

**6:8-4.5 Curriculum and instruction**

(a) The curriculum and instruction element shall be rated acceptable upon demonstration of performance in the following four indicators:

## 1. Written curriculum:

i. By September 30 of each year, the chief school administrator shall verify that there are board-approved, written curricula for all pupils including the following programs and services:

(1) High school graduation requirements (N.J.A.C. 6:8-7.1(c)i);

(2) Instruction in the United States Constitution (N.J.S.A. 18A:6-3);

(3) New Jersey civics, history and geography (N.J.S.A. 18A:35-3);

(4) Drug and alcohol education (N.J.S.A. 18A:40A-1 and N.J.A.C. 6:29-6);

(5) Health, safety and physical education (N.J.S.A. 18A:35-5, 7, 8);

(6) Accident and fire prevention (N.J.S.A. 18A:6-2; and

(7) Family life education (N.J.A.C. 6:29-7.1).

ii. The district board of education shall provide a curriculum evaluation schedule for all content areas at all grade levels.

iii. The documentation/activities shall be a statement of assurance submitted on the form prescribed by the Commissioner;

## 2. Implementation of curriculum and content standards:

i. The district shall implement all approved curricula and include, for each curriculum area in grades K through 12, curriculum content standards when they are adopted by the State Board of Education.

ii. The documentation/activities shall be:

(1) Written curriculum including content standards;

(2) Lesson plans;

(3) The master schedule;

(4) Classroom observations; and

(5) Staff interviews;

## 3. Curriculum articulation:

i. The district shall ensure that the curriculum is articulated among grades and schools in the district, and that teaching staff are involved in the process. Constituent, regional and sending-receiving districts

shall also demonstrate curriculum articulation between/among districts.

ii. The documentation/activities shall be a statement of assurance submitted on the form prescribed by the Commissioner; and

## 4. Gifted and talented programs and services:

i. The district shall make provisions for identifying pupils with gifted and talented abilities and for providing them with an educational program and services.

ii. The documentation/activities shall be:

(1) The written identification process;

(2) Lesson plans;

(3) Classroom observations; and

(4) Staff interviews.

**Case Notes**

Commissioner's monitoring function under the Public School Education Act to measure and achieve a thorough and efficient education for all public school children, failed to accomplish that goal and operated largely as a self-improvement system. *Abbott v. Abbott v. Burke*, 119 N.J. 287, 575 A.2d 359 (1990).

Driver education not mandated and may be offered outside of regular school day, *Parsippany-Troy Hills Education Assn. v. Bd. of Ed., Parsippany-Troy Hills Twp., Morris Cty.*, 7 N.J.A.R. 236 (1981), affirmed 188 N.J.Super. 161, 457 A.2d 15 (App.Div.1983), certification denied 94 N.J. 527, 468 A.2d 182 (1983).

Contention that driver education courses should not be offered to public school students only as evening course. *Bergenfield Education Assn. v. Bd. of Ed. Bergenfield Boro., Bergen Cty.*, 6 N.J.A.R. 150 (1980), remanded per curiam Docket No. A-2615-81 (App.Div.1983).

180 day school year. Atty. Gen. F.O. 1975, No. 19.

**6:8-4.6 Pupil performance: skills and competencies**

(a) The pupil performance: skills and competencies element shall be rated acceptable upon demonstration of performance in the following five indicators:

## 1. Fourth-grade assessment:

i. Beginning in July 1993, 75 percent of fourth-grade pupils in the district shall score at or above the minimum level of proficiency established by the State Board of Education for norm- or criterion-referenced tests in mathematics, reading, and writing.

ii. Beginning in July 1995, 75 percent of fourth-grade pupils in the district shall score at or above the proficiency level established by the State Board of Education on a State-developed assessment of pupil performance in mathematics, reading, writing, science and social studies (geography and history).

iii. The documentation/activities shall be:

(1) Fourth-grade assessment results; and

(2) Pupil performance objectives, if required.

2. Eighth-grade assessment:

i. Beginning in July 1993, 75 percent of eighth-grade pupils in the district shall score at or above the minimum level of proficiency established by the State Board of Education on the Eighth-Grade Early Warning Test (EWT) in mathematics, reading and writing. Matrix sampling of each school using the National Assessment of Educational Progress (NAEP) test exercises shall demonstrate that a percentage, as determined by the State Board of Education, of eighth-grade pupils tested shall achieve the minimum level of proficiency in science and social studies (civics, geography and history).

ii. Beginning in July 1996, eighth-grade district pupil performance in mathematics, reading, writing, science and social studies (civics, geography and history) shall be assessed using State-developed assessments that measure content standards adopted by the State Board of Education. Proficiency levels and performance standards shall be established by the State Board of Education.

iii. The documentation/activities shall be:

- (1) Results of the EWT;
- (2) Results of the NAEP matrix sampling; and
- (3) Pupil performance objectives, if required.

3. Eleventh-grade assessment:

i. Beginning in July 1994, 85 percent of eleventh-grade pupils in the district shall score at or above the minimum level of proficiency established by the State Board of Education on the Grade 11 High School Proficiency Test (HSPT) in mathematics, reading and writing.

ii. Beginning in July 1996, eleventh-grade district pupil performance in mathematics, reading, writing, science and social studies (civics, geography and history) shall be assessed using State-developed assessments that measure content standards. Proficiency levels and performance standards shall be established by the State Board of Education.

iii. The documentation/activities shall be:

- (1) Results of the HSPT; and
- (2) Student performance objectives, if required.

4. Sixth-grade assessment:

i. The district shall develop performance assessments and establish minimum levels of proficiency. These assessments shall measure sixth-grade students' understanding of curriculum content standards according to the following schedule:

- (1) Information processing (1994-95);
- (2) Art and music (1995-96); and

(3) Health/physical education (1996-97).

ii. The documentation/activities shall be district-developed assessments.

5. High school core course proficiencies assessments:

i. The district shall develop performance assessments and establish minimum levels of proficiency. These assessments shall contain measures of core course proficiencies according to the following schedule:

- (1) Science (1993-94);
- (2) Social studies (1994-95);
- (3) Fine, practical and performing arts (1995-96);
- (4) Health/physical education (1996-97); and
- (5) Career education (1996-97).

ii. The documentation/activities shall be district-developed assessments.

**Case Notes**

Evidentiary hearing was not required before Commissioner of Education removed local school board and ordered creation of state-operated school district on ground that district was not providing thorough and efficient system of education. *Contini v. Board of Educ. of Newark*, 286 N.J. Super. 106, 668 A.2d 434 (A.D.1995).

Commissioner's monitoring function under the Public School Education Act to measure and achieve a thorough and efficient education for all public school children, failed to accomplish that goal and operated largely as a self-improvement system. *Abbott by Abbott v. Burke*, 119 N.J. 287, 575 A.2d 359 (1990).

**6:8-4.7 Pupil behavior**

(a) The pupil behavior element shall be rated acceptable upon demonstration of performance in the following four indicators:

1. Pupil attendance:

i. The average daily attendance rate for each district shall average 90 percent or higher as calculated for the three years prior to the school year in which the district is monitored.

ii. Each school with a three-year average below 90 percent shall develop performance objectives to improve pupil attendance, pursuant to N.J.A.C. 6:8-4.4.

iii. The documentation/activities shall be:

(1) The "New Jersey School Register" provided by the Department;

(2) The "School Register Summary Report", prepared by the Department of Education; and

(3) Pupil performance objectives, if below State standard;

2. Dropouts: