

(k) Age-eligible, non-resident children of non-resident staff members employed in school districts providing targeted preschool may only be enrolled in the employer's school district preschool program if:

1. The child is preschool disabled and receiving services pursuant to N.J.S.A. 18A:46-6;
2. The child meets the eligibility requirements for universal or targeted preschool in the child's district of residence and a Department approved written agreement exists between the two school districts that includes the transfer of State approved per pupil SFRA preschool education aid from the sending district of residence to the district of parental employment; or
3. The child's parent or guardian pays tuition.

(l) Implementation of (k)2 and 3 above shall be contingent upon ensuring all age-eligible, resident children are given priority.

(m) Any tuition charged to a school district or parent or guardian shall not exceed the per pupil amount established pursuant to P.L. 2007, c. 260.

(n) Any Department approved written agreement established between district boards of education to provide preschool programs pursuant to (a) through (m) above shall include the responsibilities for oversight of the preschool program elements set forth in this chapter.

Amended by R.2009 d.334, effective November 2, 2009.
See: 41 N.J.R. 2530(a), 41 N.J.R. 4077(a).

Rewrote the section.

Case Notes

District did not present compelling proofs that it was unable to meet the needs of its preschoolers where the regulations require a six hour, 180 day school year and the District was complying with these requirements, and both Department and Board witnesses attested that the district was able to meet the needs of its preschool students during the regular school day. Therefore, District's request for extended day/extended school year funding was properly denied (Initial Decision adopted in part, rejected in part, 2008 N.J. AGEN LEXIS 206). Bd. of Educ. of Elizabeth v. N.J. State Dept. of Educ., OAL Dkt. No. EDU 03055-08, 2008 N.J. AGEN LEXIS 659, Commissioner's Decision (April 21, 2008).

6A:13A-2.2 Enrollment

For every child's preschool application, the district board of education shall obtain enrollment information in a format provided by the Department.

6A:13A-2.3 Universe

(a) District boards of education that received preschool expansion aid or education opportunity aid in the 2007-2008 school year shall document the school district's strategies to serve at least 90 percent of the universe of eligible preschool children in the five-year preschool program plan and/or annual update, as required and approved by the Department.

(b) All other district boards of education shall document the school district's strategies to serve at least 90 percent of the universe of eligible preschool children by the 2013-2014 school year in the five-year preschool program plan and/or annual update, as required and approved by the Department. The plan shall include annual preschool enrollment targets that coincide with the school district's projected initiation and/or expansion of preschool.

(c) Each district board of education may be required to submit a corrective action plan to the Department if annual projected increases in enrollment targets are not met.

(d) The universe of eligible preschool children to be served by a school district in the next school year is determined by the following method:

1. For school districts providing universal preschool, the number of first graders reported on the Application for State School Aid (ASSA) is multiplied by two.
2. For school districts providing targeted preschool, the number of first graders reported on the Application for State School Aid (ASSA) is multiplied by two with the result multiplied by the percentage of free and reduced lunch pupils in kindergarten through grade 12.

3. The school district may request that the Department adjust the universe of eligible three- and four-year-old children to be served in the next school year based on factors including a large employer moving in or out of the school district or a new housing development, or documentation of a change in the at risk population.

(e) A district board of education that provides documentation of efforts to serve 90 percent of its eligible universe of preschool children within the five-year preschool program plan and/or annual update, is fully implementing a full-day preschool program and is meeting the elements established for high-quality preschool programs for three- and four-year-old children shall use any additional preschool aid to implement a full-day kindergarten program where the district still operates a half-day kindergarten program, and then may, upon approval by the Commissioner, subsidize preschool programs for resident preschool-aged children who are not eligible pursuant to this chapter or P.L. 2007, c. 260 or budget preschool education aid to support kindergarten through grade 12.

(f) The district board of education may, upon approval from the Commissioner, use any preschool education aid carry over funds for the school district's preschool program in the subsequent school year. The school district's request for Commissioner approval shall include justification for any expenditure of funds contrary to that approved by the Department in the five-year preschool program plan and/or annual update.

(g) The district board of education shall establish procedures for recruitment, enrollment and placement of all eligible resident preschool children in the preschool program.

Amended by R.2009 d.334, effective November 2, 2009.

See: 41 N.J.R. 2530(a), 41 N.J.R. 4077(a).

Rewrote (a) and (b); in (e), inserted “/or” and substituted “update” for “updates; added new (f); and recodified former (f) as (g).

SUBCHAPTER 3. PROGRAM PLANNING

6A:13A-3.1 Program planning

(a) A district board of education that did not receive any form of preschool aid in the 2007-2008 school year shall plan for preschool programs to be fully implemented by the 2013-2014 school year, pursuant to P.L. 2007, c. 260 based on Department approval of its five-year preschool program plan and with full preschool education aid provided at the SFRA funded per pupil amount determined by the formula established in P.L. 2007, c. 260. Once the school district receives approval as set forth in this subsection to implement its five-year preschool program plan, it shall be required to adhere to all other rules in this chapter.

(b) School districts formerly known as Early Childhood Program Aid (ECPA) school districts pursuant to repealed N.J.S.A. 18A:7F-16, that submitted a One-Year Preschool Operational Plan by May 30, 2008 and received approval from the Department to expand their preschool program in the school year 2008-2009, and subsequently submitted and received approval from the Department for a five-year preschool program plan commencing September 2009, shall implement that Department approved preschool program plan and any updates as required and approved by the Department and shall adhere to the rules found in this chapter.

(c) Any other former Early Childhood Program Aid (ECPA) school district, pursuant to repealed N.J.S.A. 18A:7F-16, shall adhere to its Department approved 2008-2009 ECPA operational plan and any updates as required and approved by the Department and shall adhere to N.J.A.C. 6A:13A-2.1(b) through (l) and to (c)1 through 11 below until such time as the school district receives approval to implement its preschool program, based on approval of its five-year preschool program plan by the Department, and with full preschool education aid provided at the SFRA funded per pupil amount determined by the formula established in P.L. 2007, c. 260. Once the school district receives approval as set forth above to implement its five-year preschool program plan, it shall be required to adhere to all other rules in this chapter.

1. The district board of education shall serve at least 75 percent of the universe of four-year-old children in a preschool program prior to any application of preschool education aid to first through third grades.

2. The district board of education shall serve all enrolled four-year-old children in a full-day preschool pro-

gram prior to any application of preschool education aid from preschool to kindergarten through grade three.

3. The district board of education shall implement programming for the following components:

- i. District-wide planning;
- ii. Community collaboration and planning;
- iii. Parent involvement;
- iv. Curriculum development and implementation;
- v. Inclusion of children with disabilities in general education classrooms to the maximum extent possible; and
- vi. Professional development and training.

4. The district board of education shall demonstrate that programs are based on a district-wide assessment that includes a needs and resource assessment for each school that is a subset of the school district's comprehensive strategic plan.

5. The district board of education shall ensure that the preschool program:

- i. Maintains classroom enrollments of no more than 18 children with one certified teacher and one appropriately qualified assistant;
- ii. Is developmentally appropriate to the age and skill level of the young child;
- iii. Is designed to meet the New Jersey Preschool Teaching and Learning Standards of Quality, the New Jersey Preschool Program Implementation Guidelines and the New Jersey Core Curriculum Content Standards;
- iv. Includes transition activities, programs, and services between preschool programs and kindergarten programs;
- v. Coordinates with all other relevant school district programs, for example, special education and bilingual education; and
- vi. Includes an annual program evaluation.

6. The district board of education shall base preschool programs and curricula on student needs, strengths and interests that focus on all aspects of development: cognitive, social, emotional and physical. Curriculum and assessment strategies and/or resources shall be developmentally appropriate and include performance-based assessment measures.

7. The district board of education shall ensure that instructional methods and/or strategies are congruent with the cognitive, social, emotional and physical skills of the young child. Instruction shall balance teacher-directed and child-initiated experiences.

8. The district board of education shall provide professional development and training specific to preschool education for all early childhood education administrators, teachers and teacher assistants.

9. The preschool program may be offered by the district board of education within a mixed delivery system that includes in-district, private provider and local Head Start agency settings provided that the private provider

and/or local Head Start agency program(s) with which the district board of education contracts comply with the school district's program requirements, including the employment of appropriately licensed and qualified teaching staff.

10. The district board of education shall include parent education activities in the preschool program with specific strategies identified that assist parents in remaining ac-

tively involved in their child's education throughout their school years.

11. The district board of education shall demonstrate that community health and social service agencies have been included in the planning, operations and, if appropriate, the fiscal support of the preschool program.

(d) Each district board of education with a high concentration of low-income students shall, in addition to implementing preschool, maintain full-day kindergarten for all five-year-olds as follows:

1. School districts in which 20 percent or more and less than 40 percent of the students are "at-risk" as defined in P.L. 2007, c. 260 shall maintain all existing full-day kindergarten programs.

2. Pursuant to N.J.A.C. 6A:13-3.2, school districts in which 40 percent or more of the students are "at-risk" as established in P.L. 2007, c. 260 shall maintain all existing full-day kindergarten programs with a teacher's assistant for each classroom. Class size for these kindergarten classrooms shall not exceed 21 students.

(e) Each school district receiving funds equal to its 2007-2008 Early Launch to Learning Initiative (ELLI) award shall adhere to its 2007-2008 ELLI Operational Plan and any updates as required and approved by the Department until such time as the school district receives approval to implement its preschool program, based on approval of its five-year preschool program plan by the Department, and with full preschool education aid provided at the School Funding Reform Act (SFRA) funded per pupil amount determined by the formula established in P.L. 2007, c. 260. Once the school district receives approval as set forth in this subsection to implement its five-year preschool program plan, it shall be required to adhere to the rules of this chapter.

(f) The universal and targeted high-quality preschool program may be offered by the district board of education within a mixed delivery system that includes in-district, private provider and local Head Start agency settings.

(g) Each year, the district board of education shall submit projected enrollment, the five-year preschool program plan and/or an annual update, as required by the Department.

1. The district board of education providing universal preschool shall submit its projected enrollment data and the five-year preschool program plan and/or annual updates as required by the Department for the next school year by the second Friday in November of each year.

2. The district board of education providing targeted preschool shall submit its projected enrollment data for the next school year by the second Friday in November of each year and the required five-year preschool program plan and/or annual update as required by the Department for the next school year by the second Friday in December of each year.

(h) The Department shall issue a determination approving or disapproving the plan no later than April 1 of each year. The required five-year preschool program plan and/or annual update shall adhere to Department preschool program and budget planning document guidance for school districts, private providers and local Head Start agencies, including, but not limited to:

1. The strategies to address the elements for high quality preschool programs outlined in this chapter;

2. A rationale for the type of delivery system chosen and, upon request by the Department, a justification for not contracting with every willing and able private provider and local Head Start agency;

3. The programmatic needs of its students, programs, private providers and local Head Start agencies;

4. The information collected annually from the self assessment and validation beginning with the initial year of preschool program implementation; and

5. For school districts providing universal preschool and not currently providing full-day kindergarten to all age-eligible students, a plan and annual updates for providing full-day kindergarten to every age-eligible student by 2013-2014.

(i) The Department approved five-year preschool program plan and/or annual update shall be directly connected with, and be the primary basis for, the school district preschool budget for each school year.

(j) Any appeal of a Department decision shall be expedited pursuant to provisions set forth in N.J.A.C. 6A:13A-11.

Amended by R.2009 d.334, effective November 2, 2009.
See: 41 N.J.R. 2530(a), 41 N.J.R. 4077(a).

Section was "Preschool program plan and annual updates". Rewrote the section.

SUBCHAPTER 4. PROGRAM STAFFING

6A:13A-4.1 Administrative oversight

(a) Each district board of education shall designate an in-district administrative position to oversee the preschool program. A dedicated in-district early childhood supervisor is required at a ratio of one for every 750 enrolled preschool children, minus those students enrolled in district stand-alone early childhood education buildings. For school districts with fewer than 750 enrolled preschool children, this position may be combined with another in-district school administrator position with the same certification and qualifications required of an early childhood supervisor or, as approved by the Department in the school district's five-year preschool program plan and/or annual update, may be contracted for with a county or regional educational services commission where

the county or regional educational services commission is approved by the State Board to do so.

1. Each district board of education shall ensure that in-district early childhood supervisors and administrators of in-district buildings with preschool children hold the appropriate New Jersey Supervisor's Certificate or New Jersey Principal's Certificate, have experience in preschool education and participate in annual training specific to preschool program planning and implementation and the school district's comprehensive preschool curriculum.

2. In-district administrators and/or supervisors of preschool programs shall ensure the coordination of all of the elements of a high-quality preschool program within the school district, including all private providers and local Head Start agencies. The responsibilities of the in-district administrators and/or supervisors of preschool programs shall include:

i. Developing and implementing the preschool budget, five-year preschool program plan and/or annual update and professional development plans as required by the Department;

ii. Contributing to the development of long range facilities plans;

iii. Supervising registration, recruitment and outreach efforts;

iv. Overseeing contractual compliance with private provider and local Head Start agencies;

v. Collaborating and communicating with the school district office of special services;

vi. Facilitating transition initiatives in collaboration with other preschool to kindergarten through third grade administrators;

vii. Where applicable, meeting regularly with private providers, including local Head Start agencies, to foster collaboration and program implementation including, but not limited to, fiscal and curriculum information;

viii. Overseeing the implementation of the comprehensive preschool curriculum;

ix. Providing assistance to all staff responsible for the implementation of appropriate early childhood practices within the preschool program;

x. Administering strategies designed to help teachers and other professionals optimize children's learning and development in all domains;

xi. Coordinating annual program evaluation;

xii. Hiring, supervising and ensuring evaluation of all in-district staff funded by the preschool programmatic budget; and

xiii. Ensuring that each private provider and local Head Start agency implements a system for classroom teacher observations.

(b) Each private provider and local Head Start agency shall provide a director pursuant to the regulations set forth in the Manual of Requirements for Childcare Centers, N.J.A.C. 10:122.

1. The director shall work on-site at the child care center for a minimum of five of the six hours of the comprehensive educational program day.

2. The director shall, at a minimum, hold the credentials set forth in the Manual of Requirements for Childcare Centers, N.J.A.C. 10:122.

3. The director shall not serve in any other position including, but not limited to, instructional staff member or family worker, during the same hours as he or she is serving in the capacity of center director.

4. If the director is required to be off-site, he or she shall assign an on-site designee, pursuant to the Manual of Requirements for Childcare Centers at N.J.A.C. 10:122. The designee shall not be a classroom teacher or teacher assistant.

Amended by R.2009 d.334, effective November 2, 2009.

See: 41 N.J.R. 2530(a), 41 N.J.R. 4077(a).

Rewrote the introductory paragraph of (a); in (a)2i, inserted "/or", substituted "update" for "updates" and inserted "as required by the Department"; and in (a)2vi, inserted "to kindergarten".

6A:13A-4.2 Master teachers

(a) The district board of education shall provide master teachers at a ratio of no more than 20 preschool classrooms for each master teacher to ensure coaching and classroom support for classroom teachers. The district board of education shall provide additional master teachers to assist uncertified or inexperienced teachers, and to provide professional development that supports English language learners and children in inclusive classroom settings. For school districts with fewer than 20 preschool classrooms, the master teacher position, described in the school district's five-year preschool program plan and/or annual update, as required, and approved by the Department, may be fulfilled in one of the following ways:

1. Combine the preschool master teacher position with another in-district position, provided all master teacher qualifications established in this chapter are met;

2. Collaborate with one or more school district(s) to share the services of a master teacher; or

3. Contract with a county or regional educational services commission for master teacher services where the county or regional educational services commission is approved by the State Board to do so.

(b) The master teacher shall have the following qualifications and experience:

1. A bachelor's degree and teacher certification;
2. Three to five years experience teaching in general education preschool programs;
3. Experience in implementing developmentally appropriate preschool curricula;
4. Experience with a range of appropriate early childhood assessments including performance-based assessment instruments and classroom quality assessment instruments; and
5. Experience providing professional development to classroom teachers.

(c) A master teacher appointed prior to September 1, 2007 shall, at a minimum, hold a preschool through grade three standard instructional certificate or an N-8 standard instructional certificate.

(d) A master teacher appointed on or after September 1, 2007 shall, at a minimum, hold a preschool through grade three or equivalent preschool certification, as set forth in N.J.A.C. 6A:9B.

(e) In addition to the requirements above, depending on the population served by the district board of education, the master teacher(s) shall demonstrate one or more of the following:

1. Certification that includes an endorsement for bilingual education or English as a second language;
2. Certification that includes an endorsement for teacher of students with disabilities or teacher of the handi-capped;
3. A graduate degree in early childhood education with an emphasis on early literacy and/or early mathematics;
4. A graduate degree in educational supervision and/or leadership; and/or
5. Preschool Professional Development Fellow status.

(f) The responsibilities of the master teacher shall, at a minimum, include:

1. Modeling, coaching, informally observing, using structured observation instruments and providing feedback to teachers in preschool programs to assist with the implementation of the comprehensive curriculum and the Preschool Standards;
2. Providing staff development, based on systematic classroom observations consistent with a classroom quality assessment instrument, as defined in N.J.A.C. 6A:13A-5.5;

3. Making recommendations to administrators or supervisors of preschool programs to provide additional professional development as needed;

4. Ensuring that systematic early childhood assessment occurs in the preschool program;

5. Ensuring implementation of the comprehensive performance-based assessment system that is connected to the comprehensive preschool curriculum as part of the five-year preschool program plan and/or annual update as required and approved by the Department;

6. Participating in parent involvement programs with district board of education and private provider staff; and

7. Supporting transition activities, programs and services between and among preschool through grade three programs.

Amended by R.2009 d.334, effective November 2, 2009.
See: 41 N.J.R. 2530(a), 41 N.J.R. 4077(a).

Section was "Master teachers—coaching". In the introductory paragraph of (a), inserted "; described in the school district's five-year preschool program plan and/or annual update, as required, and approved by the Department,"; in (b)2, inserted "general education"; in (f)1, substituted "Preschool Standards" for "Expectations"; in (f)3, deleted "early childhood" preceding "preschool"; and in (f)5, deleted "and approved by the Department" following "curriculum" and substituted "and/or annual update as required and approved by the Department" for "and annual updates".

Administrative change.

See: 46 N.J.R. 1743(a).

6A:13A-4.3 Instructional staff

(a) The district board of education shall ensure that one appropriately certified teacher and one appropriately qualified teacher assistant, pursuant to N.J.A.C. 6A:13A-4.3(f) and (g), are provided for every preschool class of 15 children. Class size shall not be greater than 15 children.

1. The district board of education may have fewer than 15 children in a class, if the services can be provided at the school district's per pupil amount, and the essential elements for the implementation of a high-quality preschool program, as set forth in this chapter, are maintained.

2. In-district preschool classroom teachers shall hold a bachelor's degree and, at a minimum, a certificate of eligibility or certificate of eligibility with advanced standing for preschool through grade three or other equivalent preschool certification as set forth in N.J.A.C. 6A:9B.

(b) Private provider and local Head Start agency preschool teachers teaching in classrooms contracted with school districts that received preschool expansion aid or education opportunity aid in 2007-2008, shall hold a bachelor's degree and, at a minimum, a certificate of eligibility or certificate of eligibility with advanced standing for preschool through grade three or other equivalent preschool certification, as set forth in N.J.A.C. 6A:9B.

(c) All private provider and local Head Start agency preschool teachers, teaching in classrooms contracted with school districts that did not receive preschool expansion aid or educational opportunity aid in 2007-2008, who do not hold the appropriate degree and certification shall submit an initial application and annual updates documenting progress toward timely completion of following requirements to the school district verified and signed by the teacher's college advisor:

1. Is working toward completing the preschool through grade three certification by September 2012;
2. Is a student in good standing;
3. Has a minimum GPA of 2.75 when 4.0 equals an A; and
4. Has a detailed and feasible plan for attaining preschool through grade three certification within the time-frame described in (c)1 above.

(d) To ensure that teachers hold the appropriate credentials/certification, pursuant to (c) above, the district board of education shall be responsible for:

1. Reviewing each initial application and subsequent revisions for accuracy and completeness by the start of the school year;
2. Approving or denying each individual application; and
3. Ensuring that only teachers who have completed the requirements listed in (c) above remain as a classroom teacher beyond the start of the 2012 school year.

(e) All preschool classroom teachers hired in private provider and Head Start agencies subsequent to the initial year of the school district's implementation of a preschool program shall hold a bachelor's degree and, at a minimum, a certificate of eligibility or certificate of eligibility with advanced standing for preschool through grade three certification or other equivalent preschool certification, as set forth in N.J.A.C. 6A:9B.

(f) The district board of education teacher assistants in districts or schools supported by Title 1 funding, as applicable, shall meet the requirements pursuant to the No Child Left Behind Act of 2001, P.L. 107-110.

(g) The district board of education shall require all other teacher assistants, both new hires and existing staff, in all preschool program settings to have a high school diploma or its equivalent.

Amended by R.2009 d.334, effective November 2, 2009.
See: 41 N.J.R. 2530(a), 41 N.J.R. 4077(a).

In the introductory paragraph of (a), inserted "appropriately qualified" and ", pursuant to N.J.A.C. 6A:13A-4.3(f) and (g)."; in (a)1, substituted "essential elements for the implementation of a high-quality preschool program" for "preschool quality standards"; in (b), inserted "and local Head Start agency" and "classrooms contracted with" and substituted "teachers teaching" for "classroom teachers," and "that received" for

"receiving"; rewrote the introductory paragraph of (c); and in (c)4, substituted "(c)1" for "(c)1i".
Administrative change.
See: 46 N.J.R. 1743(a).

Case Notes

Department's determination to limit funding to 55 lunch assistants for preschool program was neither an arbitrary application of "numbers crunching" nor a mistake based on incorrect factual assumptions; rather, it was a fully informed judgment against State subsidization of an inefficient and ineffective operational arrangement (Initial Decision adopted in part, rejected in part, 2008 N.J. AGEN LEXIS 206). Bd. of Educ. of Elizabeth v. N.J. State Dept. of Educ., OAL Dkt. No. EDU 03055-08, 2008 N.J. AGEN LEXIS 659, Commissioner's Decision (April 21, 2008).

6A:13A-4.4 Intervention and support services

(a) The district board of education shall establish one preschool intervention and referral team (PIRT) for every 750 enrolled preschool students. In school districts with fewer than 750 enrolled preschool children, the services funded by the school district's preschool budget and described in the school district's five-year preschool program plan and/or annual update, as required and approved by the Department:

1. May be combined with the school district's existing intervention and referral services, required by N.J.A.C. 6A:16; or
2. May be fulfilled by contracting with a county or regional educational services commission for PIRT services where the county or regional educational services commission is approved by the State Board to do so.

(b) The PIRT shall be supervised by the early childhood school district administrator and shall work within a consultation model with relevant school district, private provider and local Head Start agency staff and administrators to deliver preschool age-appropriate services designed to decrease referrals to special education and to maximize general education classroom teachers' ability to support all students.

(c) The PIRT shall include a combination of psychologists, learning disabilities teacher consultants, school social workers and speech and language specialists.

(d) The PIRT shall, at a minimum:

1. Consult with master teachers and preschool classroom teachers to adapt and modify teaching practices to help preschool children meet the Preschool Standards;
2. Conduct regular visits to classrooms to observe, model, provide feedback and make recommendations about appropriate strategies, classroom modifications and the selection of adaptive materials to address the needs of children with challenging behaviors or potential learning difficulties;
3. Provide professional development for instructional staff and administrators to facilitate preschool inclusion;

4. The preschool fiscal specialist shall perform all functions set forth in this chapter, including, at a minimum:

- i. Monitor each contracting private provider and/or local Head Start agency for compliance with the preschool program contract;
- ii. Track and report teacher certification information;
- iii. Monitor expenses and review quarterly expenditure reports in accordance with the approved contracting private provider and/or local Head Start agency budgets; and
- iv. Provide financial management assistance to contracting private providers and local Head Start agencies in the development and monitoring of their annual budgets. The preschool fiscal specialist shall collaborate with contracting private providers and/or local Head Start agencies in the development of any corrective action plans in response to the findings from an audit and/or a limited review examination.

Amended by R.2009 d.334, effective November 2, 2009.
See: 41 N.J.R. 2530(a), 41 N.J.R. 4077(a).

In (a)1, inserted "contracting"; in (a)3, inserted "when described in the five-year preschool program plan and/or annual updates, as required and approved by the Department,;" in (a)4i, (a)4iii and (a)4iv, inserted "contracting" preceding "private providers" throughout; and in (a)4iv, deleted "as applicable," following the second occurrence of "agencies" and inserted "any".

SUBCHAPTER 5. CURRICULUM AND ASSESSMENT

6A:13A-5.1 Curriculum

(a) The district board of education shall ensure implementation of a comprehensive curriculum supported by research, aligned with the Preschool Standards, and linked to the New Jersey Core Curriculum Content Standards (CCCS). The school district's choice of curricula shall be described in the five-year preschool program plan and/or annual update as required and approved by the Department. The program and curriculum shall include, but need not be limited to, the following:

1. Systematic support for language acquisition for all children, including approaches for helping English language learners acquire English while maintaining their home language within their regularly assigned preschool classroom;
2. A clearly described, systematic and intensive instructional approach for all aspects of development and learning using the strategies and techniques delineated in the Preschool Standards; and
3. Implementation of a comprehensive, performance-based assessment system that is aligned with the preschool curriculum.

Amended by R.2009 d.334, effective November 2, 2009.
See: 41 N.J.R. 2530(a), 41 N.J.R. 4077(a).

In the introductory paragraph of (a), substituted "Preschool Standards" for "Expectations", "described in" for "approved by the Department as part of" and "and/or annual update as required and approved by the Department" for "and annual updates"; and in (a)2, substituted "Preschool Standards" for "Expectations".

6A:13A-5.2 Assessment

(a) The district board of education shall ensure that ongoing assessment in the preschool program is used to:

1. Plan intentional instruction for individuals and groups;
2. Identify children for health and special services;
3. Monitor trends and evaluate programs; and
4. Provide program accountability data, as specified by the Department.

6A:13A-5.3 Screening

(a) The district board of education shall conduct a developmentally-based early childhood screening assessment upon enrollment in preschool to:

1. Identify children with broad indicators of potential problems who may require further assessment; and
2. Determine if a child needs a comprehensive diagnostic assessment.

6A:13A-5.4 Ongoing performance-based assessment of children

(a) The district board of education shall ensure that all preschool classroom teachers conduct ongoing performance-based assessment of children that:

1. Is aligned with the comprehensive curriculum described in the school district's five-year preschool program plan and/or annual update as required and approved by the Department;
2. Addresses all learning domains;
3. Uses multiple sources of evidence gathered over time;
4. Is used for curriculum planning and reporting to parents; and
5. Is not used to determine the classroom placement of children.

Amended by R.2009 d.334, effective November 2, 2009.
See: 41 N.J.R. 2530(a), 41 N.J.R. 4077(a).

In (a)1, substituted "described" for "and approved" and "and/or annual update as required and approved by the Department" for "and annual updates" and inserted "school district's".

6A:13A-5.5 Classroom quality assessment

(a) Starting in the first year of preschool program implementation, the school district shall, at least annually, use a reliable classroom quality assessment instrument described in the five-year preschool program plan and/or annual update, as required and approved by the Department, to assess program quality in each in-district, contracting private provider, and/or Head Start agency preschool classroom, aggregate the data, and develop professional development plans for all teaching staff.

1. The school district shall score program quality on a graduated scale in all preschool classrooms.

2. An action plan shall be developed and implemented by the school district and contracting private provider or local Head Start agency if any classroom falls below the minimum acceptable score established by the district board of education in their preschool program contract. Development of the action plan shall involve participation of the school district and the contracting private provider or local Head Start agency in joint discussions to determine the classroom quality improvements that are necessary based upon the results of the observation instrument and establishment of a timeframe for making the required changes.

3. The master teacher shall provide technical assistance to the classroom teacher based upon the action plan.

4. If the district board of education deems that improvements have not been made according to the established plan and schedule, the district board of education or contracting private provider or local Head Start agency may request that the classroom or program be evaluated by a reliable independent observer approved by the Department. If the reliable independent observer verifies that the action plan is not being satisfied in a contracting private provider or local Head Start agency classroom, steps shall be taken to remove the contracting private provider or local Head Start agency teacher from the classroom or terminate or not renew the preschool program contract between the contracting private provider or local Head Start agency and the district board of education pursuant to the provisions for non-renewal and termination set forth in N.J.A.C. 6A:13A-9.

Amended by R.2009 d.334, effective November 2, 2009.
See: 41 N.J.R. 2530(a), 41 N.J.R. 4077(a).

In the introductory paragraph of (a) and in (a)2 and (a)4, inserted "contracting" preceding "private provider" throughout; in the introductory paragraph of (a), substituted "Starting in the first year of preschool program implementation, the" for "The", "quality assessment" for "observation", "described in" for "approved by the Department as part of" and "and/or annual update, as required and approved by the Department," for "and annual updates"; in (a)2, inserted "established by the district board of education in their preschool program contract"; and in (a)4, substituted "terminate or not renew" for "not renew or terminate".

SUBCHAPTER 6. TRANSITION**6A:13A-6.1 Transition**

(a) The district board of education shall include transition initiatives from program entry to kindergarten through grade three in its five-year preschool program plan and/or annual update, as required and approved by the Department, that describe:

1. The process for collaborating with other preschool through grade three administrators in the school district;

2. Methods for communicating information about individual children to their new kindergarten and elementary teachers; and in particular the results of the comprehensive performance-based assessment;

3. The process for identifying and communicating the curriculum and pedagogical information about the preschool program to the kindergarten and elementary teachers; and

4. The process for providing information to parents about the kindergarten program and the transition plan from preschool through grade three.

Amended by R.2009 d.334, effective November 2, 2009.
See: 41 N.J.R. 2530(a), 41 N.J.R. 4077(a).

In the introductory paragraph of (a), inserted "transition initiatives from program entry to kindergarten through grade three" and substituted "and/or annual update as required and approved by the Department," for "and annual updates, transition initiatives from program entry to kindergarten through grade three"; and in (a)2, deleted "approved by the Department as part of the five-year preschool program plan and annual updates" following "assessment".

SUBCHAPTER 7. FACILITIES**6A:13A-7.1 Space requirements**

(a) The district board of education shall ensure, for all newly contracted private provider and local Head Start agency preschool classrooms, a minimum of 950 square feet per classroom consisting of 750 square feet of usable space, 150 square feet of storage and equipment or furnishings that are either built in or not easily movable and 50 square feet of toilet room.

(b) The district board of education shall ensure that all construction or alteration of playgrounds and playground equipment complies with N.J.A.C. 5:23-7 and 11, the barrier free subcode and playground safety subcode, respectively, found within the Uniform Construction Code.

(c) Any changes affecting the physical space or location of contracted private provider or local Head Start agency preschool classrooms require approval from the school district and shall meet the space requirements established in (a) and (b) above.