

CHAPTER 20

BUSINESS SERVICES

Authority

N.J.S.A. 18A:1-1, 18A:4-14, 18A:4-14.1, 18A:4-15, 18A:7A-19, 18A:7A-25, 18A:7A-26, 18A:7B-12, 18A:17-45, 18A:18A-4, 18A:18A-5, 18A:18A-7, 18A:18A-27, 18A:18A-37, 18A:18A-40, 18A:18A-42, 18A:19-13, 18A:22-8, 18A:29-3, 18A:29-5, 18A:29-5.1, 18A:29-5.3, 18A:29-5.6, 18A:29-5.12, 18A:33-3, 18A:38-5, 18A:38-19, 18A:38-25, 18A:44-2, 18A:46-6.1, 18A:46-21, 18A:58-33.39, 18A:58-37.1 et seq., 18A:58-68, 18A:58-72, 18A:58-74, 18A:58-75, 18A:58-76, 40A:11-11, 52:14-15.9(e), 52:14B-49(c), Chapter 154, Laws of 1987; and Executive Order No. 34(1976).

Source and Effective Date

R.1997 d.9, effective December 10, 1996.
See: 28 N.J.R. 4297(a), 29 N.J.R. 124(a).

Executive Order No. 66(1978) Expiration Date

Chapter 20, Business Services, expires on December 10, 1998.

Chapter Historical Note

Chapter 20, Business Services, was filed and became effective prior to September 1, 1969, with Subchapters 1 through 5 on Attendance and Pupil Accounting, Bookkeeping and Accounting in Local School Districts, Tuition Public Schools, Tuition Nonpublic Schools, and State Aid.

Subchapter 6. Purchase and Loan of Textbooks, was adopted as Emergency R.1974 d.240, effective August 29, 1974. See: 6 N.J.R. 389(a). Subchapter 7. Qualification, Debarment, Suspension and Disqualification of Person(s) Concerning Contract Administration, was adopted as R.1976 d.388, effective December 7, 1976. See: 8 N.J.R. 501(c), 9 N.J.R. 13(a). Subchapter 8. Public School Contracts, was adopted as R.1980 d.69, effective February 8, 1980. See: 11 N.J.R. 499(a), 12 N.J.R. 107(a). Subchapter 4. Tuition Nonpublic Schools, was repealed and a new Subchapter 4, Tuition for Private Schools for the Handicapped, was adopted as R.1983 d.369, effective September 6, 1983. See: 15 N.J.R. 730(a), 15 N.J.R. 1469(a). The text of Subchapter 4 was subsequently replaced by R.1984 d.398, effective September 4, 1984. See: 16 N.J.R. 1298(a), 16 N.J.R. 2358(a).

Pursuant to Executive Order No. 66(1978), Subchapter 5, State Aid, was readopted as R.1984 d.546, effective November 15, 1984. See: 16 N.J.R. 2392(a), 16 N.J.R. 3429(a). Subchapter 7. Qualification, Debarment, Suspension and Disqualification of Person(s) Concerning Contract Administration, was readopted as R.1984 d.545, effective November 15, 1984. See: 16 N.J.R. 2394(a), 16 N.J.R. 3430(a). Subchapter 8. Public School Contracts, was readopted as R.1985 d.88, effective March 4, 1985. See: 16 N.J.R. 3372(b), 17 N.J.R. 584(a). Subchapter 6. Purchase and Loan of Textbooks, was readopted as R.1985 d.150, effective March 8, 1985. See: 17 N.J.R. 148(a), 17 N.J.R. 814(a). Subchapter 3. Tuition Public Schools, was readopted as R.1985 d.157, effective March 11, 1985. See: 17 N.J.R. 144(a), 17 N.J.R. 811(c). Subchapter 2. Bookkeeping and Accounting in Local School Districts, was readopted as R.1985 d.452, effective August 9, 1985. See: 17 N.J.R. 1361(a), 17 N.J.R. 2105(b).

Subchapter 2. Bookkeeping and Accounting in Local School Districts, was amended and recodified as Subchapter 2A, Double Entry Bookkeeping and GAAP Accounting in Local School Districts, and a new Subchapter 2, Bookkeeping and Accounting in Local School Districts, was adopted as R.1990 d.21, effective January 16, 1990. See: 21 N.J.R. 2919(a), 22 N.J.R. 176(a).

Pursuant to Executive Order No. 66(1978), Chapter 20 was readopted as R.1990 d.393, effective July 16, 1990. As part of R.1990 d.393, the expiration of Subchapter 2, Bookkeeping and Accounting in Local School Districts, was set for July 1, 1993, the implementation date of the provisions of Subchapter 2A, Double Entry Bookkeeping and GAAP Accounting in Local School Districts. See: 22 N.J.R. 1246(a), 22 N.J.R. 2345(a).

Subchapter 9, Child Nutrition Programs, was recodified from N.J.A.C. 6:79 by R.1992 d.202, effective May 4, 1992. See: 24 N.J.R. 324(a), 24 N.J.R. 1791(c).

Pursuant to Executive Order No. 22(1994), the expiration date of Chapter 20 was extended from July 16, 1995 to January 16, 1997. See: 26 N.J.R. 3783(a) and 3942(a).

Pursuant to Executive Order No. 66(1978), Chapter 20 was readopted as R.1997 d.9, effective December 10, 1996. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. ATTENDANCE AND PUPIL ACCOUNTING

- 6:20-1.1 School register
- 6:20-1.2 School enrollment
- 6:20-1.3 School attendance

SUBCHAPTER 2. (RESERVED)

SUBCHAPTER 2A. DOUBLE ENTRY BOOKKEEPING AND GAAP ACCOUNTING IN LOCAL SCHOOL DISTRICTS

- 6:20-2A.1 Prescribed system of double entry bookkeeping and GAAP accounting
- 6:20-2A.2 Summary statement of principles
- 6:20-2A.3 Conflicts between legal provisions and GAAP
- 6:20-2A.4 Accounting and reporting directives
- 6:20-2A.5 Supplies and equipment
- 6:20-2A.6 Mechanical bookkeeping systems
- 6:20-2A.7 Employee organizational dues
- 6:20-2A.8 Petty cash fund
- 6:20-2A.9 Summer payment plan
- 6:20-2A.10 Overexpenditure of funds
- 6:20-2A.11 (Reserved)
- 6:20-2A.12 Capital reserve account procedures
- 6:20-2A.13 (Reserved)

SUBCHAPTER 3. TUITION PUBLIC SCHOOLS

- 6:20-3.1 Method of determining tuition rates for regular public schools
- 6:20-3.2 Method of determining tuition rate in a new district board of education
- 6:20-3.3 Method of determining tuition rates for county vocational schools
- 6:20-3.4 Method of determining tuition rates for county special services schools
- 6:20-3.5 through 6:20-3.6 (Reserved)

SUBCHAPTER 4. TUITION FOR PRIVATE SCHOOLS FOR THE HANDICAPPED

- 6:20-4.1 Tuition rate procedures
- 6:20-4.2 New private schools for the handicapped
- 6:20-4.3 Bookkeeping and accounting
- 6:20-4.4 Non-allowable costs
- 6:20-4.5 Surcharge
- 6:20-4.6 Working capital fund
- 6:20-4.7 Calculation of pupil attendance
- 6:20-4.8 Audit requirements

- 6:20-4.9 Appeals
- 6:20-4.10 Out-of-State approved private schools for the handicapped
- 6:20-4.11 Inspection of records

SUBCHAPTER 5. STATE AID

- 6:20-5.1 Law enforcement officer
- 6:20-5.2 Additional State school building aid
- 6:20-5.3 Method of determining the district of residence
- 6:20-5.4 Address submission for determining the district of residence
- 6:20-5.5 Public school asbestos removal and encapsulation State aid
- 6:20-5.6 Teaching staff member minimum salary State aid
- 6:20-5.7 Nonpublic school asbestos removal and encapsulation State aid
- 6:20-5.8 (Reserved)

SUBCHAPTER 6. PURCHASE AND LOAN OF TEXTBOOKS

- 6:20-6.1 Eligibility
- 6:20-6.2 Responsibility of the district board of education
- 6:20-6.3 Individual requests
- 6:20-6.4 Ownership and storage of textbooks
- 6:20-6.5 Accounting entries
- 6:20-6.6 Charge for textbook loss or damage
- 6:20-6.7 through 6:20-6.8 (Reserved)

SUBCHAPTER 7. QUALIFICATION, DEBARMENT, SUSPENSION AND DISQUALIFICATION OF PERSON(S) CONCERNING CONTRACT ADMINISTRATION

- 6:20-7.1 Definitions
- 6:20-7.2 Qualification of bidders
- 6:20-7.3 Debarment, suspension and disqualification of person(s)

SUBCHAPTER 8. PUBLIC SCHOOL CONTRACTS

- 6:20-8.1 Restricting the avoidance of competitive bidding for extraordinary, unspecifiable services
- 6:20-8.2 Certain leases of equipment and service agreements beyond the fiscal year
- 6:20-8.3 Change orders and open-end contracts
- 6:20-8.4 Bonds
- 6:20-8.5 Contract or agreement due to an emergency situation
- 6:20-8.6 Contracts for behind-the-wheel driver education
- 6:20-8.7 Cooperative pricing systems

SUBCHAPTER 9. (RESERVED)

SUBCHAPTER 1. ATTENDANCE AND PUPIL ACCOUNTING

6:20-1.1 School register

(a) The Commissioner shall prepare and distribute a school register which shall be known as the New Jersey School Register, for recording pupil attendance in all public schools of the State operated by district boards of education, except adult high schools.

(b) Pupil attendance shall be recorded in the school register during school hours on each day the school is in session.

(c) Separate school registers shall be kept for pupils attending A.M. kindergarten, P.M. kindergarten, full-day kindergarten, grades 1 through 6, grades 7 and 8, grades 9 through 12, each pre-school handicapped class, each handicapped class, shared-time classes for regular pupils, shared-time classes for handicapped pupils, full-time bilingual education programs and vocational day programs, and summer schools operated by district boards of education.

(d) The attendance record of all pupils furnished individual instruction or training shall be recorded in a separate official record of home instruction provided by the district board of education. Pupils on roll in home instruction shall not be regarded as enrolled for purposes of average daily enrollment and average daily attendance.

Amended by R.1990 d.393, effective August 6, 1990.

See: 22 N.J.R. 1246(a), 22 N.J.R. 2345(a).

More clearly delineated the use of separate school registers.

Amended by R.1990 d.610, effective December 17, 1990.

See: 22 N.J.R. 2633(a), 22 N.J.R. 3736(a).

Deleted reference to "annual" distribution of school register.

6:20-1.2 School enrollment

(a) The enrollment in a class, a school or a school district shall be the total number of original entries plus the number of re-entries, less the number of transfers, withdrawals or dropouts in any such unit during a school year. The total number of original entries and re-entries, less the number of transfers, withdrawals or dropouts, in all the classes and schools of a school district shall constitute the school enrollment for that district board of education during any school year.

(b) No pupil attending a school operated by a district board of education shall be enrolled in more than one school register in any school district during a school year. All pupils shall be enrolled as of the first day of attendance for that year.

(c) No pupil shall be enrolled in a school register until the pupil has reached the following legal school age:

1. Kindergarten—over four years and less than six years;
2. Day school—over five years;
3. Pre-school handicapped—over three years and less than five years.

(d) Within 10 days of the start of the school year, a school district must determine whether any re-entering student who has not attended school that year has an excused absence or has transferred, withdrawn or dropped out of the school district.

(e) Any pupil enrolled in a school register in a school district who moves to another school district in the same school year shall be enrolled in one register in the new school district upon entering school in that district.

(f) The average daily enrollment in a school district for a school year shall be the sum of the days present and absent of all enrolled pupils when schools were in session during the year, divided by the number of days schools were actually in session. The average daily enrollment for the classes or schools of a district having varying lengths of terms shall be the sum of the average daily enrollments obtained for the individual classes or schools.

(g) The average daily attendance in a school district for a school year shall be the sum of the days present of all enrolled pupils when schools were in session during the year, divided by the number of days schools were actually in session. The average daily attendance for the classes or schools of a district having varying lengths of terms shall be the sum of the average daily attendance obtained for the individual classes or schools.

Amended by R.1990 d.393, effective August 6, 1990.
See: 22 N.J.R. 1246(a), 22 N.J.R. 2345(a).

Added (f) defining calculation of the "average daily attendance".
Amended by R.1990 d.610, effective December 17, 1990.
See: 22 N.J.R. 2633(a), 22 N.J.R. 3736(a).

Added new (d) requiring school make determination of status absent reentering students within 10 days of start of school year.

Case Notes

School board was obligated to provide round-trip transportation for student enrolled in out-of-county program. *K.F. v. Board of Education of the City of Trenton*, 96 N.J.A.R.2d (EDU) 775.

School board's denial of free or reduced tuition for out-of-district pupil was valid exercise of discretion. *Metaxas et al. v. Board of Education of the City of Hoboken*, 96 N.J.A.R.2d (EDU) 708.

Parent of student found not to have been residing with her grandfather was ordered to make tuition payments to board of education in grandfather's school district. *T.P. v. Point Pleasant Board of Education*, 96 N.J.A.R.2d (EDU) 680.

Failure to give student's counsel timely notice of Board of Education decision required remand of residency case for full hearing. *H.S. v. Persi*, 96 N.J.A.R.2d (EDU) 641.

Student would be permitted to attend school in her grandmother's district where mother's economic hardship compelled student to live with grandmother. *R.G. v. Ocean Township Board of Education*, 96 N.J.A.R.2d (EDU) 632.

Family discord which prompted student to move in with his grandmother constituted hardship entitling student to public education in his grandmother's school district, even though his parents retained legal custody of student. *R.H. v. Ocean Township Board of Education*, 96 N.J.A.R.2d (EDU) 628.

Divorced parents sharing equal custody owe no tuition to school board when children attend school in father's district. *Clifton Board of Education v. Sauro*, 96 N.J.A.R.2d (EDU) 497.

Children entitled to attend district school without charge where evidence showed that family never intended to reside in investment property located outside of district. *Norcross v. Berlin Board of Education*, 96 N.J.A.R.2d (EDU) 458.

Student living with guardians who have assumed full care is entitled to free education in district where guardians reside. *MacKinney v. Clifton Board of Education*, 96 N.J.A.R.2d (EDU) 434.

School district is responsible for education of child who lives with his grandparents even though grandparents are not his legal guardians and

do not provide all his support. *East Brunswick Board of Education v. J.R.*, 96 N.J.A.R.2d (EDU) 285.

Sufficient showing of hardship entitles adopted student free education in adoptive family's school district. *D.E. v. Greater Egg Harbor Board of Education*, 96 N.J.A.R.2d (EDU) 244.

School district may "disenroll" students whose family moved out of district. *Thomas v. Passaic County Manchester Regional High School District Board of Education*, 96 N.J.A.R.2d (EDU) 37.

Student who failed to show domicile with relatives in district not eligible to attend school within that district. *S.J.S. v. Woodbury Heights Borough Board of Education*, 96 N.J.A.R.2d (EDU) 18.

School district in which child was domiciled with mother was responsible for special needs notwithstanding occasional exercises of parental responsibility by non-domiciled father. *Summit Board of Education v. Millburn Board of Education*, 95 N.J.A.R.2d (EDU) 506.

Child in *parens patriae* relationship with person domiciled within school district met hardship eligibility requirements for attending school within district. *S.L. v. Clifton Board of Education*, 95 N.J.A.R.2d (EDU) 476.

Student living with his grandmother in district to assist with a disability was not a legal resident entitled to a free education in district when supported entirely by his father living in another district. *D.W. v. Egg Harbor Board of Education*, 95 N.J.A.R.2d (EDU) 225, supplemented 95 N.J.A.R.2d (EDU) 587.

Children were not entitled to a free and public education in school district after they moved with their mother to a true, fixed and permanent home outside district. *Lee v. Holmdel Board of Education*, 95 N.J.A.R.2d (EDU) 214.

Changing geographic designation for attendance in kindergarten was based on excessive student enrollment and was not unreasonable. *G.M. v. Roselle Park Board of Education*, 95 N.J.A.R.2d (EDU) 107.

Tuition for school attendance in district was waived until children's domicile with parent in another district was established. *Union County Board of Education v. A. McG. and L.M.*, 95 N.J.A.R.2d (EDU) 74, appeal dismissed 96 N.J.A.R.2d (EDU) 140.

Parent established domicile in school district to entitle children to free public education. *R.A. v. Ewing Board of Education*, 95 N.J.A.R.2d (EDU) 49.

Lack of affidavit from natural father residing out of state did not preclude enrollment of child in school district when control had otherwise been relinquished. *Gunderson v. Brigantine Board of Education*, 95 N.J.A.R.2d (EDU) 39.

Family illegally living year-round at campsite; domicile; right to free education. *Board of Education of Township of Middle v. K.K. and P.K.*, 93 N.J.A.R.2d (EDU) 461.

Neither domicile nor temporary residence in district established; student ineligible for free public education. *I.P. v. Board of Education of Borough of Leonia*, 93 N.J.A.R.2d (EDU) 128.

Incarcerated pupils; proof of residence. *Board of Education of City of Atlantic City v. New Jersey Department of Education*, 92 N.J.A.R.2d (EDU) 545.

Domicile; multiple residences. *Fort Lee Board of Education v. Kintos*, 92 N.J.A.R.2d (EDU) 96.

Enrollment status. Parents on behalf of "G.S." v. Bd. of Ed., *Rockaway, Morris Cty.*, 1974 S.L.D. 637.

6:20-1.3 School attendance

(a) For purposes of school attendance a day in session shall be a day on which the school is open and pupils are under the guidance and direction of a teacher or teachers engaged in the teaching process. Days on which school is

closed for such reasons as holidays, teachers' institutes and inclement weather shall not be considered as days in session.

(b) A school day shall consist of not less than four hours of actual school work, except that in an approved kindergarten one continuous session of 2½ hours may be considered as a full day.

(c) An approved kindergarten shall meet the following requirements:

1. Every kindergarten teacher shall be properly certified.

2. A balanced program in an approved facility with adequate equipment, materials and supplies shall be provided each child. This program is to be designed to meet the individual needs of every child and may include instruction in reading and other subjects when it has been determined that a child is ready for such instruction by the teacher of the class.

3. The maximum enrollment for any kindergarten class shall be 25 pupils per teacher. The county superintendent of schools may give permission to increase the number in a room to any number he chooses provided another teacher, an auxiliary teacher, or a teacher aide is employed full-time to provide for the increased size.

(d) A day of attendance shall be one in which a pupil is present for the full day under the guidance and direction of a teacher while school is in session. Whenever over-crowded conditions make it necessary to hold two separate sessions with a different group of pupils in each session a pupil attending for all of either session shall be regarded as having attended for the full day. An excused absence for any reason shall not be counted as a day of attendance in the school register.

(e) A half-day class shall be considered the equivalent of a full day's attendance only if in session for four hours or more, exclusive of recess periods or lunch periods.

(f) A record of the attendance of all pupils on roll in a school register shall be kept each day that school is in session by a teacher or other authorized person. It shall be the duty of this person to keep the attendance records according to these rules and the specific instructions printed in the school register, and if necessary, according to supplementary instructions issued from time to time by the Commissioner.

(g) No pupil shall be recorded as present unless the school is in session and the pupil or pupils so recorded are under the guidance and direction of a teacher in the teaching process.

(h) A pupil shall be recorded as absent in the school register when not in attendance at a session of the school while a member of the school, except pupils excused due to religious holidays who shall be recorded as excused.

(i) A pupil shall be recorded as either present, absent, or excused for religious observance, every day the school is in session after the pupil enters until the date the pupil is transferred to another school, transferred to an individual home instruction record, or officially leaves the school system.

(j) The Commissioner shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse pupils for religious observance upon the written request signed by the parent or person standing in loco parentis.

(k) The mere presence of a pupil at roll call shall not be regarded as sufficient attendance for compliance with these rules. In a school which is in session during both the forenoon and the afternoon, a pupil shall be present at least one hour during both the forenoon and the afternoon in order to be recorded as present for the full day. In a school which is in session during either the forenoon or the afternoon, a pupil shall be present at least two hours in the session in order to be recorded as present for the full day.

Amended by R.1990 d.393, effective August 6, 1990.

See: 22 N.J.R. 1246(a), 22 N.J.R. 2345(a).

Deleted (f), (m) and (n); recodified with editorial changes.

Case Notes

State Board of Education regulations applying to institutionalized children adopted. New Jersey Assn. for Retarded Citizens, Inc. v. State Dept. of Human Services, 89 N.J. 234, 445 A.2d 704 (1982).

Pupils not shown not to be residents of school district; incarceration. Board of Education of City of Atlantic City v. New Jersey Department of Education, 93 N.J.A.R.2d (EDU) 336.

Speculative impact of rule does not justify rescission of Board resolution allowing early enrollment. McDowell v. Bd. of Ed., Island Heights, Ocean Cty., 1974 S.L.D. 1316.

SUBCHAPTER 2. (RESERVED)

SUBCHAPTER 2A. DOUBLE ENTRY BOOKKEEPING AND GAAP ACCOUNTING IN LOCAL SCHOOL DISTRICTS

6:20-2A.1 Prescribed system of double entry bookkeeping and GAAP accounting

(a) A uniform system of double entry bookkeeping shall be established, and such uniform system shall be utilized by all district boards of education.

(b) Accounting principles consistent with the "generally accepted accounting principles" (henceforth referred to as GAAP) promulgated by the Governmental Accounting Standards Board shall be applied by all district boards of education when preparing financial statements.