of the Civil Rights Act of 1964.

For the purpose of this Policy, “district of attendance” shall mean the school district in which the nonpublic school is located.

- A. Special Education and Related Services - N.J.S.A. 18A:46-19; N.J.S.A. 18A:46A-1; N.J.A.C. 6A:14-6

The Board of Education of the district of attendance, as required by Federal law and regulation under Part B of the Individuals with Disabilities Education Act (IDEA), shall provide a genuine opportunity for the equitable participation of students with disabilities who are enrolled in nonpublic schools or early childhood programs by their parents. The district of attendance shall make the final decisions with respect to the services to be provided to eligible students with disabilities enrolled in nonpublic schools or early childhood programs. Services shall be provided only upon the written consent of the parent and shall be provided in a location determined by the Board pursuant to N.J.S.A. 18A:46-19.5. The district of attendance shall spend an amount of money equal to a proportionate amount of Federal funds available under Part B of the IDEA for the provision of services to students with disabilities who are attending nonpublic schools.

The district of attendance, after timely and meaningful consultation with representatives of the nonpublic school, shall undertake a child find process in accordance with IDEA and its implementing regulations to determine the number of parentally placed children with disabilities attending nonpublic schools located within the district. As part of the child find process the district shall consult with private school representatives and representatives of parents of parentally placed nonpublic school children with disabilities in the design and development of special education and related services for such children in accordance with N.J.A.C. 6A:14-6.1(c)1. Furthermore, services may be provided by district



personnel or through contracts with individuals, approved clinics, or agencies. In addition, services provided shall be secular, neutral, and non-ideological. Those procedural safeguards available to nonpublic school students with disabilities and their parents as specified by Federal law and rules under Part B of the IDEA shall apply in accordance with N.J.A.C. 6A:14-6.1(e).

If a nonpublic school student with a disability will receive special education or related services from the district, the district shall initiate and conduct meetings according to N.J.A.C. 6A:14-2.3(k) to develop, review, and revise a service plan for the student and ensure a representative of the nonpublic school or early childhood program attends each meeting pursuant to N.J.A.C. 6A:14-6.1(f)2.

The Board shall provide for the services of a certified speech-language specialist for each child attending a nonpublic school located in the school district and classified pursuant to N.J.S.A. 18A:46-8 as requiring the services of a certified speech-language specialist. Services for children enrolled in nonpublic schools shall be provided only upon the consent of the parent or guardian and shall be provided in a location determined by the Board pursuant to rules and regulations of the State Board of Education. The Board shall provide for such transportation and maintenance and the cost shall be paid from State aid received by the district in accordance with N.J.S.A. 18A:46-19.6. Contracts for speech correction services shall be in accordance with N.J.S.A. 18A:46-19.7. Costs and provisions for speech correction services shall be managed in accordance with N.J.S.A. 18A:46-19.7 and N.J.S.A. 18A:46-19.8.

The Board shall provide for the receipt of auxiliary services by children between the ages of five and twenty residing in the State and enrolled full-time in a nonpublic school located in the district in accordance with N.J.S.A. 18A:46A-3. Auxiliary services shall mean compensatory education services for the improvement of students' communication skills; supportive services acquiring communication proficiency in the English language for children of limited English-speaking ability; and home instruction services. Services for children enrolled in nonpublic schools shall be provided only upon the consent of the parent and in a location determined by the Board pursuant to rules and regulations of the State Board of Education. The cost of transportation for auxiliary services shall be managed in accordance with N.J.S.A. 18A:46A-6. Contracts for auxiliary services shall be managed in accordance with N.J.S.A. 18A:46A-7. Cost limitations for auxiliary services shall be managed in accordance with N.J.S.A. 18A:46A-8. Calculation of the costs by the Commissioner shall be managed in accordance with N.J.S.A. 18A:46A-9.



**B. Health Services - N.J.S.A. 18A:40-23 through 31; N.J.A.C. 6A:16-2.5**

The Board shall provide nursing services for students who are enrolled full-time in a nonpublic school located in their district pursuant to N.J.S.A. 18A:40-23. The services shall include assistance with medical examinations; including dental screening, conducting screening of hearing examinations, the maintenance of student health records, and notification of local or county health officials of any student who has not been properly immunized; and conducting examinations of students between the ages of ten and eighteen for the condition known as scoliosis. The Board shall adopt written policies and procedures extending the emergency care provided to public school students to those students who are enrolled full-time in the nonpublic school or are injured or become ill at school or during participation on a school team or squad in accordance with N.J.A.C. 6A:16-2.5(b).

Nursing services funded by the Board pursuant to N.J.S.A. 18A:40-23 et seq. shall be provided by a registered nurse licensed by the New Jersey State Board of Nursing who is an employee of the school district or a third-party contractor or is an independent contractor. The Board shall either employ a qualified independent contractor to provide nursing services or shall contract, pursuant to N.J.S.A. 18A:40-28, with other district Boards of Education or with a public or private agency approved by the Commissioner to provide nursing services, pursuant to N.J.A.C. 6A:14-5.2. Prior to any change in the provision of nursing services, the Board shall provide timely and meaningful consultation with appropriate nonpublic school representatives, including parents, pursuant to N.J.S.A. 18A:40-28.

The nursing services provided to nonpublic school students shall not include instructional services in accordance with N.J.A.C. 6A:16-2.5(f). A nonpublic school may decline nursing services required or permitted by submitting to the district of attendance notification in accordance with N.J.A.C. 6A:16-2.5(g). A student who is enrolled in a nonpublic school and whose parent objects to the student receiving any service provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the service except for a physical or medical examination to determine whether the student is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.

The Board of Education shall provide health services based upon the following: the funding for services shall be based upon the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year; a report



provided to the New Jersey Department of Education (NJDOE) by the district of attendance or nonpublic school that includes the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year; and the funds expended by the district of attendance for administrative costs shall be limited to the actual costs or six percent of the funds allocated annually for each participating nonpublic school, whichever is less. Administrative costs shall include, but not be limited to, the costs related to the district of attendance annual consultation, bidding, program and contract management, and oversight and quality control.

The Superintendent or designee of the district of attendance in which a nonpublic school is located shall confer annually with the administrator of the nonpublic school for the following purposes: to advise the nonpublic school of the amount of funds allocated to it by the NJDOE for the provision of health services for full-time students enrolled in the nonpublic school; to agree on the basic health services that shall be provided; the additional medical services, equipment, or supplies that may be provided as set forth in N.J.S.A. 18A:40-23 et seq.; to discuss the criteria to be used in the selection of a nursing service provider by the district of attendance for the nonpublic school; and to ascertain the level of satisfaction of the nonpublic school with the current nursing service provider. If the Superintendent or designee and the nonpublic school administrator cannot reach agreement regarding the health services and additional medical services to be provided, the County Office of Education shall provide assistance; to assure that a description of the provision of nursing services is reflected in the nursing services plan of the district of attendance; and to ensure nonpublic school students in the district of attendance who are knowingly without medical coverage have access to the New Jersey FamilyCare program and to make information accessible regarding the program to the nonpublic school students, pursuant to N.J.S.A. 18A:40-34. The Superintendent or designee must submit a report to the Executive County Superintendent on or before October 1 annually in accordance with N.J.A.C. 6A:16-2.5(k).

- C. Textbook Aid to Public and Nonpublic Schools - N.J.S.A. 18A:58-37 et seq.; N.J.A.C. 6A:23A-20 et seq.

N.J.S.A. 18A:58-37.3 requires the Board in which a nonpublic school is located to purchase and to loan, without charge, upon individual requests, textbooks to students in the nonpublic school or schools located within the district of attendance when such students are residents of the State. The Board shall not be





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required to expend funds for the purchase and loan of textbooks in excess of the amounts provided in State aid. Students who are enrolled in a nonpublic school whose parents do not maintain a residence in this State are not eligible to receive such textbooks. Students who are enrolled in a nonpublic school whose tuition is paid by the district of attendance are not eligible to receive such textbooks. The Board shall distribute to all students on an equitable basis existing book stocks and newly purchased textbooks purchased pursuant to N.J.S.A. 18A:58-37.1 et seq. The Board shall not discriminate against students in either public or nonpublic schools.

An individual written request for the loan of textbooks shall be signed by the parent(s) of nonpublic school students and shall be submitted directly to the Board of the district of attendance or may be forwarded collectively by the nonpublic school. Requests must be received by the Board by March 1 preceding the school year. All individual requests must be made in accordance with N.J.A.C. 6A:23A-20.3.

In accordance with N.J.A.C. 6A:23A-20.4, all textbooks purchased under the provisions of N.J.S.A. 18A:58-37.1 et seq. shall remain the property of the district which shall indicate such ownership in each book by a label. The Board shall be responsible for the receipt of the textbooks from the vendor and inventory of such textbooks. The Board may require that the textbooks be returned to the district at the end of the school year or may enter into agreements with the nonpublic schools to store such books. In the event of such an agreement, the Board shall not pay storage charges of any kind to a nonpublic school for this service.

The Board's accounting entries in relation to expenditures for the purchase of textbooks shall be managed in accordance with N.J.A.C. 23A-20.5.

N.J.S.A. 18A:40-23 through 31; 18A:46-19; 18A:46A-1; 18A:58-37 et seq.  
N.J.A.C. 6A:14-6; 6A:16-2.5; 6A:23A-20 et seq.

Adopted: 17 July 2012

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

