



New Jersey School Boards Association

413 West State Street • Trenton, NJ 08618 • Telephone: 609.695.7600 • Toll-Free: 888.88NJSBA • Fax: 609.695.0413

Statute, Code and Case Law Related to Student Participation in the Statewide Assessment Program

State Testing

N.J.S.A. 18A:7C-1 Commissioner of education to develop a program of standards and guidelines

By July 1, 1980 the Commissioner of Education with the approval of the State Board of Education shall establish a program of standards for graduation from secondary school. Such a program shall include, but not be limited to:

- a. The development of a Statewide assessment test in reading, writing and computational skills to be administered to all secondary school pupils as provided herein;
- b. Clear and explicit Statewide levels of proficiency in reading, writing and computational skills to be demonstrated as a minimum requirement for high school graduation;
- c. Guidelines for the development of graduation standards by local boards of education;
- d. Guidelines for remediation procedures for pupils who fail to meet graduation standards; and
- e. Guidelines for graduation standards for those pupils classified pursuant to chapter 46 of Title 18A of the New Jersey Statutes.

L.1979, c. 241, s. 1.

N.J.A.C. 6A:8-4.1 Statewide assessment system

(a) The Commissioner, in accordance with [N.J.S.A. 18A:7A-10](#), may implement assessment of student achievement in the State's public schools in any grade(s) and by such assessments as he or she deems appropriate. The Commissioner shall report to the State Board the results of such assessments.

(b) The Commissioner shall implement a system and related schedule of Statewide assessments to evaluate student achievement of the **Core Curriculum Content Standards (CCCS)**.

Statewide Assessment Program: Related Statute, Code and Case Law

1. The Commissioner, with the approval of the State Board, shall define the scope and level of student performance on Statewide assessments that demonstrate thorough understanding of the knowledge and skills delineated by the CCCS at grade levels three through 12.

2. After consultation with the Commissioner, the State Board shall establish by resolution uniform Statewide criteria defining adequate school district progress toward meeting the CCCS.

(c) District boards of education shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments, including the six major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight, the HSPA, the AHSA and the APA for students with severe cognitive disabilities.

1. The Department shall implement the elementary component of the Statewide assessment of the CCCS consisting of the following:

i. Continued administration of mathematics and English language arts in grades three, four, and five, and of science in grade four.

2. The Department shall implement the middle school component of the Statewide assessment of the CCCS consisting of the following:

i. Continued administration of mathematics and English language arts in grades six, seven, and eight, and of science in grade eight.

3. The Department shall implement a high school assessment program component of the CCCS that assesses, at a minimum, English language arts, mathematics, and science.

(d) Pursuant to (b) and (c) above, all students at grade levels three through 12, and at any other grade(s) designated by the Commissioner pursuant to (a) above, shall take all appropriate Statewide assessments as scheduled.

1. District boards of education shall provide appropriate accommodations or modifications to the Statewide assessment system as specified by the Department for ELLs and students with disabilities as defined in *N.J.A.C. 6A:14-1.3* or eligible under Section 504 of the Rehabilitation Act as determined by the IEP or 504 team.

i. District boards of education may administer the AHSA to ELLs in their native language, when available, and/or English, in conformance with *N.J.A.C. 6A:8-5.1(f)*.

ii. District boards of education shall have the option for a first-year ELL of substituting a Department-approved language proficiency test only for the English language arts section of the elementary or middle school component of the Statewide assessment, when the student has entered the United States after July 1 of the calendar year prior to the test administration.

Statewide Assessment Program: Related Statute, Code and Case Law

2. District boards of education shall ensure students with disabilities as defined in *N.J.A.C.* 6A:14-1.3 participate in Statewide assessments in accordance with *N.J.A.C.* 6A:14-4.10.

3. At specific times prescribed by the Commissioner, district boards of education shall administer the APA to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities.

- i. The Department shall implement the APA according to the schedules in (c)1, 2, and 3 above.
- ii. The APA measures the progress of students who have been determined eligible for the APA by the IEP team in accordance with *N.J.A.C.* 6A:14-4.10

4. District boards of education shall administer following the 11th grade the AHSA to all students who have not demonstrated proficiency on one or more sections of the HSPA and/or to corresponding adult high school students. In implementing the AHSA process, district boards of education shall use only assessment instruments and procedures approved by the Commissioner.

(e) District boards of education shall be responsible for ensuring the security of all components of the Statewide assessment system.

[Statutes that Permit Opt-Out from Certain School Activities](#)

Family Life Education and Medical Treatment

N.J.S.A. 18A:35-4.6. Title of act

This act shall be known as the "Parents Rights to Conscience Act of 1979."

L.1979, c. 428, s. 1, eff. Feb. 11, 1980.

N.J.S.A. 18A:35-4.7. Parent's statement of conflict with conscience

Any child whose parent or guardian presents to the school principal a signed statement that any part of the instructions in health, family life education or sex education is in conflict with his conscience, or sincerely held moral or religious beliefs shall be excused from that portion of the course where such instruction is being given and no penalties as to credit or graduation shall result therefrom.

L.1979, c. 428, s. 2, eff. Feb. 11, 1980.

N.J.S.A. 18A:35-4.8. Medical treatment or examination; objection of parent or guardian

No pupil whose parent or guardian objects to such pupil receiving medical treatment or medical examination or physical examination shall be compelled to receive such treatment or examination; provided, however, that no objection shall be made to a physical or medical

examination of any physically handicapped child for the purpose of determining whether such child shall be admitted to any class or school for handicapped children or of any pupil to determine whether he is ill or infected with a communicable disease or of any person who appears to be under the influence of a drug pursuant to P.L.1971, c. 390 (C. 18A:40-4.1).

L.1979, c. 428, s. 3, eff. Feb. 11, 1980.

Animal Dissection

N.J.S.A. 18A:35-4.25 Refusal to participate in certain school activities related to animal dissection, etc.

2. a. A public school pupil from kindergarten through grade 12 may refuse to dissect, vivisect, incubate, capture or otherwise harm or destroy animals or any parts thereof as part of a course of instruction.

b. A school shall notify pupils and their parents or guardians at the beginning of each school year of the right to decline to participate in the activities enumerated in subsection a. of this section and shall authorize parents or guardians to assert the right of their children to refuse to participate in these activities. Within two weeks of the receipt of the notice, the pupils, parents or guardians shall notify the school if the right to decline participation in the enumerated activities will be exercised.

c. Any pupil who chooses to refrain from participation in or observation of a portion of a course of instruction in accordance with this section shall be offered an alternative education project for the purpose of providing the pupil with the factual knowledge, information or experience required by the course of study. A pupil may refuse to participate in an alternative education project which involves or necessitates any harmful use of an animal or animal parts.

d. A pupil shall not be discriminated against, in grading or in any other manner, based upon a decision to exercise the rights afforded pursuant to this act.

L.2005,c.266,s.2.

Student Information

N.J.S.A. 18A:36-34. School surveys, certain, parental consent required before administration

1. a. Unless a school district receives prior written informed consent from a student's parent or legal guardian and provides for a copy of the document to be available for viewing at convenient locations and time periods, the school district shall not administer to a student any academic or nonacademic survey, assessment, analysis or evaluation which reveals information concerning:

- (1) political affiliations;

Statewide Assessment Program: Related Statute, Code and Case Law

(2) mental and psychological problems potentially embarrassing to the student or the student's family;

(3) sexual behavior and attitudes;

(4) illegal, anti-social, self-incriminating and demeaning behavior;

(5) critical appraisals of other individuals with whom a respondent has a close family relationship;

(6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

(7) income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program; or

(8) social security number.

b. The school district shall request prior written informed consent at least two weeks prior to the administration of the survey, assessment, analysis or evaluation.

c. A student shall not participate in any survey, assessment, analysis or evaluation that concerns the issues listed in subsection a. of this section unless the school district has obtained prior written informed consent from that student's parent or guardian.

d. A school district that violates the provisions of this act shall be subject to such monetary penalties as determined by the commissioner.

L.2001,c.364.

N.J.S.A. 18A:36-35 Disclosure of certain student information on Internet prohibited without parental consent.

1. The board of education of each school district and the board of trustees of each charter school that establishes an Internet web site, shall not disclose on that web site any personally identifiable information about a student without receiving prior written consent from the student's parent or guardian on a form developed by the Department of Education. The written consent form shall contain a statement concerning the potential dangers of personally identifiable information about individual students on the Internet.

As used in this act, "personally identifiable information" means student names, student photos, student addresses, student e-mail addresses, student phone numbers, and locations and times of class trips.

L.2001,c.402,s.1.

N.J.S.A. 18A:36-36 Pupil information, certain, classroom materials; rules.

1. a. A pupil in a public school shall not be required to supply information regarding the pupil's race, ethnicity, migrant status or economically disadvantaged status on any materials distributed in class.

b. Materials distributed to a pupil in a public school shall not include any obvious indicators of the pupil's race, ethnicity, migrant status or economically disadvantaged status; except that the school district may use identification numbers or other methods of identification after the collection of the materials

c. The State Board of Education shall promulgate rules pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 *et seq.*), to effectuate the provisions of this act.

L.2002,c.92,s.1.

N.J.S.A. 18A:36-19.1. Military recruitment in public schools Local school districts in New Jersey are directed to establish policies which would provide military recruiters the same access to school facilities and student information directories that is provided to educational and occupational recruiters pursuant to regulations adopted by the State Board of Education pursuant to the "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 *et seq.*). These regulations shall be adopted within 180 days of the effective date of this act. The policies should be consistent with State and federal right to privacy laws.

L. 1985, c. 51, s. 1, eff. Feb. 21, 1985.

Immunization

N.J.S.A. 26:1A-9. Force and effect of Code; enforcement; local regulations

The provisions of the State Sanitary Code shall have the force and effect of law. Such code shall be observed throughout the State and shall be enforced by each local board of health, the local police authorities and other enforcement agencies. Nothing herein contained however shall be deemed to limit the right of any local board of health to adopt such ordinances, rules and regulations, as, in its opinion, may be necessary for the particular locality under its jurisdiction; but such ordinances, rules and regulations shall not be in conflict with the laws of this State or the provisions of the State Sanitary Code, except, however, that such ordinances, rules and regulations may be more restrictive than the provisions of the State Sanitary Code. Every person organization or board of education having control of any public or private school in this State shall insure compliance with the State Sanitary Code as it pertains to the immunization against disease of children attending or having the right to attend such school, including any provision of the code which prohibits attendance by a child who has not been immunized.

L.1947, c. 177, p. 796, s. 9. Amended by L.1974, c. 150, s. 2, eff. Nov. 11, 1974.

N.J.S.A. 26:1A-9.1. Exemption for pupils from mandatory immunization; interference with religious rights; suspension

Provisions in the State Sanitary Code in implementation of this act shall provide for exemption for pupils from mandatory immunization if the parent or guardian of the pupil objects thereto in a written statement signed by the parent or guardian upon the ground that the proposed immunization interferes with the free exercise of the pupil's religious rights. This exemption may be suspended by the State Commissioner of Health during the existence of an emergency as determined by the State Commissioner of Health.

L.1974, c. 150, s. 6, eff. Nov. 11, 1974.

N.J.A.C. 8:57-4.2 Proof of immunization

A principal, director or other person in charge of a school, preschool, or child care facility shall not knowingly admit or retain any child whose parent or guardian has not submitted acceptable evidence of the child's immunization, according to the schedules specified in this subchapter. Exemptions to this requirement are identified at *N.J.A.C. 8:57-4.3* and 4.4.

N.J.A.C. 8:57-4.3 Medical exemptions

(a) A child shall not be required to have any specific immunization(s) which are medically contraindicated.

(b) A written statement submitted to the school, preschool, or child care center from a physician licensed to practice medicine or osteopathy or an advanced practice nurse (certified registered nurse practitioner or clinical nurse specialist) in any jurisdiction of the United States indicating that an immunization is medically contraindicated for a specific period of time, and the reason(s) for the medical contraindication, based upon valid medical reasons as enumerated by the Advisory Committee on Immunization Practices (ACIP) of the United States Public Health Service or the American Academy of Pediatrics (AAP) guidelines, will exempt a pupil from the specific immunization requirement for the stated period of time.

1. The guidelines identified in (b) above are available as follows:

i. Advisory Committee on Immunization Practices, U.S. Public Health Service, Centers for Disease Control and Prevention, Atlanta, GA 30333; and

ii. American Academy of Pediatrics, Committee on Infectious Diseases, PO Box 927, Elk Grove, IL 60009-0927.

(c) The physician's or an advanced practice nurse's (certified registered nurse practitioner or clinical nurse specialist) statement shall be retained as part of the child's immunization record and shall be reviewed annually by the school, preschool, or child care facility. When the child's

medical condition permits immunization, this exemption shall thereupon terminate and the child shall be required to obtain the immunization(s) from which he or she has been exempted.

(d) Those children with medical exemptions to receiving specific immunizations may be excluded from the school, preschool, or child care facility during a vaccine-preventable disease outbreak or threatened outbreak as determined by the Commissioner, Department of Health and Senior Services or his or her designee.

(e) As provided by *N.J.S.A. 26:4-6*, "Any body having control of a school may, on account of the prevalence of any communicable disease, or to prevent the spread of communicable diseases, prohibit the attendance of any teacher or pupil of any school under their control and specify the time during which the teacher or scholar shall remain away from school." The Department of Health and Senior Services shall provide guidance to the school of the appropriateness of any such prohibition. All schools are required to comply with the provisions of *N.J.A.C. 8:61-1.1* regarding attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV).

N.J.S.A. 8:57-4.4 Religious exemptions

(a) Each school, preschool, or child care center shall exempt a child from mandatory immunization if the child's parent or guardian submits to the school, preschool, or child care center a written, signed statement requesting an exemption, pursuant to the requirements for religious exemption established at *N.J.S.A. 26:1A-9.1*, on "the ground that the . . . immunization interferes with the free exercise of the pupil's religious rights."

1. The school, preschool, or child care center shall be prohibited from exempting a child from mandatory immunization on the sole basis of a moral or philosophical objection to immunization.

(b) Religious affiliated schools or child care centers shall have the authority to withhold or grant a religious exemption from the required immunization for pupils entering or attending their institutions without challenge by any secular health authority.

(c) Each school, preschool, or child care center shall retain a copy of the written statement set forth in (a) above in the child's immunization record.

(d) A school, preschool, or child care center may exclude children with religious exemptions from receiving immunizing agents from the school, preschool, or child care center during a vaccine-preventable disease outbreak or threatened outbreak as determined by the Commissioner, Department of Health and Senior Services, or his or her designee.

(e) As provided by *N.J.S.A. 26:4-6*, "Any body having control of a school may, on account of the prevalence of any communicable disease, or to prevent the spread of communicable diseases, prohibit the attendance of any teacher or pupil of any school under their control and specify the time during which the teacher or scholar shall remain away from school."

Statewide Assessment Program: Related Statute, Code and Case Law

1. The Department of Health and Senior Services shall provide guidance to the school on the appropriateness of any such prohibition.

2. All schools are required to comply with the provisions of *N.J.A.C. 8:61-2.1* regarding attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV).

(f) Those children enrolled in school, preschool, or child care centers before September 1, 1991, and who have previously been granted a religious exemption, shall not be required to reapply for a new religious exemption under *N.J.A.C. 8:57-4.4(a)*.

Student Discipline

***N.J.S.A. 18A:37-1* Submission of pupils to authority**

Pupils in the public schools shall comply with the rules established in pursuance of law for the government of such schools, pursue the prescribed course of study and submit to the authority of the teachers and others in authority over them.

L.1967, c.271.

18A:37-2 Causes for suspension, expulsion of pupils.

18A:37-2. Any pupil who is guilty of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him, or of the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school.

Conduct which shall constitute good cause for suspension or expulsion of a pupil guilty of such conduct shall include, but not be limited to, any of the following:

- a. Continued and willful disobedience;
- b. Open defiance of the authority of any teacher or person, having authority over him;
- c. Conduct of such character as to constitute a continuing danger to the physical well-being of other pupils;
- d. Physical assault upon another pupil;
- e. Taking, or attempting to take, personal property or money from another pupil, or from his presence, by means of force or fear;
- f. Willfully causing, or attempting to cause, substantial damage to school property;
- g. Participation in an unauthorized occupancy by any group of pupils or others of any part of any school or other building owned by any school district, and failure to leave such school or other facility promptly after having been directed to do so by the principal or other person then in charge of such building or facility;

Statewide Assessment Program: Related Statute, Code and Case Law

h. Incitement which is intended to and does result in unauthorized occupation by any group of pupils or others of any part of a school or other facility owned by any school district;

i. Incitement which is intended to and does result in truancy by other pupils;

j. Knowing possession or knowing consumption without legal authority of alcoholic beverages or controlled dangerous substances on school premises, or being under the influence of intoxicating liquor or controlled dangerous substances while on school premises; and

k. Harassment, intimidation, or bullying.

amended 1969, c.156; 1979, c.189, s.1; 1981, c.59, s.1; 2010, c.122, s.10.

School Ethics Act – Code of Ethics for School Board Members

N.J.S.A. 18A:12-24.1 Code of Ethics for School Board Members.

5. A school board member shall abide by the following Code of Ethics for School Board Members:

a. I will uphold and enforce all laws, rules and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.

b. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.

c. I will confine my board action to policy making, planning, and appraisal, and I will help to frame policies and plans only after the board has consulted those who will be affected by them.

d. I will carry out my responsibility, not to administer the schools, but, together with my fellow board members, to see that they are well run.

e. I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board.

f. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.

g. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its school.

h. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.

i. I will support and protect school personnel in proper performance of their duties.

j. I will refer all complaints to the chief administrative officer and will act on the complaints at public meetings only after failure of an administrative solution.

L.2001,c.178,s.5.

Court Decisions:

Do They Identify a Constitutional Right to Opt-Out of the State Testing Program?

The following federal court decisions have been cited by opponents as identifying a Constitutional basis for parents' right to have their children opt out of the state testing program. None of the cases, however, address testing.

Meyer v. Nebraska, 262 U.S. 390 (1923). Teacher, while working in a parochial school, was convicted for teaching the German language to a 10-year old child who had not successfully passed the eighth grade, in violation of a Nebraska statute that prohibited teaching of languages other than English to children who had not passed the eighth grade. Supreme Court reversed, holding that the statute was arbitrary and capricious and unrelated to any legitimate state goal.

Pierce v. Soc'y of Sisters, 268 U.S. 510 (1925). Supreme Court invalidated the Oregon Compulsory Attendance Act, a law that mandated all children ages 8-16 attend public schools and which was aimed at eliminating all private and parochial schools. The Society of Sisters, a group that operated an orphanage and religious schools, challenged the law. The Court held that the Act unreasonably interfered with the liberty of parents and guardians to direct the upbringing and education of children under their control.

Griswold v. Connecticut, 381 U.S. 479 (1965). Connecticut statute made the use of contraceptives a criminal offense. The executive and medical directors of the Planned Parenthood League of Connecticut were convicted in the Circuit Court for the Sixth Circuit in New Haven, Connecticut, on a charge of having violated the statute as accessories by giving information, instruction, and advice to married persons as to the means of preventing conception. Supreme Court reversed, finding that the statute was invalid as an unconstitutional invasion of the right of privacy of married persons.

Wisconsin v. Yoder, 406 U.S. 205 (1972). Wisconsin's compulsory education law required children to attend school until age 16. Defendants, members of the Amish faith, refused to send their children, ages 14 and 15, to public school after the children had completed the eighth grade, and the defendants were convicted of violating the compulsory attendance law. Convictions were reversed by the Wisconsin Supreme Court, sustaining defendants' claims that their right to free exercise of religion had been violated. The U.S. Supreme Court affirmed. Secondary schooling would substantially interfere with the religious development of the Amish child and contravened the basic religious tenets and practices of the Amish faith. Parents have the right to direct the religious upbringing of their children.

Reno v. Flores, 507 U.S. 292 (1993). Supreme Court addressed the issue of whether suspected undocumented juveniles, arrested by the Immigration and Naturalization Service and awaiting a

Statewide Assessment Program: Related Statute, Code and Case Law

hearing on deportation, may be released to the custody of responsible adults who are not their parents, close relatives or legal guardian.

M.L.B. v. S.L.J., 519 U.S. 102 (1996). Termination of parental rights matter involving an indigent mother's inability to pay for court transcripts, necessary for appeal. Parents' interest in their relationship with their children was sufficiently strong as to require provision of a free transcript for indigents. State's conditioning of natural mother's right to appeal from civil decision terminating her parental rights on her ability to prepay record preparation fees held inconsistent with Fourteenth Amendment's due process and equal protection.

Troxel v. Granville, 530 U.S. 57 (2000). A Washington State statute (1) permitted any person to petition a state court for child visitation rights at any time, and (2) authorized the court to order visitation rights for any person when visitation might serve the best interest of the child. Application of the state statute to allow visitation rights to the paternal grandparents violated the mother's right, under the due process clause of the Constitution's Fourteenth Amendment, to bring up her children.

Excerpts from the 2016 Spring PARCC Test Administrator Manual

High School Mathematics – Computer Based Testing

4.7.4 Dismissing Students for Misconduct

The Test Administrator has the authority to dismiss any student for misconduct according to your local policy. If student misconduct warrants dismissal, collect the student's test materials. The student will then be dismissed from the testing environment. The student may be eligible to continue testing in another location (e.g., guidance counselor's office) according to local policy. The school or LEA must submit a Form to Report a Testing Irregularity or Security Breach within two school days unless otherwise directed by your LEA Test Coordinator or PARCC State Contact. Your state may have additional guidance on dismissing students for misconduct. Refer to your School Test Coordinator.

If a student is dismissed, the Test Administrator must exit the student's test in TestNav and ensure the student's unit is locked in PearsonAccessnext. If a student is observed with any of the items listed in Section 2.3 during testing or during breaks, the Test Administrator should collect the prohibited materials. The school or LEA should complete the Form to Report a Testing Irregularity or Security Breach in **Appendix D** of the *Test Coordinator Manual* and follow your state policy for submitting the form.

Excerpts from the 2016 Spring PARCC Test Coordinator Manual

High School Mathematics – Computer Based Testing

4.3.1 Dismissing Students for Misconduct

The Test Administrator has the authority to dismiss any student for misconduct according to your local policy. If student misconduct warrants dismissal, collect the student's test materials. The student will then be dismissed from the testing environment. The student may be eligible to continue testing in another location (e.g., guidance counselor's office) according to local policy. The school or LEA must submit a Form to Report a Testing Irregularity or Security Breach within two school days unless otherwise directed by your LEA Test Coordinator or PARCC State Contact. Your state may have additional guidance on dismissing students for misconduct. Refer to **Appendix C**.

If a student is observed with any of the items listed in Section 2.3 during testing or during breaks, the Test Administrator should collect the prohibited materials. The school or LEA should complete the Form to Report a Testing Irregularity or Security Breach in **Appendix D** and follow the state policy for submitting the form.

If a student is dismissed, the Test Administrator must exit the student's test in TestNav and ensure the student's unit is locked in PearsonAccessnext.

New Jersey

Note: Please note that section and appendix references in the State Policy Addendum refer to sections/appendices in the Test Coordinator manual available at <http://parcc.pearson.com>

Issue	TCM Section	State Policy
<p>Procedures for Dismissing Students For Misconduct</p>	<p>4.3.1</p>	<p>STC contacts the LEA Coordinator to immediately report student misconduct (i.e., refusing to test, disruptive behavior, unauthorized electronics; cheating). The LEA Test Coordinator must contact the Office of Assessment Immediately upon receiving call from STC. At The discretion of the LEA Test Coordinator, the STC may complete the <i>New Jersey Testing Irregularity and Security Breach Form</i> documenting the situation. The LEA Test Coordinator uploads the completed form to PearsonAccess next within five school days. An electronic version of the completed form Must be sent to the appropriate PARCC State Coordinator within five days.</p>
<p>Additional State Considerations</p>		<p><u>Home-School Students and Private/Parochial School Students</u> Students who are full-time home-schooled or full-time at a private tuition-based or parochial school are not eligible to take any state tests (excludes special education students who attend an approved private school for the disabled in which tuition is the financial responsibility of the local education agency). Please refer to New Jersey Administrative Code (<i>N.J.A.C.</i>) 6A:8-1.2(a).</p> <p><u>Middle School Students taking Algebra I or Geometry</u> Middle School Students who are currently taking Alegebra I or Geometry to not take the grade level mathematics assessment; however, they must take the Algebra I or Geometry assessment.</p> <p><u>Students Who Move From One District to Another District During Testing Window – Paper-Based Testing</u></p>

The former LEA Test Coordinator must complete the New Jersey District to District Chain of Custody Form. This form can be located at

<http://www.state.nj.us/education/assessment/>.

Students Who Move From One School to Another School Within the Same District During Testing Window –Paper-Based Testing

The former School Test Coordinator must complete the *New Jersey Intra-District School to School Chain of Custody Form*. This form can be located at

<http://www.state.nj.us/education/assessment/>.

Students Who Move During Testing Window – Computer-Based Testing

The current LEA Test Coordinator must complete the *Request To move Student Tests Between Districts Form* to report the move from the former district to current district. NJDOE will move test from one district to the other. This form can be located at

<http://www.state.nj.us/education/assessment/>.

Additional information regarding New Jersey Statewide assessments is available at:

<http://www.state.nj.us/education/assessment/>.