

CHAPTER 10A**IMPROVING STANDARDS-DRIVEN INSTRUCTION
AND LITERACY AND INCREASING EFFICIENCY
IN ABBOTT SCHOOL DISTRICTS****Authority**

P.L. 2006 c. 45.

Source and Effective DateR.2006 d.401, effective October 24, 2006.
See: 38 N.J.R. 4886(a).**Chapter Expiration Date**

Chapter 10A, Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts, expires on June 30, 2007.

Chapter Historical Note

Chapter 10A, Improving Learning and Literacy in Abbott Districts: Implementing Standards-Driven Instruction, Reforms, Programs and Services Under Abbott v. Burke, was adopted as special new rules by R.2003 d.394, effective September 9, 2003. See: 35 N.J.R. 4759(a). Chapter 10A, Improving Learning and Literacy in Abbott Districts: Implementing Standards-Driven Instruction, Reforms, Programs, and Services Under Abbott v. Burke, expired on June 30, 2004.

Chapter 10A, Improving Learning and Literacy in Abbott School Districts: Implementing Standards-Driven Instruction and Effective and Efficient Practices Under Abbott v. Burke, was adopted as Special New Rules by R.2005 d.2, effective November 30, 2004. See: 37 N.J.R. 104(a). Chapter 10A expired on June 30, 2005.

Chapter 10A, Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts, was adopted as special new rules by R.2005 d.358, effective September 22, 2005. See: 37 N.J.R. 4043(a). Chapter 10A, Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts, expired on June 30, 2006.

Chapter 10A, Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts, was adopted as special new rules by R.2006 d.401, effective October 24, 2006. See: Source and Effective Date.

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**APPENDIX A. SUPPLEMENTAL PROGRAMS IN ABBOTT
SCHOOLS****APPENDIX B. SECONDARY EDUCATION STANDARDS****SUBCHAPTER 1. GENERAL PROVISIONS****6A:10A-1.1 Purpose and applicability of rules**

(a) These rules are adopted to implement the *Abbott v. Burke* decisions and are promulgated pursuant to P.L. 2006, c. 45 to ensure that all students in poor urban school districts receive the educational entitlements guaranteed them by the

New Jersey Constitution. The rules apply to “Abbott districts” as defined in *Abbott v. Burke*, 119 N.J. 287 (1990, *Abbott II*) and N.J.A.C. 6A:10A-1.2, and are adopted to ensure the provision of a thorough and efficient system of education as guaranteed by the New Jersey Constitution (T&E), and defined by the Supreme Court in the Abbott decisions and by P.L. 1996, c. 136, as the Core Curriculum Content Standards (CCCS). These rules will also ensure that the instructional needs of students are continuously assessed, that all school districts operate in a cost-effective and efficient manner, are focused on improving learning, literacy and student mastery of the CCCS, and are supported by adequate funding.

(b) These rules, promulgated by the Commissioner of Education under the authority of the Fiscal Year 2007 Appropriations Act, shall be effective through June 30, 2007. To the maximum extent possible, these rules are consistent with the requirements, reporting and responsibilities imposed on Abbott schools and school districts by No Child Left Behind, P.L. 107-110. The rules shall supercede the rules in N.J.A.C. 6A:23 where inconsistencies occur. In addition, Abbott school districts must comply with all other requirements of State law and regulations as set forth in Title 18A of the laws of the State of New Jersey, the New Jersey Administrative Code and the non-fiscal requirements of the Comprehensive Educational Improvement and Financing Act (CEIFA) in N.J.S.A. 18A:7F-1 et seq., and rules otherwise promulgated to implement that act; except that where differences in these rules and the CEIFA rules or other rules occur, these rules herein shall take precedence.

6A:10A-1.2 Definitions

The following words and terms, as used in this chapter, shall have the following meaning, unless the context indicates otherwise.

“Abbott Preschool Program Contract” means the State-approved model agreement, with any modifications requested by the school district and approved by the Department, between the school district and private providers, including Head Start, to use when contracting preschool program services.

“Abbott school district” means each of the following 28 urban school districts identified in the appendix to *Raymond Abbott, et al. v. Fred G. Burke, et al.* decided by the New Jersey Supreme Court on June 5, 1990 (119 N.J. 287, 394) as follows: Asbury Park City, Bridgeton City, Burlington City, Camden City, East Orange City, Elizabeth City, Garfield City, Gloucester City, Harrison Town, Hoboken City, Irvington Township, Jersey City, Keansburg Borough, Long Branch City, Millville City, New Brunswick City, Newark City, City of Orange Township, Passaic City, Paterson City, Pemberton Township, Perth Amboy City, Phillipsburg Town, Pleasantville City, Trenton City, Union City, Vineland City, and West New York Town, and the following school districts not included above but designated Abbott school districts pur-

suant to statute, Neptune Township and Plainfield, P.L. 1999, c. 110, and Salem City, P.L. 2004, c. 61, and such other school districts as may qualify in the future. An Abbott school district shall not include any charter school.

“Administrative cost” means total administrative costs as defined by the Comparative Spending Guide and in accordance with the Uniform Minimum Chart of Accounts for New Jersey Public Schools and the National Center for Education Statistics classifications and other reporting directives published and distributed by the Commissioner pursuant to N.J.S.A. 18A:4-14 and N.J.A.C. 6A:23-2.

“Advertised per-pupil administrative costs” means the per-pupil administrative costs as defined by the Comparative Spending Guide and advertised in the school district budget software pursuant to N.J.S.A. 18A:22-11.

“Alternative Whole School Reform Design” or “AWSRD” means a plan approved by the Commissioner on the recommendation of the chief school administrator (CSA) and the school leadership council (SLC), in the case of a school AWSRD, that documents how elementary student performance in a school or entire school district can be improved by the implementation of a comprehensive program of instruction, governance and support adapted to the documented needs of its students and/or students district-wide and which the school district has documented to be more effective than the implementation of a national WSR model.

“Annual Audit Program” means the uniform program, including the Abbott Addendum, published and distributed by the Commissioner for each district board of education for preparing the Comprehensive Annual Financial Report pursuant to N.J.A.C. 6A:23-2.2(i).

“Appropriations Act” means the unitary appropriations law covering a single fiscal year as required by the New Jersey Constitution Article 8, Section 2, paragraph 2.

“Business entity” means as set forth in P.L. 2004, c. 19.

“CAPA Team” means the Collaborative Assessment and Planning for Achievement (CAPA) team of educational practitioners, parents and other individuals assembled, trained and assigned by the Commissioner and the chief school administrator to implement the CAPA process in schools in year three and above in need of improvement.

“CAPA Team Report” means the written report on the CAPA Team’s findings and recommendations, developed by the CAPA Team with the SLC and school district central office, that is consistent with *Abbott X* and addresses at least the following: quality of instruction and school leadership; effectiveness of the SLC; level of parent participation, WRS model implementation, support from the Department, and the school district central office; the adequacy of supplemental programs and services to meet student needs, the status and quality of the school district’s foundational education program with reference to curriculum, professional development,