

POLICY GUIDE

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[See POLICY ALERT Nos. 178 and 204]

5305 HEALTH SERVICES PERSONNEL

The Board of Education shall appoint at least one school physician pursuant to N.J.S.A. 18A:40-1. The Board **may will** appoint a lead school physician to serve as health services director if more than one school physician is required. The school physician shall be currently licensed by the New Jersey Board of Medical Examiners in medicine or osteopathy whose training and scope of practice includes child and adolescent health and development. The school district shall conduct a criminal history background check on any physician before entering into an agreement for delivery of services.

The school physician shall provide, at a minimum, the following services:

1. Consultation in the development and implementation of school district policies, procedures, and mechanisms related to health, safety, and medical emergencies pursuant to N.J.A.C. 6A:16-2.1(a);
2. Consultation to school district medical staff regarding the delivery of school health services, which includes special health care needs of technology-supported and medically fragile children, including **students** ~~these~~ covered by 20 U.S.C. § 1400 et seq., Individuals with Disabilities Education Improvement Act;
3. ~~Consultation to the Board of Education, school district administrators, and staff as needed;~~
34. Physical examinations conducted in the school physician's office or other comparably equipped facility for **students** ~~pupils~~ who do not have a medical home or whose parent(s) or legal guardian(s) has identified the school as the medical home for the purpose of a sports physical examination;
45. Provision of written notification to the parent(s) or legal guardian(s) stating approval or disapproval of the **student's** ~~pupil's~~ participation in athletics based upon the medical report;
56. Direction for professional duties of other medical staff;



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67. Written standing orders that shall be reviewed and reissued before the beginning of each school year;
78. Establishment of standards of care for emergency situations and medically-related care involving ~~students~~ pupils and school staff;
89. Assistance to the certified school nurse or non-certified nurse in conducting health screenings of ~~students~~ pupils and staff and assistance with the delivery of school health services;
910. Review, as needed, of reports and orders from a ~~student's~~ pupil's medical home regarding ~~student~~ pupil health concerns;
1011. Authorization of tuberculin testing for conditions outlined in N.J.A.C. 6A:16-2.2(c);
1112. Review, approval, or ~~detail denial with~~ of reasons for ~~denial~~ of a ~~medical home determination of a student's~~ pupil's ~~physician's determination of~~ anticipated confinement and resulting need for home instruction; and
1213. Consultation with the school district certified school nurse(s) to obtain input for the development of the school ~~n~~nursing ~~s~~services ~~p~~Plan pursuant to N.J.A.C. 6A:16-2.1(b).

The Board shall employ a certified school nurse to provide nursing services while school is in session pursuant to N.J.S.A. 18A:40-1 and 3.3. The certified school nurse shall work under the direction of the school physician and Superintendent of Schools.

The certified school nurse shall possess an a **standard** educational certificate with a ~~for school nurse endorsement~~ or school nurse/non-instructional **endorsement** pursuant to ~~N.J.S.A. 18A:40-3.2 and N.J.A.C. 6A:9-13.3 or and 13.4~~. The certified school nurse shall possess a current **New Jersey registered professional nurse** license **issued by the New Jersey** as a ~~registered nurse from the State Board of Nursing; and valid; a bachelor's degree from a regionally accredited college or university; a current Providers Cardiopulmonary Resuscitation (CPR) and /Automated External Defibrillators (AED) certification as issued by the American Heart Association, the American Red Cross, the National Safety Council, or other entities determined by the Department of Health and Senior Services to comply with the American Heart Association's CPR guidelines.~~



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The certified school nurse shall **complete** ~~receive~~ training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards including, but not limited to, those of the National Institutes of Health and the American Academy of Allergy, Asthma, and Immunology.

The role of the certified school nurse shall include, but not be limited to:

1. Carrying out written orders of the medical home and standing orders of the school physician;
2. Conducting health screenings which include height, weight, blood pressure, hearing, vision, and scoliosis pursuant to N.J.A.C. 6A:16-2.2 and monitoring vital signs and general health status for emergent issues for **students** ~~pupils~~ suspected of being under the influence of alcohol and controlled dangerous substances pursuant to N.J.S.A. 18A:40-4 **and 12**;
3. Maintaining **student** ~~pupil~~ health records, pursuant to N.J.S.A. 18A:40-4 and N.J.A.C. 6A:16-2.4;
4. Recommending to the school Principal ~~those pupils~~ **students** who shall not be admitted to or retained in the school building based on a parent's failure to provide evidence of the child's immunization according to the schedules specified in N.J.A.C. 8:57-4;
5. Annually reviewing **student** ~~pupil~~ immunization records to confirm with the medical home that the medical condition for the exemption from immunization continues to be applicable, pursuant to N.J.A.C. 8:57-4.3;
6. Recommending to the school Principal exclusion of **students** ~~pupils~~ who show evidence of communicable disease, pursuant to N.J.S.A. 18A:40-7, **and 8, and 10**;
7. Directing and supervising the emergency administration of epinephrine **and glucagon**, and training school staff designated to serve as delegates, pursuant to N.J.S.A. 18A:40-12.6 **and 12.14**;
8. Administering asthma medication through use of a nebulizer;
9. Directing and supervising the health services activities of any school staff to whom the certified school nurse has delegated a nursing task;



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10. **Providing** eClassroom instruction in areas related to health pursuant to N.J.A.C. 6A:9-13.3;
11. Reviewing and summarizing available health and medical information regarding the **student pupil** and transmitting a summary of relevant health and medical information to the Child Study Team for the meeting pursuant to N.J.A.C. 6A:14-3.4(h);
12. Writing and updating, at least annually, the individualized health care plan and the individualized emergency healthcare plan for **students' pupils'** medical needs and instructing staff as appropriate;
13. Writing and updating, at least annually, any written healthcare provisions required under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a), for any **student pupil** who requires them;
14. ~~Implementing and~~ **Assisting** in the development of **and implementing** healthcare procedures for **students pupils** in the event of an emergency;
15. Instructing teachers on communicable disease and other health concerns, pursuant to N.J.S.A. 18A:40-3; and
16. Providing other nursing services consistent with the nurse's educational services certification endorsement as a school nurse issued by the State Board of Examiners and current license approved by the State Board of Nursing.

A certified school nurse who possesses the school nurse/non-instructional certificate is not authorized to teach in areas related to health pursuant to N.J.A.C. 6A:9-13.4.

The Board may appoint a non-certified nurse under the supervision of a certified school nurse to supplement the services of a certified school nurse **in accordance with the provisions of N.J.A.C. 6A:16-2.3(c) as outlined in N.J.S.A. 18A:40-3.3.** The non-certified nurse shall be assigned to the same school building or complex as the certified school nurse pursuant to N.J.S.A. 18A:40-3.3(a) **and is limited to providing services only as permitted under the non-certified nurse's license issued by the State Board of Nursing.**



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~~A non-certified nurse shall possess a current license as a registered nurse from the State Board of Nursing and a valid, current Providers Cardiopulmonary Resuscitation/AED certification as issued by the American Heart Association, the American Red Cross, the National Safety Council, or other entities determined by the Department of Health and Senior Services to comply with American Heart Association CPR guidelines.~~

~~A non-certified nurse is limited to providing the following services:~~

- ~~1. Carrying out written orders of the medical home and standing orders of the school physician;~~
- ~~2. Conducting health screenings pursuant to N.J.A.C. 6A:16-2.2 which includes height, weight, blood pressure, hearing, vision, and scoliosis;~~
- ~~3. Maintaining pupil health records pursuant to N.J.S.A. 18A:40-4 and N.J.A.C. 6A:16-2.4;~~
- ~~4. Recommending to the school Principal those pupils who shall not be admitted to or retained in the school building based on a parent's failure to provide evidence of the pupil's immunization according to the schedules specified in N.J.A.C. 8:57-4;~~
- ~~5. Recommending to the school Principal exclusion of pupils who show evidence of communicable disease pursuant to N.J.S.A. 18A:40-7 and 8;~~
- ~~6. Implementing school district healthcare procedures for pupils in the event of an emergency;~~
- ~~7. Instructing teachers on communicable disease and other health concerns pursuant to N.J.S.A. 18A:40-3; and~~
- ~~8. Providing other nursing services consistent with the nurse's current license approved by the State Board of Nursing.~~

~~N.J.A.C. 6A:9-13.3; 6A:9-13.4; 6A:16-2.3 et seq.~~

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[See POLICY ALERT Nos. 178 and 204]

5306 HEALTH SERVICES TO NONPUBLIC SCHOOLS

A Board of Education having nonpublic schools within the school district boundaries shall provide nursing services to ~~students~~ **pupils** enrolled **full-time** in the nonpublic school pursuant to N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5.

The Board shall provide for the extension of emergency care provided to public school ~~students~~ **pupils** and to those **full-time nonpublic school students** ~~pupils~~ ~~who are enrolled full-time in the nonpublic school~~ who are injured or become ill at school or during participation on a school team or squad pursuant to N.J.A.C. ~~6A:16-1.4 and 6A:16-2.1(a)4.~~ The Board may provide additional services to those required under N.J.A.C. 6A:16-2.5(a) and under conditions as outlined in N.J.A.C. 6A:16-2.5(c).

The ~~nursing health~~ **nursing** services shall be provided by a registered nurse licensed in the State of New Jersey who is an employee of the school district, ~~an employee of a third-party contractor, or an independent contractor.~~ The **nursing health** services provided to the nonpublic school ~~students~~ **pupil** shall not include instructional services.

A nonpublic school may decline nursing services required or **permitted** under N.J.A.C. 6A:16-2.5 by submitting ~~notification~~ to the Board of Education **notification** signed by the Chief School Administrator of the nonpublic school pursuant to N.J.S.A. 18A:40-29. A ~~student~~ **pupil** who is enrolled in a nonpublic school and whose parent(s) or legal guardian(s) objects to the ~~student~~ **pupil** receiving any services provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the services except for a physical or medical examination to determine whether the ~~student~~ **pupil** is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.

The Board shall consider the provision of health services to nonpublic schools based upon the considerations outlined in N.J.A.C 6A:16-2.5(h)1 through 3. The Superintendent or designee shall confer annually with the administrator of the nonpublic school to advise the nonpublic school of the amount of funds allocated ~~to the nonpublic school by the Department of Education to the nonpublic school;~~ to agree on the basic health services ~~that shall to be provided~~ and the additional



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medical services ~~that which~~ may be provided as set forth in N.J.S.A. 18A:40-23 et seq.; to **inform** ~~assure~~ the nonpublic school the County Office of Education shall provide assistance in the event an agreement cannot be reached regarding the health services and additional medical services to be provided to the nonpublic school; to assure the nonpublic school receiving services receives a copy of N.J.S.A. 18A:40-23 to 31 and N.J.A.C. 6A:16-2.5; and to assure ~~that~~ a description of the provision of nursing services is reflected in the school district's Nursing Services Plan.

The Board providing health services to a nonpublic school(s) shall ~~annually~~ submit information to the **Executive** County Superintendent on or before October 1 **annually** that includes: a written statement verifying the required annual conference was held with the nonpublic school; a copy of the contract with another agency to provide the services, if applicable; a copy of the Board meeting minutes approving the contract; and a description of the type and number of services that were provided during the previous school year on a ~~form approved by the~~ Commissioner of Education **approved form**. A copy of the information submitted to the **Executive** County Superintendent shall also be provided to the Chief School Administrator of ~~each the~~ nonpublic school(s) **within the school district boundaries**.

N.J.S.A. 18A:40-23 et seq.

N.J.A.C. 6A:16-2.5 et seq.

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[See POLICY ALERT Nos. 178 and 204]

R 5306 HEALTH SERVICES TO NONPUBLIC SCHOOLS

- A. A Board of Education having nonpublic schools within the school district boundaries shall provide nursing services to ~~students~~ pupils enrolled in a the nonpublic school pursuant to N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5.
- ~~A. Nursing services shall be provided to pupils enrolled in a nonpublic school as follows pursuant to N.J.S.A. 18A:40-23 et seq.:~~
1. ~~The school district shall provide services to students who are enrolled full-time. Who are full-time based upon the nonpublic school enrollment on the last school day prior to October 16 of the preceeding school year;~~
 2. ~~Services shall be made available. The provision of services shall be only to students pupils of a nonpublic school that provided to the Board of Education a report of the type and number of services provided during the previous school year;~~
 3. The provision of nursing services shall include as follows:
 - a. Assistance with medical examinations including dental screening;
 - b. Screening of hearing;
 - c. The Mmaintenance of student pupil health records and notification of local or county health officials of any student pupil who has not been properly immunized; and
 - d. Scoliosis examinations of students between the ages of ten and eighteen.
 4. ~~Scoliosis examinations of pupils between the ages of ten and eighteen.~~



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- B. The Board of Education shall provide for the extension of emergency care provided to public school ~~students~~ **pupils** and to ~~full-time those nonpublic school students~~ **pupils who are enrolled full-time in the nonpublic school** who are injured or become ill at school or during participation on a school team or squad pursuant to N.J.A.C. 6A:16-1.4 and 2.1(a)4.
- C. The Board of Education may provide additional services to those required under A. above under the following conditions:
1. ~~Such A~~ Additional medical services may ~~only~~ be provided **only** when all basic nursing services required under A. and B. above have been provided or will be provided;
 2. ~~Such A~~ Additional medical services may include the necessary equipment, materials, and services for immunizing **from diseases for students** ~~pupils who are enrolled full-time in the nonpublic school from diseases as required by N.J.A.C. 8:57-4, Immunization of Pupils in School;~~
 3. Equipment comparable to that ~~in~~ used in the school district may be purchased by the school district to loan without charge to the nonpublic school for the purpose of providing services under N.J.A.C. 6A:16-2.5 ~~this section~~. However, such equipment shall remain the property of the district Board of Education; and
 4. Costs of supplies comparable to that ~~in~~ used in the school district and transportation costs may be charged to the funds allocated for each participating nonpublic school provided ~~that they~~ **the costs** are directly related to ~~the provision of~~ the required basic nursing services and **the permitted** additional medical services ~~which may be provided~~.
- D. **Nursing services** ~~Health services~~ shall be provided by a registered nurse licensed in the State of New Jersey who is an employee of the school district, ~~an employee of~~ a third-party contractor, or an independent contractor.
- E. The **nursing** ~~health~~ services provided to a nonpublic school ~~students~~ **pupil** shall not include instructional services.



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- F. A nonpublic school may decline nursing services required or **permitted** under N.J.A.C. 6A:16-2.5 by submitting ~~notification~~ to the Board of Education **notification** signed by the Chief School Administrator of the nonpublic school pursuant to N.J.S.A. 18A:40-29.
- G. A **student pupil** who is enrolled in a nonpublic school and whose parent(s) or ~~legal guardian(s)~~ objects to the **student pupil** receiving any services provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the services except for a physical or medical examination to determine whether the **student pupil** is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.
- H. The Board of Education shall consider the provision of health services based upon the following:
1. The funding for services shall be based upon the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year;
 2. The provision of services shall be only to a **student pupil** of a nonpublic school that provided to the Board of Education a report of the type and number of services provided during the previous school year; and
 3. The funds expended by the Board of Education for administrative costs shall be limited to the actual costs or six percent of the funds allocated for each participating nonpublic school, whichever is less.
- I. The Superintendent or designee shall confer annually with the administrator of the nonpublic school for the following purposes:
1. To advise the nonpublic school of the amount of funds allocated to ~~it the nonpublic school~~ by the Department of Education or otherwise made available by the school district for the provision of health services for the full-time **students pupils** enrolled in the nonpublic schools;
 2. To agree on the basic health services **that shall** to be provided and the additional medical services **that** ~~which~~ may be provided as set forth in N.J.S.A. 18A:40-23 et seq.;



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3. ~~If To assure that in the event~~ the Superintendent or designee and the nonpublic school administrator cannot reach agreement regarding the health services and additional medical services to be provided, the County Office of Education shall provide assistance;
 4. To assure that each nonpublic school ~~that which~~ receives nursing services has a copy of N.J.S.A. 18A:40-23 ~~to through~~ 31 and N.J.A.C. 6A:16-2.5; and
 5. To assure ~~that~~ a description of the provision of nursing services is reflected in the school district's Nursing Services Plan.
- J. For the purposes of monitoring and recordkeeping, the Board of Education providing health services to nonpublic schools shall ~~annually~~ submit the ~~following information~~ to the ~~Executive~~ County Superintendent of Education on or before October 1 ~~annually the following information~~ and shall provide a copy to the Chief School Administrator of ~~each~~ the nonpublic schools within school district boundaries:
1. A written statement verifying that the required conference was held with the nonpublic school;
 2. A copy of the contract with another agency to provide the services, if applicable, and approved minutes of the Board of Education meeting approving the contract, ~~which that~~ describes the methods by which the health services ~~will be provided~~ to nonpublic school ~~students pupils will be provided~~ for the ensuing year, including a rationale for the distribution of funds; and
 3. A description of the type and number of services that were provided during the previous school year on a ~~form approved by the~~ Commissioner of Education ~~approved form~~.

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[See POLICY ALERT Nos. 178 and 204]

5308 STUDENT PUPIL HEALTH RECORDS

The school district shall maintain mandated **student pupil** health records for each **student pupil** pursuant to N.J.A.C. 6A:16-2.4 and as defined in N.J.A.C. ~~6A:16-2.4(a)1 and 2~~. The district will document **student pupil** health records using a form approved by the Commissioner of Education.

The maintenance and security of **student pupil** health records shall be in accordance with N.J.A.C. 6A:32-7.4 and 6A:16-2.4(e). **Student Pupil** health records **may be stored electronically or in paper format and** shall be maintained separately from other **student pupil** records in a secure location, ~~located in the school building or complex to which the pupil is assigned, and~~ accessible to authorized personnel while school is in session. The health **history** and immunization record shall be removed from the **student's pupil's** health record and placed in the **student's pupil's** mandated record ~~until such time as~~ **upon** graduation or termination and kept according to the schedule set forth in N.J.A.C. 6A:32-7.8.

The transfer of **student pupil** health records when a **student pupil** transfers to or from a school district shall be in accordance with N.J.A.C. ~~6A:16-2.4(d)~~ **6A:16-7.1 et seq.**

Any Board of Education employee with knowledge of, or access to, information that identifies a **student pupil** as having HIV infection or AIDS; information obtained by the school's alcohol or drug program which would identify the **student pupil** as an alcohol or drug user; or information provided by a secondary school **student pupil** while participating in a school-based alcohol or drug counseling program that indicates a parent, guardian, or other person residing in the **student's pupil's** household is dependent **upon** or illegally using a substance shall comply with restrictions for sharing such information in accordance with N.J.A.C. 6A:16-2.4(b) through (e) and as required by Federal and State statutes and regulations.

Access to and disclosure of information in a **student's pupil's** health record shall meet the requirements of the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, ~~incorporated herein by reference, as amended and supplemented, and~~ 34 CFR Part 99, incorporated herein by reference, as amended and supplemented, and N.J.A.C. 6A:32-7, Student Records.



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The school district shall provide access to the **student's pupil's** health record to licensed medical personnel; not holding educational certification; who are working under contract with or as employees of the school district only to the extent necessary to enable the licensed medical personnel to perform their duties. Secretarial or clerical personnel under the supervision of the certified school nurse shall be permitted access to those portions of the **student pupil** health records that are necessary for entry and recording of data and for conducting routine clerical tasks as outlined in N.J.S.A. 18A:40-3.4 and N.J.A.C. 6A:32-7.5.

Nothing in N.J.A.C. 6A:16-2.45 or in Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing ~~information contained in the pupil's health record~~ to **students pupils** or adults in connection with an emergency; ~~if such knowledge is necessary~~ **the information contained in the student health record if the release is necessary** to protect the immediate health or safety of a **pupil the student** or other persons pursuant to N.J.A.C. 6A:32-7.54.

N.J.A.C. 6A:16-2.4 et seq.; ~~6A:32-7.5 et seq.~~; 6A:32-7.4 et seq.;
6A:32-7.5 et seq.

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[See POLICY ALERT Nos. 178 and 204]

R 5308 STUDENT PUPIL HEALTH RECORDS

Student Pupil health records shall be maintained for each student pupil pursuant to N.J.A.C. 6A:16-2.4. Maintenance and security of student pupil health records shall be in accordance with N.J.A.C. 6A:32-7.4.

A. Mandated Student Pupil Health Records

1. The following mandated student pupil health records shall be maintained:
 - a. Findings of health histories, medical examinations, and health screenings pursuant to N.J.A.C. 6A:16-2.2 and 4.3; and
 - b. Documentation of immunizations against communicable diseases or exemption from these immunizations pursuant to N.J.A.C. 8:57-4.1, 4.3, and 4.4.
2. The district will document the findings of student pupil health histories, health screenings, and required medical examinations that are relevant to school participation on the student's pupil's health record using a form approved by the Commissioner of Education.

B. Maintenance of Student Pupil Health Records

1. The school district shall maintain student pupil health records in accordance with N.J.A.C. 6A:32-7.4 as follows:
 - a. Student health records may be stored electronically or in paper format. When records are stored electronically, proper security and backup procedures shall be administered;



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- ba. **Student Pupil health records, whether stored on paper or electronically, shall be maintained separately from other student pupil records, until such time as graduation or termination whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record in a secure location; and**
- cb. **Student Pupil health records kept in electronic form shall be both accessible during the hours in which the school program is in operation and secure according to N.J.A.C. 6A:32-7.4(d).**
- b. ~~Pupil health records shall be located in the school building or complex to which a pupil is assigned;~~
- d. ~~Pupil health records shall be accessible to authorized personnel while school is in session; and~~
- e. ~~The health and immunization record shall be removed from the pupil's health record and placed in the pupil's mandated record until such time as graduation or termination and kept according to the schedule set forth in N.J.A.C. 6A:32-7.8.~~

C. Transferring Student Pupil Health Records

~~1-~~The school district shall ensure compliance with the requirements of N.J.A.C. 6A:32-7 – Student Records and Policy and Regulation 8330 the following when transferring student pupil health records:

- a. ~~Original mandated pupil health records that school districts are directed to compile pursuant to New Jersey statute, rule, or authorized administrative directive shall be forwarded to the Chief School Administrator, or designee, of the school district to which the pupil has transferred within ten days of receipt of a written request and verification by the school district;~~



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- b. ~~Duplicate mandated pupil health records which school districts have been directed to compile pursuant to New Jersey statute, rule, or authorized administrative directive shall be forwarded to the Chief School Administrator, or designee, of the nonpublic school to which the pupil has transferred within ten days of receipt of a written request and verification by the school district;~~
- e. ~~Duplicate mandated pupil health records which school districts have been directed to compile pursuant to New Jersey statute, rule, or authorized administrative directive shall be forwarded to the Chief School Administrator or designee of the out of State school district to which the pupil has transferred within ten days of receipt of a written request and verification by the school district;~~
- d. ~~Records that are transferred in duplicate form shall have their original maintained at the location of the sending school district; and~~
- e. ~~The Chief School Administrator or designee shall request all pupil health records in writing from the school district of last attendance within two weeks from the date that the pupil enrolls in the new school district.~~

D. Restrictions for Sharing **Student Pupil Health Information**

1. Any Board of Education employee with knowledge of, or access to, the following health information shall comply with restrictions for sharing that information as required by Federal and State statutes and regulations.
 - a. Information that identifies a **student pupil** as having HIV infection or AIDS shall be shared only with prior written informed consent of the **student pupil** age twelve or greater, or of the **student's pupil's** parent(s) or legal guardian(s) as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the **student pupil**.



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Student Pupil Health Records

- b. Information obtained by the school's alcohol and other drug program which would identify the **student pupil** as an alcohol or other drug user may be disclosed only for those purposes and under those conditions permitted by 42 CFR Part 2.
- c. Information provided by a secondary school **student pupil** while participating in a school-based alcohol or other drug counseling program that indicates a parent, guardian, or other person residing in the **student's pupil's** household is dependent upon or illegally using a substance shall be shared only for those purposes and conditions permitted by N.J.S.A. 18A:40A-7.1.

E. Access to **Student Pupil** Health Records

- 1. Access to and disclosure of information in the **student's pupil's** health record shall meet the requirements of the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, and ~~incorporated herein by reference, as amended and supplemented~~; 34 CFR Part 99, incorporated herein by reference, as amended and supplemented, and N.J.A.C. 6A:32-7 *et seq.*, Student Records.
- 2. The school district shall provide access to the **student pupil** health records to licensed medical personnel; not holding educational certification; who are working under contract with or as employees of the school district only to the extent necessary to enable the licensed medical personnel to perform their duties.
 - a. Secretarial or clerical personnel under the supervision of the certified school nurse shall be permitted access to those portions of the **student's pupil's** health record ~~that are~~ necessary for entry and recording of data and for conducting routine clerical tasks as outlined in N.J.S.A. 18A:40-3.4 and N.J.A.C. 6A:32-7.5.



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Student Pupil Health Records

Nothing in N.J.A.C. 6A:16-2.45 or in Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing ~~information contained in the pupil's health record~~ to **students** pupils or adults in connection with an emergency **the information contained in the student health record**; if such knowledge the release is necessary to protect the immediate health or safety of the **student** pupil or other persons pursuant to N.J.A.C. 6A:32-7.4.

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[See POLICY ALERT Nos. 96, 106, 139, 141, 147, 157, 170, 178 and 204]

5310 HEALTH SERVICES

The Board of Education shall develop and adopt written policies, procedures, mechanisms, or programs governing the following school functions in accordance with N.J.A.C. 6A:16-1.4(a):

1. ~~Care of any pupil who becomes injured or ill while at school or during participation in school sponsored activities (Policy and Regulation 8441);~~
2. ~~Transportation and supervision of any pupil determined to be in need of immediate medical care (Policy and Regulation 8441);~~
3. ~~Isolation, exclusion, and readmission of any pupil or employee suspected of having a communicable disease as required by N.J.S.A. 18A:40-7 to 12 and 18A:40-16 to 18 (Policy and Regulation 8451);~~
4. ~~Provision of health services including immunization, administration of medication, treatment of asthma, medical examinations, nursing services, and emergency medical situations as required in N.J.A.C. 6A:16-2 (Policies 5305 and 5307 and Policies and Regulations 5310, 5320, 5330, and 8441);~~
5. ~~An annual Nursing Services Plan that details the provision of nursing services based upon pupil need in the school district pursuant to N.J.A.C. 6A:16-2.1(b) (Policy 5307);~~
6. ~~Administration of medication to pupils under the written order of a school physician or medical home pursuant to N.J.A.C. 6A:16-2.3(a)3vii (Policy and Regulation 5330);~~
7. ~~Emergency administration of epinephrine via epipen to a pupil for anaphylaxis pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);~~



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8. — Provision of medical and nursing services to meet requirements for health history, medical examination, and health screening as an alternative for pupils who do not have a medical home or have a religious objection to the required examinations pursuant to N.J.S.A. 18A:35-4.8 (Policy and Regulation 5306);
9. — Provision of nursing services to non-public schools located in the school district as required by N.J.S.A. 18A:40-23 through 31 and N.J.A.C. 6A:16-2.5 (Policy & Regulation 5310);
10. — Comprehensive substance abuse prevention, intervention, and treatment referral programs pursuant to N.J.S.A. 18A:40A-8 through 18 and N.J.A.C. 6A:16-3 and 4 (Policy & Regulation 5530);
11. — Confidentiality related to juvenile justice proceedings pursuant to N.J.S.A. 2A:4A-60 and N.J.A.C. 6A:16-5.4, HIV identifying information pursuant to N.J.S.A. 26:5C-5 et seq., and drug and alcohol use information pursuant to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 through 7.2, and N.J.A.C. 6A:16-3.2 (Policies 8453 and 9323 and Policy and Regulation 5530); and
12. — School safety plans as required by N.J.A.C. 6A:16-5.1 (Policies and Regulations 7430, 8420, 8431 and 8468 and Regulations 8420.1 through 8420.6);

The Board of Education shall develop and adopt policies and procedures that fulfill the rules and regulations of the New Jersey Department of Health and Senior Services, New Jersey Department of Human Services, New Jersey Department of Agriculture, and local boards of health which include the following requirements in accordance with N.J.A.C. 6A:16-1.4(b):

1. — Exclusion of any pupil from the school setting for failure to meet requirements for immunization against communicable disease as required in N.J.A.C. 8:57-4, Immunization of Pupils in School (Policy and Regulation 5320);



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2. ~~Exclusion of any person from the school setting if the person has uncovered weeping skin lesions as required in N.J.A.C. 8:61-2.1; Attendance at School by Pupils or Adults with HIV Infection (Policy and Regulation 8451 and Policy 8453);~~
3. ~~Procedures for sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 8:61-2, Participation and Attendance at School by Individuals with HIV Infection, and conforming to Centers for Disease Control and Prevention guidelines that schools implement universal precautions (Policy and Regulation 8451 and Policy 8453);~~
4. ~~Assurance that any pupil with HIV infection or AIDS or who lives with or is related to someone with HIV or AIDS is not excluded from general education, transportation services, extra-curricular activities, athletic activities, assigned to home instruction, or classified as eligible for special education for reason of HIV infection pursuant to N.J.A.C. 8:61-2.1 (Policy and Regulation 8451 and Policy 8453);~~
5. ~~Creation of wellness policies pursuant to 7 CFR Parts 210, 215, 220 and 245 and N.J.A.C. 2:36-1.7, Local School Nutrition Policy (Policy 8505); and~~
6. ~~Ensuring accessibility of the NJ Family Care Program for pupils who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.~~

~~When the school district engages in pupil testing, studies, or surveys the Board procedures and materials shall meet the Federal requirements of 20 U.S.C. § 1232h, and N.J.S.A. 18A:36-34, School Surveys, parent(s) or legal guardian(s) consent required before administration in accordance with N.J.A.C. 6A:16-1.4(e) (Policies 2415.05 and 9560).~~

The Board of Education shall develop and adopt the following written policies, procedures, and mechanisms in accordance with N.J.A.C. 6A:16-2.1(a) for the provision of health, safety, and medical emergency services, and **shall** ensure staff members are informed as appropriate:



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1. The review of immunization records for completeness pursuant to N.J.A.C. 8:57-4.1 through 4.20 (Policy and Regulation 5320);
2. The administration of medication to **students pupils** in the school setting in accordance with N.J.A.C. 6A:16-2.1(a)2. (Policy and Regulation 5330);;
3. The review of Do Not Resuscitate (DNR) ~~o~~Orders received from the **student's pupil's** parent(s) ~~or legal guardian(s)~~ or medical home (Policy 5332);
4. The provision of health services in emergency situations, including:
 - a. The emergency administration of epinephrine via **Epi-pen auto-injector epipen** pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);
 - b. **The emergency administration of glucagon pursuant to N.J.S.A. 18A:40-12.14 (Policy and Regulation 5338);**
 - cb. The care of any **student pupil** who becomes injured or ill while at school or ~~during participation~~ **participating** in school-sponsored functions (Policy and Regulation 8441);
 - de. The transportation and supervision of any **student pupil** determined to be in need of immediate **medical** care (Policy and Regulation 8441); **and**
 - ed. The notification to parents(s) ~~or legal guardian(s)~~ of any **student pupil** determined to be in need of immediate medical care (Policy and Regulation 8441); ~~and~~
 - e. ~~The administration of medication for pupils requiring epinephrine (Policy and Regulation 5330);~~
5. The treatment of asthma in the school setting in accordance with the **provisions of N.J.A.C. 6A:16-2.1(a)5 (Policy 5335);;**



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6. The administration of ~~student~~ **pupil** medical examinations, pursuant to N.J.S.A. 18A:40-4, N.J.S.A. 18A:35-4.8, and N.J.A.C. 6A:16-2.2 (Policy and Regulation 5310);
7. **Utilization of Procedures** for sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 8:61-1.1(~~4~~) **12:100-4.2, Safety and Health Standards for Public Employees**, and in compliance with 29 CFR 1910.1030, **Public Employees Occupational Safety and Health Program (PEOSH) Bloodborne Pathogens Standards**; ~~the Centers for Disease Control and Prevention's guidelines which advise that schools implement universal precautions titled Universal Precaution for Prevention of Transmission of HIV and Other Bloodborne Infections (1987, updated 1996), incorporated herein by reference, as amended and supplemented, which is available from the Centers for Disease Control and Prevention, Division of Healthcare Quality Promotion, 1600 Clifton Road, Atlanta, GA 30333 (Policy and Regulation 7420); and~~
8. Provision of nursing services to nonpublic schools located in the school district as required by N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5 (Policy and Regulation 5306);
9. Self-administration of medication by a student for asthma or other potentially life-threatening allergic reaction pursuant to N.J.S.A. 18A:40-12.3, 12.5, and 12.6, and the self-management and care of a student's diabetes as needed pursuant to N.J.S.A. 18A:40-12.15 (Policy and Regulation 5330);
10. Development of an individual healthcare plan and individualized emergency healthcare plan for students with chronic medical conditions, including diabetes, asthma, and life-threatening allergies, requiring special health services in accordance with N.J.S.A. 18A:40-12.11.c, 12.12, 12.13, and 12.15; and N.J.A.C. 6A:16-2.3(b)3xii (Policies and Regulations 5331 and 5338); and
11. Management of food allergies in the school setting and the emergency administration of epinephrine to students for anaphylaxis pursuant to N.J.S.A. 18A:40-12.6a through 12.6d (Policy and Regulation 5331).



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The Board of Education shall annually adopt the school district's nursing services plan at a regular meeting.

The Board of Education shall **comply with** provide the following required health services as required **outlined** in N.J.A.C. 6A:16-2.2 as indicated below:

1. Immunization records shall be reviewed and updated annually pursuant to N.J.A.C. 8:57-4.1 through **4.24 4.16**.
2. A Building Principal or designee shall not knowingly admit or retain in the school building any **student pupil** whose parent(s) or legal guardian(s) has not submitted acceptable evidence of the child's immunization, according to the schedule specified in N.J.A.C. 8:57-4, Immunization of Pupils in School.
3. The school district shall perform tuberculosis tests on **students pupils** using methods required by and when specifically directed to do so by the New Jersey Department of Health and Senior Services, based upon the incidence of tuberculosis or reactor rates in specific communities or population groups pursuant to N.J.S.A. 18A:40-16.
4. The school district shall immediately report **by telephone to the health officer of the jurisdiction in which the school is located** any communicable diseases that are identified as reportable pursuant to N.J.A.C. 8:57-1, whether confirmed or presumed, **by telephone to the health officer of the jurisdiction in which the school is located**.
5. Each school in the district shall have and maintain for the care of **students pupils** at least one nebulizer in the office of the school nurse or a similar accessible location pursuant to N.J.S.A. 18A:40-12.7.
6. Each **student pupil** medical examination shall be conducted at the medical home of the **student pupil**. If a **student pupil** does not have a medical home, the school district shall provide **the this** examination at the school physician's office or other comparably equipped facility pursuant to N.J.S.A. 18A:40-4.



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- a. ~~For the purpose of the physical examination required prior to participation on a school-sponsored interscholastic athletic team or squad for pupils enrolled in any of the grades six to twelve in accordance with N.J.A.C. 6A:16-2.2(h)1, the pupil's parent(s) or legal guardian(s) may choose either the school physician or their own private physician.~~
 - b. ~~A full report of the examination shall be maintained as part of the pupil's health record.~~
7. The findings of the medical examinations as required under 8. below shall ~~be documented on a form that is approved by the Commissioner of Education and shall include the following components:~~
- a. Immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.24 4.16;
 - b. Medical history, including allergies, past serious illnesses, injuries, and operations, medications, and current health problems;
 - c. Health screenings including height, weight, hearing, blood pressure, and vision; and
 - d. Physical examinations.
8. The school district shall ensure that ~~students~~ pupils receive medical examinations **in accordance with N.J.A.C. 6A:16-2.2(f) and 6. above and:**
- a. Prior to participation on a school-sponsored interscholastic athletic team or **intramural athletic team** or squad for **students** pupils enrolled in any of the grades six to twelve in accordance with N.J.A.C. 6A:16-2.2(h)1;
 - b. Upon enrollment **in** into school in accordance with N.J.A.C. 6A:16-2.2(h)2;



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- c. When applying for working papers in accordance with N.J.A.C. 6A:16-2.2(h)3;
 - d. For the purposes of the comprehensive Child Study Team evaluation pursuant to N.J.A.C. 6A:14-3.4 in accordance with N.J.A.C. 6A:16-2.2(h)4; and
 - e. When the ~~pupil~~ **a student** is suspected of being under the influence of alcohol or controlled dangerous substances, pursuant to N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 in accordance with N.J.A.C. 6A:16-2.2(h)5.
9. The Board of Education shall make accessible information regarding the New Jersey FamilyCare Program for ~~pupils to~~ **students** who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.
10. Information concerning a ~~student's~~ **pupil's** HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq.
11. The **Board of Education** ~~school nurse~~ shall ensure that **students** ~~pupils~~ receive health screenings as outlined in N.J.A.C. **6A:16-2.2(k)**. ~~below in accordance with New Jersey Department of Education Health Service Guidelines:~~
- a. ~~Screening for height, weight, and blood pressure shall be conducted annually for each pupil in Kindergarten through grade twelve.~~
 - b. ~~Screening for visual acuity shall be conducted biennially for pupils in Kindergarten through grade ten.~~
 - e. ~~Screening for auditory acuity shall be conducted annually for pupils in Kindergarten through grade three and in grades seven and eleven pursuant to N.J.S.A. 18A:40-4.~~
 - d. ~~Screening for scoliosis shall be conducted biennially for pupils between the ages of ten and eighteen pursuant to N.J.S.A. 18A:40-4.3.~~



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- e. ~~Screenings shall be conducted by a school physician, school nurse, physical education instructor, or other school personnel properly trained.~~
 - f. ~~The school district shall provide for the notification of the parent(s) or legal guardian(s) of any pupil suspected of deviation from the recommended standard.~~
12. The ~~_____~~ **school nurse or designee** shall screen to ensure hearing aids worn by ~~students~~ **pupils** who are deaf and/or hard of hearing are functioning properly. The ~~_____~~ **school nurse or designee** will ensure any FM hearing aid systems in classrooms or any school equipment in the school building used to assist ~~students~~ **pupils** hear are functioning properly.

N.J.S.A. 18A:40-4 et seq.
N.J.A.C. 6A:16-1.34 ~~et seq.~~; 6A:16-2.2 et seq.

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C. Medical Examinations - Prior to Participation on a School-Sponsored Interscholastic or Intramural Athletic Team or Squad for Students Pupils Enrolled in Any Grades Six to Twelve

The school district shall ensure that ~~students~~ pupils receive medical examinations prior to participation on a school-sponsored interscholastic or intramural athletic team or squad for ~~students~~ pupils enrolled in any of the grades six to twelve.

1. The examination shall be conducted within 365 days prior to the first practice session.
2. The medical examination shall include a health history questionnaire, completed and signed by the parent(s) or legal guardian(s).
 - a. The report of health findings of the medical examination for participation shall be documented on the Athletic Preparticipation Physical Examination Form approved by the Commissioner of Education to determine whether the ~~student~~ pupil had or currently has any of the following conditions since their last physical:
 - (1) Injuries;
 - (2) Chronic or ongoing illness;
 - (3) Need for pPrescribed medication;
 - (4) Allergies;
 - (5) Head-related conditions;
 - (6) Heart-related conditions;
 - (7) Eye, ear, nose, mouth, or throat conditions;
 - (8) Neuromuscular/orthopedic conditions; or
 - (9) General or exercise-related conditions.



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- b. The medical report shall include a determination concerning the student's pupils participation ~~that from the examining physician, advanced practice nurse or physician's assistant~~ which includes, at a minimum, the following normalities:
- (1) Measurement of weight, height, and blood pressure;
 - (2) Examination of the skin to determine the presence of infection, scars from previous surgery or trauma, jaundice, a rash, and purpura;
 - (3) Examination of the eyes to determine visual acuity, use of eyeglasses or contact lenses, and examination of the sclera for the presence of jaundice;
 - (4) Examination of the ears to determine the presence of acute or chronic infection, perforation of the eardrum and gross hearing loss;
 - (5) Examination of the nose to assess the presence of deformity which may affect endurance;
 - (6) Assessment of the neck, back, and spine to determine range of motion, the presence of pain associated with such motion, and abnormal curvature of the spine;
 - (7) Examination of chest contour;
 - (8) Auscultation and percussion of the lungs;
 - (9) Assessment of the heart with attention to the presence of murmurs, noting rhythm and rate;
 - (10) Assessment of the abdomen with attention to the possible presence of ~~hepatomegaly~~ ~~heptamegaly~~, splenomegaly, or abnormal masses;



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- (11) Examination of upper and lower extremities to determine abnormal mobility or immobility, deformity, instability, muscle weakness or atrophy, surgical scars and varicosities;
 - (12) Examination of the testes to determine the presence and descent of testes, abnormal masses, or configurations, or hernia;
 - (13) Assessment of physiological maturation; and
 - (14) Neurological examination to assess balance and coordination.
- c. The medical report shall indicate if ~~whether~~ a student pupil is allowed or disallowed to participate in the required sports categories and ~~shall must~~ be completed and signed by the original examining physician, advanced practice nurse, or physician's assistant.
- d. An incomplete A form that ~~is incomplete~~ shall be returned to the student's pupil's medical home for completion unless the school nurse can provide documentation to the school physician that the missing information is available from screenings completed by the school nurse or physician within the prior 365 days.
3. Each student pupil whose medical examination was completed more than sixty days prior to the first practice session shall provide a health history update of medical problems experienced since the last medical examination. This shall be completed and signed by the parent(s) or legal guardian(s). The health history update shall include the following information:
- a. Hospitalization/operations;
 - b. Illnesses;
 - c. Injuries;



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- d. Care administered by a physician of medicine or osteopathy, advanced practice nurse, or physician's assistant; and
 - e. Medications.
4. Each school district shall provide ~~to the parent~~ written notification signed by the school physician to the ~~parent(s) or legal guardian(s)~~ stating approval of the ~~student's~~ pupil's participation in athletics based upon the medical report or the reasons for the school physician's disapproval of the ~~student's~~ pupil's participation.
5. A ~~student pupil that~~ **who** does not have a completed Athletic Preparticipation Physical Examination Form shall not be permitted to participate.

D. Medical Examinations - Upon Enrollment in ~~Into~~ School

- 1. The school district shall ensure that ~~students~~ pupils receive medical examinations upon enrollment ~~in into~~ school. The ~~pParent(s) or legal guardian(s)~~ shall be required to provide examination documentation of each ~~student~~ pupil within thirty days ~~upon of~~ enrollment in the enrolling ~~into~~ school.
- 2. When a ~~student~~ transfers pupil ~~is transferring~~ to another school, the ~~sending~~ each school district shall ensure the ~~entry-examination that~~ pupil documentation of ~~entry-examination~~ is forwarded to the receiving transfer school district pursuant to N.J.A.C. 6A:16-2.4(d).
- 3. ~~Students~~ Pupils transferring into this school district from out-of-State or out-of-country may be allowed a thirty-day period ~~in order~~ to obtain entry examination documentation.
- 4. The ~~school district~~ school-nurse shall notify parents(s) ~~or legal guardian(s)~~ through its website or other means about the importance of obtaining subsequent medical examinations of the ~~student~~ pupil at least once during each developmental stage, at early childhood (pre-school through grade three), pre-adolescence (grades four through six), and adolescence (grades seven through twelve).



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E. Medical Examinations - When Students Pupils Apply for Working Papers

1. ~~The school district shall ensure that a pupil receives medical examinations when applying for working papers.~~ Pursuant to N.J.S.A. 34:2-21.7 and 21.38, the school district **may provide** is responsible for the administration of a medical examinations for a student pupil pursuing a certificate of employment.
2. ~~A statement of physical fitness shall be signed by the school physician unless the parent(s) or legal guardian(s) elects to obtain the examination at the pupil's medical home.~~
23. The school district shall not be held responsible for the costs incurred by the parent(s) or legal guardian(s) who elects to obtain the for examinations at the student's pupil's medical home or other medical provider(s).

F. Medical Examinations - For ~~the~~ Purposes ~~of~~ ~~the~~ Comprehensive Child Study Team Evaluation Pursuant ~~to~~ N.J.A.C. 6A:14-3.4

1. The school district shall ensure that ~~students~~ pupils receive medical examinations for the purposes of the ~~c~~Comprehensive Child Study Team ~~e~~valuation pursuant to N.J.A.C. 6A:14-3.4.

G. Medical Examinations - When ~~a~~ Student Pupil Is Suspected ~~of~~ Being Under ~~the~~ Influence ~~of~~ Alcohol ~~or~~ Controlled Dangerous Substances pursuant to N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3

1. If a ~~student~~ pupil who is suspected of being under the influence of alcohol or controlled dangerous substances is reported to the certified school nurse, the certified school nurse shall monitor the ~~student's~~ pupil's vital signs and general health status for emergent issues and take appropriate action pending the medical examination pursuant to N.J.A.C. 6A:16-4.3.
2. No school staff shall interfere with a ~~student~~ pupil receiving a medical examination for suspicion of being under the influence of alcohol or controlled dangerous substances pursuant to N.J.A.C. 6A:16-4.3.



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H. Health Screenings

The ~~Each~~-district Board of Education shall ensure that ~~students~~ pupils receive health screenings in accordance with N.J.A.C. 6A:16-2.2(l).

1. Screening for height, weight, and blood pressure shall be conducted annually for each ~~student~~ pupil in Kindergarten through grade twelve.
2. Screening for visual acuity shall be conducted biennially for ~~students~~ pupils in Kindergarten through grade ten.
3. Screening for auditory acuity shall be conducted annually for ~~students~~ pupils in Kindergarten through grade three and in grades seven and eleven pursuant to N.J.S.A. 18A:40-4.
4. Screening for scoliosis shall be conducted biennially for ~~students~~ pupils between the ages of ten and eighteen pursuant to N.J.S.A. 18A:40-4.3.
5. Screenings shall be conducted by a school physician, school nurse, ~~physical education instructor~~, or other school personnel properly trained.
6. The school district shall provide for the notification of the parent(s) or ~~legal guardian(s)~~ of any ~~student~~ pupil suspected of deviation from the recommended standard.

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[See POLICY ALERT No. 204]

5339 SCREENING FOR DYSLLEXIA

In accordance with the provisions of N.J.S.A. 18A:40-5.1 et seq., the Board of Education shall ensure each student enrolled in the school district who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia and other reading disabilities using a screening instrument selected pursuant to the provisions of N.J.S.A. 18A:40-5.2. This screening shall be administered no later than the student's completion of the first semester of the second grade.

In the event a student who would have been enrolled in Kindergarten, grade one, or grade two during or after the 2014-2015 school year enrolls in the district in Kindergarten through grade six during or after the 2015-2016 school year and has no record of being previously screened for dyslexia or other reading disabilities, pursuant to N.J.S.A. 18A:40-5.2 et seq., the Board shall ensure the newly-enrolled student is screened for dyslexia and other reading disabilities using a screening instrument selected pursuant to N.J.S.A. 18A:40-5.1. This screening shall be administered at the same time other students enrolled in the student's grade are screened for dyslexia and other reading disabilities, or if other students enrolled in the student's grade have previously been screened, within ninety calendar days of the date the student is enrolled in the district. The screenings shall be administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities.

For the purposes of this Policy, "potential indicators of dyslexia or other reading disabilities" means indicators that include, but shall not be limited to, difficulty in acquiring language skills; inability to comprehend oral or written language; difficulty in rhyming words; difficulty in naming letters, recognizing letters, matching letters to sounds, and blending sounds when speaking and reading words; difficulty recognizing and remembering sight words; consistent transposition of number sequences, letter reversals, inversions, and substitutions; and trouble in replication of content.



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Screening for Dyslexia

In accordance with the provisions of N.J.S.A. 18A:40-5.2(a), the Commissioner of Education shall distribute to each Board of Education information on screening instruments available to identify students who possess one or more potential indicators of dyslexia or other reading disabilities. The Commissioner shall provide information on the screening instruments appropriate for Kindergarten through grade two students and on screening instruments that may be suitably used for older students. The Board shall select and implement age-appropriate screening instruments for the early diagnosis of dyslexia and other reading disabilities.

In accordance with provisions of N.J.S.A. 18A:40-5.2(b), the Commissioner shall also develop and distribute to each Board of Education guidance on appropriate intervention strategies for students diagnosed with dyslexia or other reading disabilities.

In the event a student is determined, through the screening conducted in accordance with N.J.S.A. 18A:40-5.3, to possess one or more potential indicators of dyslexia or other reading disabilities pursuant to the provisions of N.J.S.A. 18A:40-5.1 et seq., the Board shall ensure the student receives a comprehensive assessment for the learning disorder. In the event a diagnosis of dyslexia or other reading disability is confirmed by the comprehensive assessment, the Board shall provide appropriate evidence-based intervention strategies to the student, including intense instruction on phonemic awareness, phonics and fluency, vocabulary, and reading comprehension.

N.J.S.A. 18A:40-5.1; 18A:40-5.2; 18A:40-5.3; 18A:40-5.4

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[See POLICY ALERT Nos. 105, 121, 144 156, 157, 161, 179 and 204]

5530 SUBSTANCE ABUSE

The Board of Education recognizes that a student's pupil's abuse of harmful substances seriously impedes that student's pupil's education and threatens the welfare of the entire school community. The Board is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means, but will take the necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, the Board will establish policies and procedures in operating programs to support the social, emotional, and physical development of students in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-4.1 et seq. The Board of Education will and maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the schools of this district.

A. Definitions

N.J.S.A. 18A:40A-9
N.J.A.C. 6A:16-1.3; 6A:16-4.1 et seq.

The definitions as outlined in N.J.S.A. 18A:40A et seq., N.J.A.C. 6A:16 et seq., and those terms defined in Regulation 5530 shall be used for the purposes of this Policy and Regulation.

For the purposes of this policy:

~~"Substance" means alcoholic beverages, controlled dangerous substances, including anabolic steroids, as defined at N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2C:35-10.4 and over-the-counter and prescription medications which are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.~~



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~~"Substance abuse" means the consumption or use of any substance for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.~~

~~"Evaluation" means those procedures used by a certified or licensed professional to make a positive determination of a pupil's need for programs and services which extend beyond the general school program by virtue of learning, behavior, or health difficulties of the pupil or the pupil's family.~~

~~"Intervention" means those programs, services, and actions taken to identify and offer help to a pupil at risk for learning, behavior, or health difficulties.~~

~~"Referral for treatment" means those programs and services offered to a pupil or his or her family to help implement the recommendations of an evaluation or in response to the family's request for assistance with a learning, behavior, or health difficulty.~~

~~"School grounds" means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central services facilities including, but not limited to, kitchens and maintenance shops. School grounds also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and recreational places owned by local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.~~

B. Discipline

N.J.S.A. 18A:40A-10; 18A:40A-11
N.J.A.C. 6A:16-4.1(c)2.; 6A:16-6.3(a)

The Board prohibits the use, possession, and/or distribution of alcohol or other drugs on school grounds, including on school buses or at school-sponsored functions according to N.J.S.A. 18A:40A-9, 10, and 11.



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A student pupil who uses, possesses, or distributes a alcohol or other drugs will be subject to discipline in accordance with the district's Code of Student Conduct. School authorities also have the authority to impose a consequence on a student for conduct away from school grounds in accordance with the provisions of N.J.A.C. 6A:16-7.5 substance, on or off school premises, will be subject to discipline. Discipline will be graded to the severity of the offenses, the nature of the problems and the pupil's needs. Discipline may include suspension or expulsion. The Board will may establish consequences for a student pupil not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors. The Superintendent and/or designee will notify the appropriate law enforcement agency pursuant to N.J.A.C. 6A:16-6.3(e).

C. Instruction

N.J.S.A. 18A:40A-1 et seq.
N.J.A.C. 6A:16-3.1

The Board shall provide an instructional program on the nature of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-3.1 comprehensive program of prevention, intervention, referral for evaluation, referral for treatment, and continuity of care for pupil alcohol, tobacco, and other drug abuse.

D. Identification, Evaluation, and Intervention Reporting, Notification, and Examination

N.J.S.A. 18A:40A-11 through 18A:40A-17
N.J.A.C. 6A:16-3.1; 6A:16-4.1; 6A:16-4.2; 6A:16-4.3

1. Alcohol or Other Drugs

- a. Any educational staff member or other professional to whom it appears that a student pupil may be currently under the influence of alcohol or other drugs as identified in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a), on school grounds; including on a school bus or at a school-sponsored function shall report the matter in accordance with N.J.A.C. 6A:16-4.3(a)1.



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- b. An immediate medical examination shall be conducted and a written report of the medical evaluation shall be furnished to the parent(s) or legal guardian(s) of the student pupil, the Building Principal, and the Superintendent in accordance with N.J.A.C. 6A:16-4.3(a)2 through 4.3(a)8.
- c. If the written report of the medical examination is not provided within twenty-four hours of the referral of the student pupil, the student pupil shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.
- d. If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the student's pupil's physical or mental ability to perform in school, the student pupil shall be immediately returned to school. If there is a positive determination from the medical examination indicating the student's pupil's alcohol or other drug use interferes with his or her physical or mental ability to perform in school, the student pupil shall be returned to the care of the parent(s) or legal guardian(s) as soon as possible, and Attendance at school shall not resume until a written report has been submitted to the parent, Principal, and Superintendent from a physician licensed to practice medicine or osteopathy who has examined the student that verifies the student's pupil's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.
- e. Removal of a student pupil with a disability shall be in accordance with N.J.A.C. 6A:14.
- f. While a student pupil is at home because of the medical evaluation or after the student pupil returns to school, an appropriately certified school staff member(s) will conduct an alcohol and other drug assessment of the student pupil and a reasonable investigation of the situation and may initiate referral alcohol or other drug abuse treatment in accordance with N.J.A.C. 6A:16-4.3(a)12, 4.3(a)13, and 4.3(a)14.



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- g. Disclosure to law enforcement authorities of the identity of a student in instances of alcohol and other drugs shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(a)3.

{Optional

- h. The Board may provide additional intervention and referral services for the **student pupil** according to the requirements of N.J.S.A. 18A:40A-10 and N.J.A.C. 6A:16-8.1

2. Anabolic Steroids

- a. Whenever any teaching staff member, certified or non-certified school nurse, or other educational personnel ~~has~~ shall have reason to believe a **student pupil** has used or may be using anabolic steroids, that ~~the~~ person shall report the matter in accordance with N.J.A.C. 6A:16-4.3(b)1.
- b. The ~~Building~~ Principal or designee upon receiving such report shall immediately notify the parent(s) ~~or~~ legal guardian(s) and Superintendent and shall arrange for an examination of the **student pupil** as soon as possible to determine whether the **student pupil** has been using anabolic steroids in accordance with N.J.A.C. 6A:16-4.3(b)2.
- c. ~~Disclosure to law enforcement authorities of the identity of students in instances of anabolic steroids shall be in accordance with The Superintendent will disclose to law enforcement authorities the identity of the pupil pursuant to the requirements of N.J.A.C. 6A:16-4.3(b)3.~~
- d. A written report of the examination shall be provided by the examining physician to the parent(s) ~~or~~ legal guardian(s), ~~Building~~ Principal, and Superintendent.



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- e. If it is determined the **student pupil** has used anabolic steroids, an appropriately certified school staff member(s) shall interview the **student pupil** and others to determine the extent of the **student's pupil's** involvement with and use of anabolic steroids and the possible need for referral for treatment in accordance with N.J.A.C. 6A:16-4.3(b)5.
 - f. If the results of a referral for evaluation have positively determined the **student's pupil's** involvement with and use of anabolic steroids represents a danger to the **student's pupil's** health and well-being, an appropriately certified school staff member(s) shall initiate a referral for treatment to agencies and/or private practitioners as outlined in N.J.A.C. 6A:16-4.3(b)6.
3. A school employee who seizes or discovers alcohol or other drugs, or an item believed to be a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall comply with the provisions of N.J.A.C. 6A:16-6.4.
 4. The Board will provide intervention, referral for evaluation, and referral for treatment services to those students that are affected by alcohol or other drug use in accordance with the provisions of N.J.A.C. 6A:16-4.1(c)7.
 5. Refusal or failure by a parent to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated as a policy violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11.
 6. Refusal or failure of a student to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated by the school district as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.1(c)2.



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E. In-Service Training

N.J.S.A. 18A:40A-15(b)

The Board directs the Superintendent to develop a program of in-service training for all teaching staff members involved in the instruction of students pupils in accordance with the provisions of N.J.S.A. 18A:40A-15. The Board will provide time for the conduct of the program during the usual school schedule. The in-service training program required in N.J.S.A. 18A:40A-15 shall be updated at regular intervals in order to ensure teaching staff members have the most current information available on this subject. In-service training shall prepare teachers to instruct pupils on substance abuse and inform teachers about the nature of substances, the symptomatic behavior associated with substance abuse, the availability of rehabilitation and treatment programs, the legal aspects of substance abuse, and Board policy and regulations on substance abuse.

F. Parent Training Program/Outreach Program Outreach to Parents

N.J.S.A. 18A:40A-16; 18A:40A-17
N.J.A.C. 6A:16-4.1(c)87.

The Board will provide an a parent training program/outreach program in accordance with the provisions of N.J.S.A. 18A:40A-16 and 17. to parent(s) or legal guardian(s) of pupils that includes information on the district's substance abuse curriculum, the identification of substance abusers, and rehabilitation organizations and agencies. The Superintendent is directed to develop the program in consultation with local agencies recommended by the Commissioner and to offer the program at times and in places convenient to parent(s) or legal guardian(s) on school premises or in other suitable facilities.

G. Records and Confidentiality of Records

§408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 USC, and Implementing Regulations;

42 CFR Part 2

N.J.S.A. 18A:40A-7.1; 18A:40A-7.2

N.J.A.C. 6A:16-3.2; 6A:32-7.1 et seq.



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Notations concerning a student's pupil's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 et seq. and Policy No. 8330 regarding confidentiality and limited access. All such notations shall be expunged when they are no longer required for the counseling or discipline of the pupil or when the pupil leaves school. Information concerning a student's pupil's involvement in a school intervention or treatment program for alcohol or other drug abuse shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, N.J.A.C. 6A:16-3.2, and N.J.A.C. 6A:16-6.5 in accordance with §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 U.S.C. 200ee-3, and implementing regulations, 42 CFR Part 2.

If an elementary or secondary student pupil who is participating involved in a school-based drug or alcohol abuse counseling program provides information during the course of a counseling session in that program which indicates that the student's pupil's parent(s) or legal guardian(s) or other person residing in the student's pupil's household is dependent upon or illegally using a substance as that term is defined in N.J.S.A. 18A:40A-9, that information shall be kept confidential and may be disclosed only in accordance with N.J.S.A. 18A:40A-7.1 and N.J.A.C. 6A:16-3.2 the pupil's written consent, to another person or entity whom the pupil specifies in writing in the case of a secondary pupil, or to a member of the pupil's immediate family or the appropriate school personnel in the case of an elementary pupil, pursuant to a court order; to a person engaged in a bona fide research purpose, except that no names or other information identifying the pupil or the person with respect to whose substance abuse the information was provided, shall be made available to the researcher; or to the Division of Youth and Family Services or to a law enforcement agency; if the information would cause a person to reasonably suspect that the elementary or secondary pupil or another child may be an abused or neglected child.

H. Nonpublic School Students Pupils

N.J.S.A. 18A:40A-5; 18A:40A-17(c)

The Board has the power and duty to loan will lend to students pupils attending nonpublic schools located in this district and to the parents(s) or



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~~legal guardian(s)~~ of such students ~~pupils~~ all educational materials on the nature and effects of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances ~~substance abuse prepared and supplied developed and made available by the Commissioner of Education. The Board shall not be required to expend funds for the loan of these such materials shall be at no cost to the district.~~

I. Civil Immunity

N.J.S.A. 18A:40A-13; 18A:40A-14;
N.J.A.C. 6A:16-4.3(c)

No civil action of any kind in any court of competent jurisdiction shall lie against any employee, officer, or agent of the Board because of actions taken under the education statutes on substance abuse, N.J.S.A. 18A:40A-1 et seq., provided the skill and care given is that ordinarily required and exercised by other such employees, officers, and agents of the Board in accordance with the provisions of N.J.S.A. 18A:40A-13.

Any educational or non-educational Board employee school staff member who in good faith reports a student pupil to the Building Principal or designee in compliance with N.J.A.C. 6A:16-4.3 shall not be liable in civil damages as a result of making such a report, as specified in N.J.S.A. 18A:40A-13 and 14.

J. Reporting Students Pupils to Law Enforcement Authorities

N.J.A.C. 6A:16-4.1; 6A:16-6.3(a)

The Superintendent, or designee, shall disclose to law enforcement authorities the identity report of a student pupils ~~to law enforcement authorities if the staff member has reason to believe a pupil reasonably believed to be in possession of a controlled dangerous substance, including anabolic steroids, or related paraphernalia is unlawfully possessing or in any way involved or implicated in the distribution activities regarding of controlled dangerous substances, including anabolic steroids, or drug paraphernalia, pursuant to N.J.A.C. 6A:16-4.1(c)9 6.3(a).~~ The Superintendent or designee shall will not disclose the identity of the student report pupils who has have voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug substance abuse problem provided the student pupil is not reasonably believed to be involved or implicated in a current drug-distribution activities.



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The Superintendent or designee may, ~~but need not~~ disclose to law enforcement authorities the identity of a student pupil suspected to be under the influence of alcohol and/or other drugs controlled dangerous substances, pursuant to N.J.A.C. 6A:16-4.1(c)9.i. 4.3(a), or a pupil suspected to have used or who may be using anabolic steroids, pursuant to N.J.A.C. 6A:16-4.3(b), and who is referred for a medical evaluation, pursuant to N.J.A.C. 6A:16-4.3(a) or (b), as appropriate, for the purposes of providing appropriate health care for the pupil and for determining whether the pupil is under the influence of alcohol or other drugs or has been using anabolic steroids, provided the pupil is not reasonably believed to be in possession of a controlled dangerous substance or drug paraphernalia, and is not reasonably believed to be involved or implicated in drug distribution activities. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test was obtained as a result of a district's voluntary random drug testing program pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.

K. Policy Review and Accessibility

N.J.S.A. 18A:40A-10; 18A:40A-11
N.J.A.C. 6A:16-4.2(a) and & (b)

The Board will annually review the effectiveness of Policy and Regulation 5530 on student pupil alcohol and drug abuse. The Board ~~may~~ shall solicit parent(s) or legal guardian(s), student, pupil and community input, as well as consult in the review process with local alcohol or other drug abuse prevention, intervention, and treatment agencies licensed by the New Jersey Department of Human Services.

This Policy and Regulation shall be ~~made~~ available annually; ~~disseminated at the beginning of the school year~~, to all school staff employees, students pupils, and parents(s) or legal guardian(s) through the district website or other means. ~~Each newly hired employee and transferred pupil will be offered this policy and implementing regulations on his/her arrival in the district.~~

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq.
N.J.A.C. 6A:16-1.1 et seq.; 6A:16-4.1 et seq.; 6A:16-6.1 et seq.

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[See POLICY ALERT Nos. 125, 133, 144, 145, 157, 173, 179 and 204]

R 5530 SUBSTANCE ABUSE

The following procedures are established in implementation of Policy No. 5530.
Substance Abuse.

A. Definitions

1. "Evaluation" means ~~these~~ procedures used by a certified or licensed professional to make a positive determination of a ~~student's pupil's~~ need for programs and services which extend beyond the general school program by virtue of learning, behavior, or health difficulties of the ~~student pupil~~ or the ~~student's pupil's~~ family.
2. ~~"Intervention" means these programs, services and actions taken to identify and offer help to a pupil at risk for learning, behavior or health difficulties.~~
2. "Other drugs" mean substances as defined in N.J.S.A. 18A:40A-9 and substances as defined in N.J.A.C. 6A:16-4.1(a).
34. "Parent" means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s) or parent surrogate(s) of a ~~student pupil~~. When parents are separated or divorced, "parent" means the person or agency who has legal custody of the ~~student pupil~~, as well as the natural or adoptive parent(s) of the ~~student pupil~~, provided such parental rights have not been terminated by a court of appropriate jurisdiction.
43. "Referral for evaluation" means ~~these~~ programs and services suggested offered to a ~~student pupil~~ or his or her family in order to make a positive determination regarding a ~~student's pupil's~~ need for services that ~~which~~ extend beyond the general school program.



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5. "Referral for treatment" means programs and services suggested to a student or to his or her family to help implement the recommendations resulting from an evaluation, pursuant to N.J.A.C. 6A:16-1.3 and 4.1(c)5 and 6; in response to a positive alcohol or other drug test result, pursuant to N.J.A.C. 6A:16-4.4; or in response to the family's request for assistance with a learning, behavior, or health difficulty, pursuant to N.J.A.C. 6A:16-4.1(c)7 and 8.
6. "School grounds" means and includes land, portions of land, structures, buildings, and vehicles, owned, operated or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and other central facilities including, but not limited to, kitchens and maintenance shops. "School grounds" also include other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land. "School grounds" also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration as defined in N.J.A.C. 6A:26-1.2.
75. "Substance" as defined in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a) means alcoholic beverages, controlled dangerous substances, including anabolic steroids as defined at N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that which are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.



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86. "Substance abuse" means the consumption or use of any substance for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.
97. "Under the influence" of substances means that the **student pupil** is observed in the use of a substance or exhibits physical and/or behavioral characteristics that indicate the immediate use of a substance.

B. Discipline

1. Any violation of Board rules prohibiting the use, possession, and/or distribution of a substance is a serious offense, and the **student pupil** who violates a substance abuse rule will be disciplined accordingly. Repeated violations are more severe offenses and warrant stricter disciplinary measures. **Students Pupils** who violate the substance abuse rules will be disciplined as follows:
- a. First offense: _____

 - b. Second offense: _____

 - c. Third offense: _____

2. In accordance with N.J.A.C. 6A:16-4.1(c), the following disciplinary action will be taken in the event the **student pupil** does not follow through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors:



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- a. First offense: _____
- b. Second offense: _____
- c. Third offense: _____

C. ~~Intervention, Referral for Evaluation, and Referral for Treatment Services Identification and Remediation of Pupils Involved with Substances~~

- ~~1. Teaching staff members shall be alert to the signs of a pupil's involvement with substances, in accordance with the training offered in in-service training sessions.~~
- ~~2. A teaching staff member who suspects that a pupil is involved with substances, but not under the influence of them, should refer the pupil to the School Nurse, the Substance Awareness Coordinator, a Guidance Counselor, the Child Study Team member, or another professional staff member or trained resource person, as appropriate. The staff member shall notify the Principal of the referral; if appropriate, the Principal should notify the pupil's parent(s) or legal guardian(s) of the referral and discuss with the parent(s) or legal guardian(s) the possibility of medical or therapeutic treatment.~~
- ~~3. When a pupil involved with substances has discussed his/her involvement with a teaching staff member with an expectation of confidentiality, the staff member may respect that confidence. The teaching staff member should encourage the pupil to seek aid from a professional trained in counseling and to confide in his/her parent(s) or legal guardian(s). When the staff member believes that the pupil requires professional counseling or intervention that the pupil will not seek on his/her own, the staff member may report the pupil to the Principal, who shall determine whether to notify the pupil's parent(s) or legal guardian(s) and may report the pupil to an appropriate district professional or trained resource person or to an appropriate agency for evaluation and possible treatment.~~



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1. The provision of intervention, referral for evaluation, and referral for treatment services for students who are affected by alcohol or other drug use.
 - a. The intervention, referral for evaluation, and referral for treatment services shall be provided by an individual who holds the educational services certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners, or by an individual who holds one of the following educational services certificate endorsements: school nurse; school nurse/non-instructional; school psychologist; school counselor; school social worker; or student personnel services and is trained in alcohol and other drug abuse intervention, assessment, referral for evaluation, and referral for treatment skills.
 - b. The intervention, referral for evaluation, and referral for treatment services shall include one or more of the following:
 - (1) Provisions for a program of instruction, counseling, and related services provided by the district Board of Education while a student receives medical treatment for a diagnosed alcohol or other drug dependency problem;
 - (2) Referral to a community agency, as defined in N.J.A.C. 6A:16-4.1(b), out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services, or private practitioners authorized by the appropriate drug and alcohol licensing board;
 - (3) Provisions for support services for students who are in, or returning from, medical treatment for alcohol and other drug dependency; or
 - (4) A special class, course or educational program designed to meet the needs of students with alcohol or other drug use problems.



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D. ~~Reporting, Notification, and Examination Procedures~~ Reporting and Examination of Pupils Under the Influence of Anabolic Steroids

1. ~~Students Suspected of Using Anabolic Steroids - N.J.A.C. 6A:16-4.3(b)~~

a+. Whenever a ~~any~~ teaching staff member, certified or non-certified school nurse, or other educational personnel ~~has~~ have reason to believe that a ~~student pupil~~ has used or may be using anabolic steroids, ~~the that~~ person ~~shall must~~ report the matter as soon as possible to the Principal (or, in the Principal's absence, to a person designated by the Principal) and either the certified or non-certified school nurse, ~~or the~~ school physician, or the ~~Substance Awareness Coordinator~~ student assistance coordinator.

b2. In response to a report of suspected anabolic steroid use, including instances when a report is made to law enforcement, ~~the~~ Principal or designee, ~~in response to every report,~~ shall immediately notify the student's ~~pupil's~~ parent(s) or legal guardian(s) and the Superintendent. The Principal or designee shall arrange for an examination of the student by a physician licensed to practice medicine or osteopathy selected by the parent.

(1)3. ~~The Principal shall arrange for the immediate examination of the pupil by a physician licensed to practice medicine or osteopathy selected by the parent(s) or legal guardian(s). If the physician chosen selected by the parent is not available to perform the examination, the examination will~~ shall be conducted by the school physician or other another physician identified by the Principal. An examination conducted, ~~at parental request, by a physician other than the school physician or another physician identified by the Principal shall not be at the district's expense.~~



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- (2)4. The student pupil shall be examined as soon as possible for the purpose of determining whether the student pupil has been using anabolic steroids.
- c5. The Superintendent or designee may, ~~but need not~~, disclose to law enforcement authorities the identity of a student pupil suspected ~~or~~ to have used or ~~who may~~ to be using anabolic steroids.
- (1) The Superintendent ~~or designee~~ shall disclose to law enforcement authorities the identity of a student pupil reasonably believed to be in possession of anabolic steroids or related paraphernalia or a student pupil reasonably believed to be involved or implicated in distribution activities involving anabolic steroids.
- d6. The examining physician shall provide to the parent, Principal, and Superintendent a written report of the examination. ~~A written report of the examination of the pupil shall be furnished by the examining physician to the pupil's parent(s) or legal guardian(s), the Principal, and to the Superintendent.~~
- e7. If it is determined that the student pupil has used anabolic steroids, an individual who holds the Educational Services Certificate with the ~~substance awareness~~ ~~coordinator~~ student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following educational services certificate endorsements: either the school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services endorsement ~~on the Educational Services Certificate~~ and is trained to assess alcohol and other drug abuse shall interview the student pupil and others, as necessary, for the purpose of determining the extent of the student's pupil's involvement with and use of anabolic steroids and the possible need for referral for treatment.



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- (1) To make this determination, the school staff member(s) identified above may conduct a reasonable investigation, which may include interviews with the student's pupil's teachers and parents and consultation with experts in student pupil alcohol or other drug abuse, ~~as may be appropriate and necessary.~~
18. If ~~the~~ results of a referral for evaluation have positively determined that the student's pupil's involvement with and use of anabolic steroids represents a danger to the student's pupil's health and well-being, the school staff member(s) identified in D.1.e. 7. above who is trained to assess alcohol and other drug abuse shall initiate a referral for treatment to appropriate community agencies as defined in N.J.A.C. 6A:16-4.1(b), to out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services, or to private practitioners certified by the appropriate drug and alcohol licensing board.

~~E. Evaluation and Treatment of Pupils Under the Influence of a Substance Other Than Anabolic Steroids~~

2. Students Suspected of Being Under the Influence of Alcohol or Other Drugs Other Than Anabolic Steroids – N.J.A.C. 6A:16-4.3(a)

- a+. Any educational staff member or other professional to whom it appears that a student pupil may be currently under the influence of alcohol or other drugs on school grounds, including on a school bus or at a school sponsored function, shall report the matter as soon as possible to the Principal or, in his or her absence, to his or her designee and either the certified school nurse, non-certified school nurse, the school physician, or the substance awareness coordinator student assistance coordinator, pursuant to N.J.S.A. 18A:40A-12. In the absence of the Principal, his or her designee shall be notified.



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- (1) In instances where the Principal and either the certified school nurse, non-certified school nurse, the school physician or the ~~substance awareness coordinator~~ **student assistance coordinator** are not in attendance, the staff member responsible for the school function shall be immediately notified.
 - (2) The referring staff member shall file with the Principal a report describing the incident. The form shall include all information necessary for a complete, accurate reporting on the Electronic the Violence, and Vandalism Reporting System (EVVRS) and ~~Substance Abuse Incident Report~~, according to N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3.
- b2. In response to every report by an educational staff member or other professional of suspected student alcohol or other drug use, including instances when a report is made to law enforcement, the Principal or designee, in response to every report, shall:
- (1) Immediately notify the student's ~~pupil's~~ parent(s) or legal guardian(s) and the Superintendent and/or designee;
 - (2) Arrange for an immediate medical examination of the student for the purposes of providing appropriate health care and for determining whether the student is under the influence of alcohol or other drugs, other than anabolic steroids; and
 - (3) Any substance screening conducted by the school nurse and/or other staff is not a substitute for the required medical examination required in N.J.S.A. 18A:40A-12.



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- c3. The Superintendent or designee may, ~~but need not,~~ disclose to law enforcement authorities the identity of a **student pupil** suspected to be under the influence of alcohol or other drugs.
- (1) The Superintendent or designee shall disclose to law enforcement authorities the identity of a **student pupil** reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or a **student pupil** reasonably believed to be involved or implicated in distribution activities regarding controlled dangerous substances.
- d4. ~~The Principal or designee, in response to every report must arrange for an immediate medical examination of the pupil for the purposes of providing appropriate health care for the pupil and for determining whether the pupil is under the influence of alcohol, or other drugs, other than anabolic steroids. The medical examination shall be performed by a physician licensed to practice medicine or osteopathy who that is selected by the parent(s) or legal guardian(s).~~
- (1) The parent will be provided, in writing, the minimum requirements for the immediate medical examination, which will include, but not be limited to, the substances to be tested by the physician, the cut-off levels of each substance to be tested, the time period the immediate medical examination must be conducted, and any other requirements of the examination.
- (2) The examination shall be at the expense of the parent and not the district Board of Education.



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- c. If the physician chosen by the parent's or legal guardian's physician licensed to practice medicine or osteopathy is not immediately available, the medical examination shall be conducted by the school physician.
- (1) If neither the parent's or legal guardian's physician nor the school physician is not immediately available, the student pupil shall be accompanied by a member of the school staff designated by the Principal taken to the emergency room of the nearest hospital for examination.
- (2) The pupil shall be accompanied by the student's pupil's parent(s) or legal guardian(s) if available, shall also accompany the student and by a member of the school staff designated appointed by the Principal. Parental or legal guardian permission is not required for the school's physician or emergency room examination. The parent(s) or legal guardian(s) may, but is not required to accompany the pupil to the school physician and/or emergency room. The Principal and/or designee will supervise the pupil while the pupil is waiting for the parent(s) or legal guardian(s) to take the pupil to the physician selected by the parent, or waiting for and receiving the examination by the school physician or in the emergency room.
- (3) When the An medical examination is conducted by a the school physician or a physician at the emergency room of the nearest hospital, the examination shall be at the expense of the district Board of Education selected by the parent(s) or legal guardian(s) shall be at the expense of the parent and shall not be at the expense of the school district. An examination conducted by the school physician or by a physician at the emergency room of the nearest hospital shall be at the expense of the school district.



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- f5. The Board of Education will have a plan in place for the appropriate supervision of the student:
- (1) While waiting for a parent to take the student to the physician selected by the parent, or while the student is waiting for and receiving the medical examination by the school physician or the physician in an emergency room; and
 - (2) Provisions will be made for the appropriate care of the student while awaiting the results of the medical examination.

~~The school district, in cooperation with the medical professionals licensed to practice medicine or osteopathy will establish the minimum requirements to be used for these medical examinations conducted in accordance with N.J.A.C. 6A:16-4.3 et seq. The minimum requirements for the examination will be periodically reviewed and updated as needed. Any substance screening conducted by the school nurse and/or other staff is not a substitute for the required medical examination required in N.J.S.A. 18A:40A-12.~~

- g6. A written report of the medical examination of the student pupil shall be furnished to the student's parent, the Principal, and the Superintendent of Schools by the examining physician to the pupil's parent(s) or legal guardian(s), the Principal, and to the Superintendent within twenty-four hours of the referral of the student pupil for suspected alcohol drug or other drug alcohol use.

- (1) The school district, in cooperation with the school physician or medical professionals licensed to practice medicine or osteopathy, shall establish minimum requirements for the medical report. The minimum requirements for the examination will be periodically reviewed and updated as needed.
- (2) The report's findings of the report shall verify whether the student's pupil's alcohol or other drug use interferes with his or her physical and mental ability to perform in school.



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- h7. When the medical examination is performed by a physician other than the school physician or at the emergency room of the nearest hospital, **the school district will require the parent is required to verify within twenty-four hours of the notification that the student pupil is suspected of alcohol or other drug use that the a medical examination was performed in compliance in accordance with this Policy was performed.**
- (1) The verification shall include, at a minimum, **the signature, the printed name, address, and phone number of the examining physician, the date and time of the medical examination, signature of the examining physician and the date by which the written report required in this Policy of the examination will be provided.**
- (2) **Refusal or failure by a parent to comply with this requirement shall be treated as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.3(d).**
- i8. If the written report of the medical examination is not submitted to the parent, Principal, and or Superintendent within twenty-four hours of the referral of the **student pupil for suspected alcohol or other drug use, the student pupil shall will be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.**
- j9. If the written report of the medical examination verifies that alcohol or other drugs do not interfere with the **student's pupil's physical and mental ability to perform in school, the student pupil will be immediately returned to school.**



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k10. If there is a positive determination from the medical examination, indicating the ~~student's~~ pupil's alcohol or other drug use interferes with his or her physical or mental ability to perform in school:

- (1) The student pupil will be returned as soon as possible to the care of the parent; ~~parent's care as soon as possible.~~
- (2) Attendance at school ~~shall~~ will not resume until a written report has been submitted to the parent(s) or legal guardian(s), the Principal, and Superintendent from a the physician ~~licensed to practice medicine or osteopathy~~ who has examined the student pupil to determine whether alcohol or other drug use interferes with his or her physical or mental ability to perform in school.
 - (a) The report ~~shall~~ must verify that the student's pupil's alcohol or other drug use no longer interferes with the student's pupil's physical and mental ability to perform in school.
- (3) Removal of a student pupil with a disability shall be made in accordance with N.J.A.C. 6A:14.

~~11. Refusal or failure by a parent/legal guardian to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated as a policy violation of the Compulsory Education Act pursuant to N.J.S.A. 18A:28-25 and 18A:38-31, and child neglect laws pursuant to N.J.S.A. 9:6-1 et seq., and N.J.A.C. 6A:16-11. Refusal or failure of a pupil to comply with N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated by the school district as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.1(c)2.~~



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14.2. While the ~~student pupil~~ is home because of the medical examination or after the ~~student pupil~~ returns to school, an individual who holds the Educational Services Certificate with the ~~substance awareness coordinator~~ **student assistance coordinator** endorsement issued by the New Jersey State Board of Examiners or an individual who holds **one of the following Educational Services Certificate endorsements:** either the school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services ~~endorsement on the Educational Services Certificate~~ and is trained to assess alcohol and other drug abuse shall:

(1)a. Conduct an alcohol and other drug assessment of the ~~student pupil~~ and a reasonable investigation of the situation, which may include interviews with the ~~student's pupil's~~ teachers and parents and consultation with experts in ~~student pupil~~ alcohol or other drug abuse as ~~may be appropriate and necessary~~, for the purpose of making a preliminary determination of the ~~student's pupil's~~ need for educational programs, supportive services, or treatment ~~that which~~ extend beyond the general school program by virtue of the ~~student's~~ use of alcohol or other drugs by the ~~pupil~~.

(a) The findings of the assessment alone shall not prevent a ~~student pupil~~ from attending school; and

(2)b. Cooperate with community agencies as defined in N.J.A.C. 6A:16-4.1(b) and juvenile justice officials in providing evaluation, referral, and continuity of care for alcohol or other drug substance abuse treatment.



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m13. While the ~~student~~ pupil is at home because of the medical examination or after ~~his or her the~~ pupil returns to school, the Principal or Superintendent may recommend or require alcohol and other drug assessment of the ~~student~~ pupil or evaluation by appropriately certified or licensed professionals to make a positive determination of a ~~student's~~ pupil's need for programs and services ~~that which~~ extend beyond the general school program, as necessary.

(1) The findings of these additional evaluations alone shall not be used to prevent a ~~student~~ pupil from attending school.

n44. If at any time it is determined ~~that the student's~~ a-pupil's use of ~~alcohol or other drugs~~ substances presents a danger to the ~~student's~~ pupil's health and well-being, an individual who holds the Educational Services Certificate with the ~~substance awareness coordinator~~ student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following Educational Services Certificate endorsements: either the school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services endorsement on the ~~Educational Services Certificate~~ and is trained in alcohol and other drug abuse treatment referral shall initiate a referral for ~~alcohol or other drug~~ substance abuse treatment.

~~15. Any educational or non-educational school staff member who in good faith reports a pupil to the Principal or Principal's designee in compliance with N.J.A.C. 6A:16-4.3 and this Policy shall not be liable in civil damages as a result of making such a report, as specified in N.J.S.A. 18A:40A-13 and 14.~~

[Optional]

~~16. The district _____ (may or will) provide additional intervention and referral services for the pupil according to the requirements of N.J.S.A. 18A:40A-10 and N.J.A.C. 6A:16-7.1 through 7.3.~~



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EE. Handling of Alcohol or Other Drugs Presence of Substances on School Premises

1. A student's pupil's person, effects, or school storage places may be searched for substances in accordance with Board Policy and applicable laws regarding searches in schools No. 5770.
2. ~~The Principal or other school officer conducting the search shall confiscate as evidence any substance found in the pupil's possession.~~
 2. A school employee who seizes or discovers a substance, or an item believed to be a substance or drug paraphernalia, shall immediately notify and turn it over to the Principal or designee.
 - a. ~~Any controlled dangerous substance as defined in N.J.S.A. 24:21-1 or in N.J.S.A. 2C:35-2, including controlled dangerous analogs and drug paraphernalia, shall be handled in accordance with Policy No. 9322 and implementing regulations.~~
 - a. The Principal or designee shall immediately notify the Superintendent or designee who in turn shall notify the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
 - b. ~~Any substance or evidence of the use of a substance other than a controlled dangerous substance shall be sealed in an appropriate container and labeled with the date, name of the pupil, and name of the school official who conducted the search and found the drug. The evidence shall be locked in a secure place until it is no longer required for a determination of the pupil's involvement with a substance other than a controlled dangerous substance. In accordance with the provisions of N.J.A.C. 6A:16-6.4(a), the school employee, Principal or designee shall safeguard the alcohol, other drug, or paraphernalia against further destruction and shall secure the alcohol, other drug, or paraphernalia until it can be turned over to the County Prosecutor or designee.~~



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- c. The Principal or designee shall provide to the County Prosecutor or designee all information concerning the manner in which the alcohol, other drug, or paraphernalia was discovered or seized, including:
 - (1) The identity of all persons who had custody of the substance or paraphernalia following its discovery or seizure; and
 - (2) The identity of the student believed to have been in possession of the substance or paraphernalia.
- d. The Principal or designee shall not disclose the identity of a student who voluntarily and on his or her own initiative turned over the alcohol, other drug, or paraphernalia to a school employee, provided there is reason to believe the student was involved with the alcohol, other drug, or paraphernalia for the purpose of personal use and not distribution activities, and further provided the student agrees to participate in an appropriate treatment or counseling program.
 - (1) For the purposes of N.J.A.C. 6A:16-6.4, an admission by a student in response to questioning initiated by the Principal or teaching staff member, or following the discovery by the Principal or teaching staff member of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall not constitute a voluntary, self-initiated request for counseling and treatment.

F. Reporting Students to Law Enforcement Agencies

- 1. Subject to N.J.A.C. 6A:16-6.5, any staff member who, in the course of his or her employment, has reason to believe that a student has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal or, in the absence of the Principal, to the staff member responsible at the time of the alleged violation.



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2. Either the Principal or the responsible staff member shall notify the Superintendent, who in turn shall notify as soon as possible the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
3. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the student involved.
4. The Superintendent or designee; however, shall not disclose the identity of a student who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug abuse problem, provided the student is not reasonably believed to be involved or implicated in drug-distribution activities.
5. For the purpose of N.J.A.C. 6A:16-6.3, an admission by a student in response to questioning initiated by the Principal or teaching staff member, or following the discovery by the Principal or teaching staff member of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.
6. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or controlled dangerous substances, pursuant to N.J.A.C. 6A:16-4.3(a), or a student suspected to have used or who may be using anabolic steroids, pursuant to N.J.A.C. 6A:16-4.3(b), and who is referred for a medical examination, pursuant to N.J.A.C. 6A:16-4.3(a) or (b), as appropriate, for the purposes of providing appropriate health care for the student and for determining whether the student is under the influence of alcohol or other drugs or has been using anabolic steroids. The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities regarding controlled dangerous substances.



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7. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test, pursuant to N.J.A.C. 6A:16-4.3(a)3i and N.J.A.C. 6A:16-4.3(b)3i and N.J.A.C. 6A:16-4.3(a)4, was obtained as a result of the district Board of Education's voluntary random drug testing policy, pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.

G. Parent Training Program/Outreach Programs to Parents

1. A substance abuse training program will be offered to the parents of students. ~~An outreach program will be provided for the parent(s) or legal guardian(s) of pupils enrolled in the district. The program will be offered conducted at times, including evenings and weekends, and places convenient to parents(s) or legal guardian(s) and on school premises or at in other suitable facilities closer to pupils' residences or parents' workplaces.~~
2. The program shall, at a minimum, provide ~~The parents' outreach program will include:~~
 - a. A thorough and comprehensive review of the substance abuse instruction curriculum to be taught to the children of the parents during the school year, with recommendations as to the ways in which the parent may enhance, reinforce, and supplement that program;
 - b. ~~Recommendations as to the ways in which parent(s) or legal guardian(s) may enhance, reinforce, and supplement substance abuse instruction;~~
 - be. Information on the pharmacology, physiology, psychosocial, and legal aspects of substance abuse;
 - cd. Instruction to assist the parent in ~~on~~ the identification of the symptoms and behavioral patterns that might indicate a child may be involved in substance abuser;



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do. Information on the State, ~~and~~ local, ~~and~~ community organizations ~~which are available to assist in~~ for the prevention, ~~of substance abuse and the~~ early intervention, treatment, and rehabilitation of individuals who show symptoms of substance abusers; and

ef. A ~~r~~Review of the Board Ppolicy and administrative Rregulations on substance abuse with attention to the role of parents.

3. The Board will establish an outreach program to provide substance abuse education for the parents of students in the district. In establishing the program, the Board shall consult with such local organizations and agencies as are recommended by the Commissioner. The Board shall insure the program is offered at times and places convenient to the parents of the district on school premises, or at other suitable facilities.

a. In addition to the substance abuse education program required pursuant to N.J.S.A. 18A:40A-17, the Board shall provide assistance to parents who believe that their child may be involved in substance abuse.

H. Records and Confidentiality of Records

1. Notations concerning a student's pupil's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 et seq. and Policy No. 8330 regarding confidentiality and limited access. All such notations shall be expunged when they are no longer required for the counseling or discipline of the pupil or when the pupil leaves school.

2. Information concerning regarding a student's pupil's involvement in a school intervention or treatment program for alcohol or other drug abuse shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, and N.J.A.C. 6A:16-3.2 in accordance with §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 U.S.C. 290-ee-3, and implementing regulations, 42 CFR Part 2.



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3. If an elementary or secondary student pupil involved in a school-based drug and alcohol counseling program provides information during the course of a counseling session in that program which indicates that the student's pupil's parent(s) or legal guardian(s) or other person residing in the student's pupil's household is dependent upon or illegally using a substances pursuant to N.J.S.A. 18A:40A-7.1 and 7.2 as that term is defined in N.J.S.A. 18A:40A-9, that information shall be kept confidential and may be disclosed only under the circumstances expressly authorized as follows:
- a. Subject to the student's pupil's written consent, to another person or entity whom the student pupil specifies in writing in the case of a secondary student pupil, or to a member of the student's pupil's immediate family or the appropriate school personnel in the case of an elementary student pupil;
 - b. Pursuant to a court order;
 - c. To a person engaged in a bona fide research purpose; except that no names or other information identifying the student pupil or the person with respect to whose substance abuse the information was provided, shall be made available to the researcher; or
 - d. To the Division of Child Protection and Permanency (DCP&P) Youth and Family Services or to a law enforcement agency, if the information would cause a person to reasonably suspect that the elementary or secondary student pupil or another child may be an abused or neglected child in accordance with statute or administrative code.

Any disclosure made pursuant to H.3.a. and b. above shall be limited to that information which is necessary to carry out the purpose of the disclosure, and the person or entity to whom the information is disclosed shall be prohibited from making any further disclosure of that information without the student's pupil's written consent. The disclosure must be accompanied by a written



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statement from the **Superintendent or designee** advising the recipient that the information is being disclosed from the records the confidentiality of which is protected by P.L. 1997,c.362 (N.J.S.A. 18A:40A-7.1 et seq.) and that this law prohibits any further disclosure of this information without the written consent of the person from whom the information originated.

Nothing in this Policy or Regulation prevents the Division of Youth and Family Services DCP&P or a law enforcement agency from using or disclosing the information in the course of conducting an investigation or prosecution. Nothing in this Policy or Regulation shall be construed as authorizing the a violation of any Federal law.

The prohibition on the disclosure of information provided by a student pupil shall apply whether the person to whom the information was provided believes that the person seeking the information already has it, has other means of obtaining it, is a law enforcement or other public official, has obtained a subpoena, or asserts any other justification for the disclosure of this information.

A person who discloses or willfully permits the disclosure of information provided by a student pupil in violation of this Policy is subject to fines in accordance with N.J.S.A. 18A:40A-7.2.

4. Each incident of substance abuse shall be reported to the Commissioner on the **Electronic Violence, and Vandalism and Substance Abuse Incident Reporting System (EVVRS)** form.

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Document K - Policies Revised (2 of 2)

Wednesday, February 17, 2016 10:50 AM

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Student Discipline/Code of Conduct
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[See POLICY ALERT Nos. 140, 142, 147, 164, 176, 193, 196 and 204]

5600 STUDENT DISCIPLINE/CODE OF CONDUCT

The Board of Education adopts this Student Discipline/Code of Conduct Policy to establish standards, policies, and procedures for positive student development and student behavioral expectations on school grounds and, as appropriate, for conduct away from school grounds. Every student enrolled in this district shall observe promulgated rules and regulations and the discipline imposed for infraction of those rules.

The Superintendent of Schools will establish a process for the annual review and update of the district's Student Discipline/Code of Conduct Policy and Regulation that may involve a committee of parents, students, and community members that represent, where possible, the composition of the district's schools and community. The Superintendent will report to the Board the process used for the annual review of this Policy and Regulation and will recommend to the Board updates, if any, to the Student Discipline/Code of Conduct Policy and Regulation.

The Student Discipline/Code of Conduct Policy and Regulation shall be disseminated annually to all school staff, students, and parents. The Board of Education shall provide to all employees annual training on the Student Discipline/Code of Conduct Policy and Regulation, which shall include training on the prevention, intervention, and remediation of student conduct that violates the district's Policy and Regulation. Information on the Student Discipline/Code of Conduct Policy and Regulation shall be incorporated into the orientation for new employees.

The Board provides for the district's Student Discipline/Code of Conduct's equitable application. Student discipline and the Code of Student Conduct will be applied without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical or sensory disability; or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5.-1 et seq.

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. §1400 et seq., the Individuals with Disabilities Education Improvement Act and accommodation plans under 29 U.S.C. §§ 794 and 705(20), the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.



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The Student Discipline/Code of Conduct is established for the purposes outlined in N.J.A.C. 6A:16-7.1(b).

Policy and Regulation 5600 include a description of student responsibilities that include expectations for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 13.1; a description of behaviors that will result in suspension or expulsion, pursuant to N.J.S.A. 18A:37-2; and a description of student rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

The Board of Education approves the use of comprehensive behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports include, but are not limited to, positive reinforcement for good conduct and academic success including the programs that honor and reward student conduct and academic achievement; supportive intervention and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the behavior's nature, the students' developmental ages and the students' histories of problem behaviors and performance; and for students with disabilities, the behavior interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

Policy and Regulation 5600 include a description of school responses to violations of behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

Students are required to be in compliance with Policy and Regulation 5200 – Attendance pursuant to N.J.A.C. 6A:16-7.6 and Policy and Regulation 5512 – Harassment, Intimidation, and Bullying pursuant to N.J.A.C. 6A:16-7.7.

The Building Principal shall maintain a current list of community-based health and social service provider agencies available to support a student and the student's family, as appropriate, and a list of legal resources available to serve the community.

The Building Principal or designee shall have the authority to assign discipline to students. School authorities also have the right to impose a consequence on a student for conduct away from school grounds that is consistent with the district's



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Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.5. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences pursuant to N.J.A.C. 6A:16-7.5 shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7.2, 6A:16-7.3, or 6A:16-7.4. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.

Consequences and appropriate remedial action for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are listed in Policy 5512 – Harassment, Intimidation, and Bullying. Consequences for a student who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and shall be consistent with this Policy and the school district's Student Discipline/Code of Conduct Policy pursuant to N.J.A.C. 6A:16-7.1. Remedial measures for one or more acts of harassment, intimidation, or bullying shall be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Consequences and remedial measures to address acts or incidents of dating violence at school shall be consistent with the school district's Student Discipline/Code of Conduct Policy. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are included in Policy and Regulation 5519 – Dating Violence at School and shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and aggressor have been involved. Consequences for acts or incidents of dating violence at school may range from admonishment to



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suspension or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the aggressor based on the severity of the act or incident. Remedial measures/interventions for acts or incidents of dating violence at school may include, but are not limited to: parent conferences, student counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

Any student to be disciplined shall be provided the due process procedures for students and their families as set forth in Policy and Regulation 5600 and N.J.A.C. 6A:16-7.2 through 7.4.

In accordance with the provisions of N.J.A.C. 6A:16-7.8, when a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information, Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a) and N.J.A.C. 6A:32-7.5.

The Superintendent may be required to submit a report annually to the New Jersey Department of Education on student conduct, including all student suspensions and expulsions, and the implementation of the Student Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education. The Superintendent shall report to the Commissioner of Education each incident of violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses, pursuant to N.J.A.C. 6A:16-4.3, in the school district utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3.

N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;
18A:37-1 et seq.; 18A:37-13.1 et seq.
N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Adopted:



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[See POLICY ALERT Nos. 140, 147, 176, 193, 196 and 204]

R 5600 STUDENT DISCIPLINE/CODE OF CONDUCT

A. Purpose

The Student Code of Conduct and this Regulation are established to achieve the following purposes:

1. Foster the health, safety, social, and emotional well-being of students;
2. Support the establishment and maintenance of civil, safe, secure, supportive, and disciplined school environments conducive to learning;
3. Promote achievement of high academic standards;
4. Prevent the occurrence of problem behaviors;
5. Establish parameters for the intervention and remediation of problem student behaviors at all stages of identification; and
6. Establish parameters for school responses to violations of the code of student conduct that take into account, at a minimum, the severity of the offenses, the developmental ages of student offenders and students' histories of inappropriate behaviors in accordance with N.J.A.C. 6A:16-7.2 through 7.8, as appropriate.

B. Expectations for Academic Achievement, Behavior, and Attendance

All students have a responsibility to comply with State statutes and administrative codes for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 13.1.



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C. Behaviors That May Result in Suspension or Expulsion

In accordance with the provisions of N.J.S.A. 18A:37-2, any student who is guilty of continued and willful disobedience, open defiance of the authority of any teacher or person having authority over the student, 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 student guilty of such conduct shall include, but not be limited to, any of the following:

1. Continued and willful disobedience;
2. Open defiance of the authority of any teacher or person, having authority over the student;
3. Conduct of such character as to constitute a continuing danger to the physical well-being of other students;
4. Physical assault upon another student;
5. Taking, or attempting to take, personal property or money from another student, or from the student's presence, by means of force or fear;
6. Willfully causing, or attempting to cause, substantial damage to school property;
7. Participation in an unauthorized occupancy by any group of students 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;
8. Incitement which is intended to and does result in unauthorized occupation by any group of students or others of any part of a school or other facility owned by any school district;
9. Incitement which is intended to and does result in truancy by other students;



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10. 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
11. Harassment, intimidation, or bullying.

Students shall also be suspended from school for assault upon a school staff member in accordance with the provisions of N.J.S.A. 18A:37-2.1 and 2.2.

D. Students' Rights

Students subject to the consequences of the Student Discipline/Code of Conduct Policy and Regulation shall be informed of their rights, pursuant to N.J.A.C. 6A:16-7.1(c)3.i. through vii., that include:

1. Advance notice of behaviors that will result in suspensions and expulsions that have been identified under authority of N.J.S.A. 18A:37-2;
2. Education that supports students' development into productive citizens;
3. Attendance in safe and secure school environments;
4. Attendance at school irrespective of students' marriage, pregnancy, or parenthood;
5. Due process and appeal procedures, pursuant to N.J.A.C. 6A:3-1.3 through 1.17, N.J.A.C. 6A:4 and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8, and N.J.A.C. 6A:16-7.2 through 7.5;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3 and N.J.A.C. 6A:16-7.1 through 7.8; and



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7. Protections pursuant to 20 U.S.C. § 1232g, Family Educational Rights and Privacy Act; 34 CFR Part 99, Family Educational Rights and Privacy; 20 U.S.C. § 1232h, Protection of Pupil Rights; 34 CFR Part 98, Student Rights in Research, Experimental Programs and Testing; P.L. 104-191, Health Insurance Portability and Accountability Act; 45 CFR Part 160, General Administrative Requirements; 20 U.S.C. § 7165, Transfer of school disciplinary records; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, Confidentiality of certain information provided by pupils, exceptions; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Pupil records, creation, maintenance and retention, security and access, regulations, nonliability; N.J.S.A. 2A:4A-60, Disclosure of juvenile information, penalties for disclosure; N.J.A.C. 6A:32-7, Student Records; N.J.A.C. 6A:14-2.9, Student records, as well as other existing Federal and State laws and rules pertaining to student protections.

E. Comprehensive Behavioral Supports

Below are behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports may include, but are not limited to, the following:

1. Positive Reinforcement for Good Conduct and Academic Success

A student will be provided positive reinforcement for good conduct and academic success which may include, but are not limited to:

- a. _____
- b. _____
- c. _____
- d. _____



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2. Supportive Interventions and Referral Services

A student may be referred to the school's Intervention and Referral Services Team in accordance with the provisions of N.J.A.C. 6A:16-8.1 and 8.2 and Policy and Regulation 2417.

3. Remediation of Problem Behavior

The following actions may be taken to remediate problem behavior. These actions will take into account the behavior's nature, the students' developmental ages, and the students' histories of problem behaviors and performance.

a. Restitution and Restoration

- (1) A student may be required to make restitution for any loss resulting from the student's conduct; or
- (2) A student may be required, at the discretion of the school district and when appropriate, to restore to its former condition any damaged or defaced property resulting from the student's conduct.

b. Counseling

- (1) A student may be required to consult with school guidance counselors or Child Study Team members.
- (2) The counselor will explain why the student's conduct is unacceptable to the school and damaging to the student, what the consequences of continued misconduct are likely to be, and appropriate alternative behaviors.
- (3) The counselor may refer the student, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to the Child Study Team, the school's Intervention and Referral Services Team, a public or private social agency, a legal agency, or any other referral service that may assist the student.



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c. Parent Conferences

- (1) Students may be required to attend a meeting with their parent and appropriate school staff members to discuss the causes of the student's behavior, possible remediation, potential disciplinary measures, and alternative conduct.

d. Alternate Educational Program

- (1) Students may be assigned to an alternate educational program as recommended by the student's guidance counselor, classroom teacher, Child Study Team, and/or other school staff member.

e. _____

f. _____

g. _____

h. _____

4. Students with Disabilities

For students with disabilities, the remedial measures and behavioral interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

F. School Responses to Violations of Behavioral Expectations

1. In accordance with the provisions of N.J.A.C. 6A:16-7.1(c)5, the Student Code of Conduct shall include a description of school responses to violations of behavioral expectations established by the Board of Education that, at a minimum are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behavior that shall:



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- a. Include a continuum of actions designed to remediate and, where necessary or required by law, to impose sanctions;
- b. Be consistent with other responses, pursuant to N.J.A.C. 6A:16-5.5;
- c. Provide for equitable application of the Code of Student Conduct without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical, or sensory disability; or any other distinguishing characteristic, pursuant to N.J.S.A. 10:5-1 et seq. and
- d. Be consistent with provisions of N.J.S.A. 18A:6-1, Corporal Punishment of Students.

G. Description of School Responses

School responses to violations of behavioral expectations are listed below:

1. Admonishment/Reprimand

- a. A school staff member in authority may admonish or reprimand a student's unacceptable conduct and warn the student that additional misconduct may warrant a more severe penalty.

2. Temporary Removal from Classroom

- a. The classroom teacher may direct the student report to the office of the administrator in charge of student discipline.
- b. The teacher will complete a form that indicates the student's name and the conduct that has caused the student's removal from the teacher's room.
- c. The administrator in charge of discipline will interview the student and determine which, if any, additional consequences shall be imposed.



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3. Meeting with School Administration and Parent

- a. The student's parent may be required to attend a meeting with the Principal or designee and the student to discuss the student's conduct and to ensure the parent and the student understand school rules and expectations.

4. Deprivation of Privileges

- a. Students may be deprived privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment. These privileges may include, but are not limited to:
 - (1) Moving freely about the school building;
 - (2) Participation in co-curricular or inter/intrascholastic activities;
 - (3) Attendance at a school-related social or sports activity;
 - (4) Participation in a graduation ceremony;
 - (5) Transportation to and from school on a school bus; or
 - (6) Any other privilege the Building Principal or designee determines may be appropriate and consistent with Policy and Regulation 5600 and N.J.A.C. 6A:16-7.1 et seq.

5. Detention

- a. A student may be required to report before or after the school day to detention. This detention may be assigned by the teacher or the Principal or designee.
- b. Transportation to detention before school or from detention after school will be the responsibility of the parent.
- c. A student may be excused from detention only for an unavoidable commitment previously made; any such excused detention must be made up on another day.



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6. Grade Adjustment

- a. A student who has cheated on a test or assignment, plagiarized material, falsified sources, refused to submit assignments, or otherwise indulged in academic dishonesty or negligence may suffer a reduced grade by virtue of the disqualified work. In no other instance may a student's grade be lowered as a direct penalty for misconduct.

7. In-school Suspension

- a. If the school operates an in-school suspension program, a student may be removed from his/her regular classes and required to report to the in-school suspension program.
- b. In-school suspension will not be imposed without the due process procedures set forth in Policy and Regulation 5610.

8. Suspension from School

- a. A student may be denied the right to attend school for a period of time pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.2 and 6A:16-7.3, and Policy 5610.
- b. Suspension from school will not be imposed without the due process procedures set forth in Policy and Regulation 5610.

9. Expulsion

- a. The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.4, and Policy 5620.
- b. Expulsion is an extremely serious disciplinary measure and will not be imposed without the due process set forth in Policy and Regulation 5610 and Policy 5620.



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H. Chart of Discipline

[Select one option below:

- ___ 1. A Chart of Student Discipline listing school responses to violations of behavioral expectations shall be approved by the Board and included in each school's student handbook.
- ___ 1. Below is a Chart of Student Discipline listing school responses to violations of behavioral expectations. These behavioral expectations and school responses include, but are not limited to:

[Note – The school district may have separate sections of school responses for various grade levels such as K-5, 6-8, and 9-12]

Violation	First Offense	Second Offense	Third Offense
Arson			
Assault			
Assault With Weapon			
Cheating			
Cutting Class, Leaving Class, or Leaving Assigned Location Without Permission			
Cutting Detention			



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Violation	First Offense	Second Offense	Third Offense
Dating Violence			
Defiance of Authority			
Destruction of School, Staff or Student Property			
Disobedience			
Disruption			
Extortion			
Failure to Wear Seatbelt on School Bus			
Falsifying a Fire or Security Alarm			
Fighting			
Forgery			
Gambling			
Harassment, Intimidation, or Bullying			
Inappropriate Language			



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Violation	First Offense	Second Offense	Third Offense
Inappropriate Dress			
Inappropriate Behavior on School Bus			
Littering			
Misuse of Computer Networks/Computers			
Membership in Secret Society			
Sexual Harassment			
Smoking (As Defined by Board Policy) on School Grounds			
Substance Abuse			
Terroristic Threat			
Theft/Damage			
Truancy			
Use or Possession of an Exploding Device			



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Violation	First Offense	Second Offense	Third Offense
Weapon Possession			
Wrongful Entry			
Other:			
Other:			
Other:			
Other:			

2. The school responses to violations of behavioral expectations that are subject to student discipline including suspension or expulsion pursuant to N.J.S.A. 18A:37-2 outlined in a Chart of Student Discipline shall be consistent with the Board's policies and regulations/procedures on attendance, pursuant to N.J.A.C. 6A:16-7.6 and harassment, intimidation, and bullying, pursuant to N.J.A.C. 6A:16-7.7.
3. The Principal or designee will maintain a list of community-based health and social service provider agencies available to support a student and a student's family, as appropriate, and a list of legal resources available to serve the community.
4. The Board of Education may deny participation in extra-curricular activities, school functions, sports, graduation exercises, or other privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment.
5. Nothing in Policy and Regulation 5600 shall prevent the school administration from imposing a consequence for unacceptable student conduct not listed or included in a Chart of Student Discipline.

I. Student Conduct Away from School Grounds



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1. The Building Principal or designee has the right to impose a consequence on a student for conduct away from school grounds that is consistent with the Board's Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1.
 - a. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2.
 - b. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school.
 - c. Consequences for conduct away from school grounds shall be handled in accordance with the Board approved Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1, Policy and Regulation 5600, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 7.3, or 7.4.
2. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.

J. School Bus Conduct

Violations of the rules regarding student conduct on school buses will be handled as follows:

1. The bus driver will report unacceptable conduct to the Principal of the school in which the student is enrolled by submission of a completed written report that includes the name of the student, the school, and the student's conduct.
2. The Principal or designee will investigate the matter, which may include meeting with the bus driver, bus aide, other students on the school bus, and the student who was reported by the bus driver.
3. The parent will be notified of the student's reported conduct.



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4. The Principal or designee will make a determination if the student violated behavioral expectations and the discipline to be administered in accordance with the Code of Student Conduct.
5. If it is determined the misconduct is severe, the student may be suspended from the bus pending a conference with the parent.

K. Students with Disabilities

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. § 1400 et seq., the Individuals with Disabilities Educational Improvement Act, N.J.A.C. 6A:14, and accommodation plans under 29 U.S.C. §§ 794 and 705(20), student discipline and the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.

L. Records

1. Instances of student discipline will be recorded in the student's file in strict compliance with N.J.A.C. 6A:32-7.1 et seq. and Policy and Regulation 8330.
2. When a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information; Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a), and N.J.A.C. 6A:32-7.5.
 - a. The record shall be provided within two weeks of the date that the student enrolls in the receiving district.
 - b. Written consent of the parent or adult student shall not be required as a condition of the record transfer; however, written notice of the transfer shall be provided to the parent or the adult student.



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3. When a student transfers to a private school, which includes all sectarian or nonsectarian, nonprofit, institutional day, or residential schools that provide education for students placed by their parents and that are controlled by other than public authority, all student disciplinary records with respect to suspensions or expulsions, shall be provided by the public school district of residence to the private school upon written request from the private school, in the same manner the records would be provided to a public school, pursuant to 20 U.S.C. § 6301, Title IV § 4155 of the Elementary and Secondary Education Act.
4. The Board shall not use a student's past offenses on record to discriminate against the student.
5. All student disciplinary records pursuant to N.J.A.C. 6A:16-7 shall conform with the requirements set forth in N.J.A.C. 6A:16-7.8(d).

M. Annual Review

The Superintendent will designate a school staff member to coordinate an annual review and update of Policy and Regulation 5600. The Superintendent's designee will:

1. Compile an annual summary report of violations of the student behavioral expectations and the associated school responses to the violations in the Student Discipline/Code of Conduct Policy and Regulation.
2. Convene a Student Discipline/Code of Conduct Committee comprised of parents, students, and community members that represent the composition of the district's schools and community to review the annual summary report and to develop recommendations, if any, to improve and update the Student Discipline/Code of Conduct Policy and Regulation.
3. The Superintendent's designee shall submit the Committee's recommendations, if any, to improve or update the Student Discipline/Code of Conduct Policy and Regulation.



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Student Discipline/Code of Conduct

4. The Superintendent will review the Committee's report with school administrators and will determine if the Student Discipline/Code of Conduct Policy and Regulation should be updated.
5. The Superintendent will recommend to the Board revisions to the Student Discipline/Code of Conduct Policy, if needed.

N. Policy and Regulation Publication and Distribution

The Student Discipline/Code of Conduct Policy and Regulation 5600, including the Chart of Student Discipline shall be disseminated annually to all school staff, students, and parents. These documents may be disseminated in handbooks, electronically, or in hard copy form. Principals will ensure these documents are made available to all students on or before the first day of each school year and to transferring students on the first day of their enrollment in this district.

Adopted:



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Wellness Policy/Nutrient Standards for
Meals and Other Foods
Sep 14
M

[See POLICY ALERT Nos. 174, 195, 198 and 204]

8505 WELLNESS POLICY/NUTRIENT STANDARDS FOR MEALS AND OTHER FOODS

The Board of Education recognizes child and adolescent obesity has become a major health concern in the United States. The Healthy, Hunger Free Kids Act of 2010 (HHFKA), funds child nutrition programs and establishes required nutrition standards for school lunch and breakfast programs. In accordance with the requirements of the HHFKA each school in the district shall implement this Wellness Policy that includes goals for nutrition promotion, nutrition education, physical activity, and other school-based activities that promote student wellness.

A. Wellness Policy Goals

The goals as outlined below shall apply to each school in the district.

1. Goals for Nutrition Promotion – The following activities will be coordinated in each school in the district:
 - a. Age-appropriate posters will be posted on the walls where food and beverages are served to students highlighting and encouraging the value of good nutrition.
 - b. The school lunch program will have promotional days during the school year where at least one new nutritional alternative menu item will be featured as part of the menu pattern meal component. The food service staff members will promote this nutritional alternative during meal service with posters, flyers, and/or hand-outs regarding the nutritional menu item alternative.
 - c. The Principal or designee will encourage food products that meet the nutrition standards of the HHFKA when used as an incentive or reward for student accomplishments, club or activity achievements, and/or success in competitions within the school.



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- d. Food service staff, in consultation with the Principal or designee, will coordinate obtaining student input on menu planning that will include taste testing of new nutritional food, satisfaction surveys, and other activities that will promote nutrition awareness.
 - e. Food service staff will place the healthier food items in the service line where students are more likely to choose them.
 - f. Parents will be provided the nutritional standards of the HHFKA and encourage parents to pack lunches and snacks that meet the HHFKA nutritional standards.
2. Goals for Nutrition Education – The following activities will be coordinated in each school in the district:
- a. The Principal will ensure each student receives at least one presentation per school year that promotes good nutrition and nutrition education. These presentations may be provided through classroom visits from school staff members trained in nutrition, school-wide or group assembly programs, during health/physical education classes during the school year, or any other presentation manner. This requirement may be provided as part of nutrition education provided to students as part of the district's curriculum.
 - b. The Principal or designee will post the nutritional guidelines of the HHFKA in the area of the school building where food and beverages are served.
 - c. The school lunch menu will include nutritional information, activities, recipes, and/or any other information that encourages the selection of healthy food items.
3. Goals for Physical Activity
- a. The following activities will be coordinated in each elementary school in the district:



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Wellness Policy/Nutrient Standards for Meals and Other Foods

- (1) All students shall receive health/physical education under the supervision of a properly certified teaching staff member as required by the New Jersey Department of Education.
 - (2) The Principal or designee will ensure there is age-appropriate equipment and supplies available during recess time for students to participate in physical activities.
 - (3) Students will be encouraged by school staff members supervising student recess time to participate in some type of physical activity, which may include, but not be limited to: walking; playing games that require physical activity, such as kick ball, volleyball, baseball, basketball, etc.; rope jumping; and/or using playground equipment.
 - (4) The Principal will encourage classroom teachers to incorporate brief, physical activity breaks into the school day to establish an environment that promotes regular physical activity throughout the school day.
 - (5) The Principal or designee will coordinate special events that highlight physical activity, which may include field days, walk-a-thons, and activity tournaments or competitions. The Principal or designee may involve parents, community members, and students in the planning of these events.
- b. The following activities will be coordinated in each middle school in the district:
- (1) All students shall receive health/physical education under the supervision of a properly certified teaching staff member as required by the New Jersey Department of Education.



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Wellness Policy/Nutrient Standards for Meals and Other Foods

- (2) The Board of Education may offer middle school students opportunities to participate in after-school intramural and/or interscholastic team activities coordinated and under the supervision of school staff members.
 - (3) The Board of Education will support after-school activities and clubs where physical activity for students is included as a key component to the activity's or club's purpose. These clubs may include, but not be limited to, gardening clubs, walking clubs, and exercise classes.
- c. The following activities will be coordinated in each high school in the district:
- (1) All students shall receive health/physical education under the supervision of a properly certified teaching staff member as required by the New Jersey Department of Education.
 - (2) The Board of Education will offer high school students opportunities to participate in after-school intramural and/or interscholastic team activities coordinated and under the supervision of school staff members.
 - (3) The Board of Education will support after-school activities and clubs where physical activity for students is included as a key component to the activity's or club's purpose. These clubs may include, but not be limited to, gardening clubs, walking clubs, and exercise classes.
4. Goals for Other School-Based Activities - The following activities will be coordinated in each school in the district:



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- a. Each school in the district will establish a Wellness Committee comprised of the Principal or designee, at least one health/physical education teacher, a school nurse, at least two parents, at least two students, and at least one food service staff member.
 - b. The Principal or designee will coordinate information being disseminated to students and parents promoting the school lunch program, nutrition, and nutrition education.
 - c. The school district will celebrate a School Wellness Week, as determined by the Superintendent of Schools, where schools will have special activities throughout the week to promote nutrition and physical activity. These special activities will be planned and coordinated by each school's Wellness Committee.
 - d. The Principal will encourage fund-raising activities that promote physical activity such as walk-a-thons, teacher-student activity competitions, family activity nights, and school dances.
5. Annual School Progress Report
- a. The goals for nutrition promotion, nutrition education, physical activity, and other school-based activities that promote student wellness shall be evaluated annually by the Principal or designee of each school and the school's Wellness Committee in an Annual School Progress Report provided to the Superintendent of Schools before June 30.
 - b. The Annual School Progress Report shall present the extent to which each school is in compliance with this Policy, the progress made in attaining the goals of this Policy, any recommended changes to this Policy, and an action plan for the following school year to achieve the school's annual goals and objectives.



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Wellness Policy/Nutrient Standards for
Meals and Other Foods

6. Annual District Summary Progress Report

- a. Upon receiving the Annual School Progress Report from each school, the Superintendent or designee will compile an Annual District Summary Progress Report to be presented to the Board of Education at a public meeting before the beginning of the school year. The public will be provided an opportunity to review and comment on the Annual District Summary Progress Report at the Board meeting.
- b. Revisions to this Policy will be recommended by the Superintendent or designee to be approved by the Board of Education before September 30 of each school year.

7. Additional Wellness Policy Goals

- a. Nothing in this Policy shall prevent an individual school in the district from developing and implementing additional activities, approved by the Superintendent or designee, to those required in this Policy.

B. Nutrition Guidelines for All Foods and Beverages

1. The Board of Education requires each school in the district to comply with the Federal school meal nutrition standards and the smart snacks in accordance with the requirements HHFKA. The nutritional standards shall apply to all foods and beverages sold in each school in the district as part of the menu pattern meal, a la carte, in school stores, snack bars, or vending machines. The food requirements for any food sold in schools must meet a range of calorie and nutrient requirements as outlined in the HHFKA.
2. The school district will comply with the HHFKA beverage requirements and beverage portion requirements for elementary, middle, and secondary schools. Each school will make potable water available to children at no charge in the place where breakfast, lunch, and afterschool snacks are served during meal service.



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Board Officers
Feb 15

[See POLICY ALERT Nos. 181 and 205]

0152 BOARD OFFICERS

The Board of Education shall organize ~~at its first regular meeting~~ by electing one of its members as President and another as Vice-President.

Any member may place a member's name in nomination; a second is not required. Election for each office will be conducted by a ~~roll-call~~ vote when the nominations for that office are closed. The candidate receiving the votes of a majority vote of the members of the Board present and constituting a quorum

Choose only one of the following alternatives:

~~_____~~ plurality of Board members

OR

~~_____~~ majority of Board members

Optional

~~[present and voting]~~

will be elected to office. ~~In the event no candidate receives a majority of the votes cast, a second election shall be conducted between the two candidates receiving the highest number of votes.~~

Select Option 1 or 2 below

[Option 1 - Voting shall take place by written ballot after nominations are closed. The ~~_____~~ shall count the ballots and reveal the result to the Board. Board members will be provided a blank piece of paper and shall write the name of the person they wish to see elected on the piece of paper. The ballots shall be tallied by the Board Secretary and the person with the majority vote of the members of the Board present and constituting a quorum shall be elected. In the event no candidate receives a majority vote of the members of the Board present and constituting a quorum, the procedure shall continue until someone receives a majority vote.]



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POLICY GUIDE

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Board Officers

[Option 2 - Voting shall take place by verbal roll call vote after nominations are closed. When more than one person has been nominated, the Board will vote on candidates in the order in which they were nominated. In the event no candidate receives a majority vote of the members of the Board present and constituting a quorum, the procedure shall continue until someone receives a majority vote.]

Officers shall serve for one year and until their respective successors are elected and shall qualify, but if the Board shall fail to hold the organization meeting or to elect Board officers as prescribed by N.J.S.A. 18A:15-1, the Executive County Superintendent shall appoint from among the members of the Board a President and/or Vice-President.

A President or Vice-President who refuses to perform a duty imposed upon him/her by law may be removed by a majority vote of all of the Board members present and constituting a quorum of the Board. In the event the office of President or Vice-President shall become vacant the Board shall, within thirty days thereafter, fill the vacancy for the unexpired term. If the Board fails to fill the vacancy within such time, the Executive County Superintendent shall fill the vacancy for the unexpired term.

N.J.S.A. 18A:15-1; 18A:15-2

Adopted:



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POLICY GUIDE

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Student Pupil Assessment
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[See POLICY ALERT Nos. 120, 135, 147, 153, 168, 170, 197 and 205]

2622 STUDENT PUPIL ASSESSMENT

The Commissioner of Education shall implement a system and related schedule of Statewide assessments to evaluate student achievement of The New Jersey Statewide assessment program has been designed to measure the extent to which all pupils at the elementary, middle, and secondary levels have attained the New Jersey's Core Curriculum Content Standards in accordance with the provisions of N.J.A.C. 6A:8-4.1 et seq. The Board of Education is required to administer the applicable Statewide assessments according to the schedule proscribed by the Commissioner will comply with implementing the schedule of the New Jersey State Board of Education Statewide assessment program.

State assessments provide parents with important information about their child's progress; detailed diagnostic information about each individual student's performance that educators, parents, and students can utilize to enhance foundational knowledge and student achievement; and include item analysis which will clarify a student's level of knowledge and understanding of a particular subject or area of a subject. The data derived from State assessments will be utilized by teachers and administrators to pinpoint areas of difficulty and customize instruction accordingly. Such data can be accessed and utilized as a student progresses to successive school levels.

The New Jersey Department of Education, pursuant to State law and regulations, requires all students to take State assessments as scheduled. There is no provision for a student to opt-out of Statewide assessments. If a student is absent on a testing date, the student will be expected to take the missed test on another school day. Parents and students will be informed of all scheduled testing dates, including make-up testing dates for students who missed the initial testing date.

Statewide Assessments System

The Superintendent of Schools shall develop and annually present to the Board annually for its approval an assessment program that complies with the rules of the State Board of Education.



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Student Pupil Assessment

Test Administration Procedures and Security Measures

All Statewide assessments shall be administered in accordance with the Department of Education's required test administration procedures and security measures. Any breach of such procedures or measures shall be immediately reported to the Superintendent or designee.

Documentation of Student Achievement Records

The Department of Education shall provide the Superintendent with documentation of student achievement after administration of each test in accordance with the provisions of N.J.A.C. 6A:8-4.2. The Board shall maintain an accurate record of each student's pupil's performance on Statewide assessments in accordance with N.J.A.C. 6A:8-4.2. ~~Notwithstanding Policy 8330, information regarding individual student pupil test scores shall only be released only to the pupil, his/her parent(s) or legal guardian(s), or individuals eligible by court order and school personnel and school officials deemed authorized by in accordance with Federal and State law.~~

Accountability

The Superintendent shall report preliminary and final results of annual assessments to the Board of Education as required by the New Jersey Department of Education. The Board will provide parents, students, and citizens with results of annual assessments according to N.J.A.C. 6A:8-4.2. The Board shall provide appropriate instruction to improve skills and knowledge for students performing below established levels of student proficiency in any content area either on Statewide or local assessments. All students are expected to demonstrate the knowledge and skills of the Core Curriculum Content Standards as measured by the Statewide assessment system.

Public Reporting Dissemination of Information

In accordance with the requirements of N.J.A.C. 6A:8-4.5, the Department of Education ~~school district is required to~~ shall report annually to the State Board of Education and the public on the progress of all students pupils and student pupil subgroups in meeting the Core Curriculum Content Standards as measured by the Statewide assessment system. ~~by publishing and distributing the Department~~



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Student Pupil Assessment

~~of Education's annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 6 and the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq. In public reporting of school and district performance data, the Department of Education shall not compromise the confidentiality of individual students.~~

Parental Notification

Parents(s) or legal guardian(s) shall be informed of the district assessment system program and of any special tests that are to be administered to their children.

PROGRAM EXCEPTIONS

Pupils With Disabilities

~~Pupils with disabilities shall participate in all State assessment systems in accordance with provisions as outlined in N.J.A.C. 6A:14-4.10. Accommodations and modifications approved by the New Jersey Department of Education for the administration of the Statewide assessment shall be provided when determined necessary by the Individual Education Plan (IEP) team to pupils with disabilities who participate in general Statewide assessments. Pupils with disabilities shall participate in the Alternative Proficiency Assessment (APA) as provided for in N.J.A.C. 6A:14-4.10(a)2.~~

Student Accommodations/Modifications

The Board shall provide appropriate accommodations or modifications to the Statewide assessment system as specified by the Department of Education for English Language Learners (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 Individualized Educational Plan (IEP) or 504 Team in accordance with N.J.A.C. 6A:8-4.1(d)1.

English Language Learner (ELL)

~~An English language learner is a person who is in the process of acquiring English and has a first language other than English. ELLs are the same pupils who are sometimes referred to as limited English proficient (LEP). All ELLs shall participate in all Statewide assessments and may be provided appropriate accommodations or modifications as approved by the New Jersey Department of Education.~~



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Student Pupil Assessment

~~All ELLs shall satisfy the requirements for high school graduation according to N.J.A.C. 6A:8-5.1, except that any ELL may demonstrate they have attained State minimum levels of proficiency through:~~

- ~~1. Passage of the Alternative High School Assessment (AHSA) process in their native language and passage of an English fluency assessment approved by the New Jersey Department of Education;~~
~~or~~
- ~~2. Passage of the AHSA process in English with appropriate accommodations;~~

~~Pupils with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act and who participate in the AHSA process are not required to participate in repeated administrations of the High School Proficiency Assessment (HSPA).~~

N.J.S.A. 18A:7C-6.2 18A:7C-1

N.J.A.C. 6A:7-1.7; 6A:8-4.1 et seq.; 6A:8-5.1; 6A:14-1.1 et seq.; 6A:14-3.7;
6A:14-4.10; 6A:14-4.12; 6A:15-1.11

Adopted:



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POLICY GUIDE

TEACHING STAFF MEMBERS
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Attendance
Feb 15
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[See POLICY MEMO No. 54]
[See POLICY ALERT No. 205]

3212 ATTENDANCE

The regular and prompt attendance of teaching staff members is an essential element in the efficient operation of the school district and the effective conduct of the educational program. ~~Because Staff member absenteeism exacts a high cost in the depletion of district resources and in the disruption of the educational program, and the Board of Education is vitally interested in the attendance of each employee and considers conscientious attendance an important component of a staff member's criterion of satisfactory job performance.~~

~~The privilege of district employment imposes on each teaching staff member the responsibility to be on the job on time every scheduled working day. This responsibility requires that the employee maintain good health standards, take intelligent precautions against accidents, both on and off the job, and manage his/her personal affairs to avoid conflict with district responsibilities.~~

A teaching staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with Board policy, falsifies the reason for an absence, is absent without authorization, is repeatedly tardy, or accumulates an excessive number of absences without good cause may be subject to appropriate consequences discipline, which may include the withholding of one or subsequent a salary increments, dismissal, and/or certification of tenure charges.

In accordance with N.J.S.A. 18A:30-1, sick leave is defined to mean the absence from work because of a personal disability due to injury or illness or because the staff member has been excluded from school by the school medical authorities on account of contagious disease or of being quarantined for such a disease in the staff member's immediate household. No teaching staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for in the collective bargaining agreement contract negotiated with the member's majority representative, in an individual employment contract, or provided in the policies of the Board. In accordance with N.J.S.A. 18A:30-4, the Superintendent or Board of Education may require a physician's certificate to be filed with the Secretary of the Board in order to obtain sick leave.



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Attendance

The Superintendent, in consultation with administrative staff members, will review ~~is directed to ascertain~~ the rate of absence among the professional staff members, in accordance with rules of the State Board of Education. Whenever the rate of absence in any school year is higher than three and one half percent, the Superintendent shall develop and present to the Board a plan for the review and improvement of staff attendance. The review and improvement plan shall require will include the collection and analysis of attendance data, the training of teaching staff members in their attendance responsibilities, and the counseling of teaching staff members for whom regular and prompt attendance is a problem.

N.J.S.A. 18A:27-4; 18A:28-5; 18A:30-1 et seq.

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POLICY GUIDE

SUPPORT STAFF MEMBERS

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Attendance

Feb 15

[See POLICY ALERT Nos. 96 and 205]

42142 ATTENDANCE

The regular and prompt ~~Employee~~ attendance of support staff members is an essential element in the efficient ~~important factor in the successful operation of the any school district and the effective conduct and in the maintenance of the~~ continuity of the educational program. Staff member absenteeism disrupts the educational program and ~~the Board of Education is vitally and continually interested in the attendance of each employee and considers satisfactory attendance an important component criterion of a staff member's satisfactory job performance.~~

~~The privilege of district employment imposes on each employee the responsibility to be on the job on time every scheduled working day. This responsibility requires that the employee maintain good health standards, take intelligent precautions against accidents both on and off the job, and manage personal affairs in order to satisfy district attendance requirements.~~

~~The Board is required by the high costs of absences and disrupted work schedules to give continuing attention to the maintenance of regular attendance by employees. Chronic absenteeism and tardiness are subject to discipline and may be cause for dismissal.~~

~~The Superintendent shall develop regulations to implement this policy.~~

A support staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with Board policy, falsifies the reason for an absence, is absent without authorization, is repeatedly tardy, or accumulates an excessive number of absences may be subject to appropriate consequences, which may include the withholding of a salary increment, dismissal, and/or certification of tenure charges.

In accordance with N.J.S.A. 18A:30-1, sick leave is defined to mean the absence from work because of a personal disability due to injury or illness or because the support staff member has been excluded from school by the school medical authorities on account of contagious disease or of being quarantined for such a disease in the staff member's immediate household. No support staff member will be discouraged from the prudent, necessary



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POLICY GUIDE

SUPPORT STAFF MEMBERS
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Attendance

use of sick leave and any other leave provided for in the collective bargaining agreement negotiated with the member's majority representative, in an individual employment contract, or provided in the policies of the Board. In accordance with N.J.S.A. 18A:30-4, the Superintendent or Board of Education may require a physician's certificate to be filed with the Secretary of the Board in order to obtain sick leave.

The Superintendent, in consultation with administrative staff members, will review the rate of absence among the staff members. The review will include the collection and analysis of attendance data, the training of support staff members in their attendance responsibilities, and the counseling of support staff members for whom regular and prompt attendance is a problem.

N.J.S.A. 18A:30-1 et seq.

Adopted:



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POLICY GUIDE

TEACHING STAFF MEMBERS
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Substance Abuse
Feb 15
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[See POLICY ALERT Nos. 125, 133, and 205]

3218 SUBSTANCE ABUSE

The Board of Education recognizes a teaching staff member who reports to work under the influence of drugs or alcohol poses a significant threat to their health, safety, and welfare and the health, safety, and welfare of others, including students and other staff members. The Board strongly advises any teaching staff member that has a dependency on a substance as defined in this Policy to seek appropriate treatment. The Board has an obligation and the right to maintain a safe and healthy work environment and adopts this Policy as an important component toward maintaining a safe environment in the school district. A teaching staff member is prohibited from possession, use, distribution, or being under the influence of any substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities.

For the purposes of this Policy, "substance" or "substances" means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

Any teaching staff member who reports to work or attends a school-sponsored function where the teaching staff member has assigned job responsibilities under the influence of or in possession of any substance will be subject to appropriate discipline, which may include termination of a non-tenured teaching staff member or the filing of tenure charges for a tenured teaching staff member in accordance with law.

A teaching staff member shall be required to submit to an immediate medical examination to include a substance test if the Principal or designee has reasonable suspicion to believe a teaching staff member is under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities. Refusal of a teaching staff member to consent to the medical examination and substance test will be determined to be a positive result.



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TEACHING STAFF MEMBERS
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Substance Abuse

In the event a teaching staff member's medical examination and substance test results are negative for a substance, any documents or records pertaining to the requirement for the examination and test and results will not be maintained by the school district. Any required examination and testing shall be paid for by the Board. The teaching staff member will be afforded the opportunity to have any test results confirmed using acceptable test confirmation practices. This confirming test shall be paid for by the teaching staff member.

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any teaching staff member who, in the course of their employment, has reason to believe a school staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal, or in the absence of the Principal, to the staff member responsible at the time of the alleged violation. Either the Principal or the staff member shall notify the Superintendent of Schools who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)3, the Superintendent or designee shall not disclose the identity of a teaching staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the teaching staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a teaching staff member in response to questioning initiated by the Principal or designee or following the discovery by the Principal or designee of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.

42 CFR Part 2
N.J.A.C. 6A:16-6.3; 6A:32-6.3

Adopted:



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TEACHING STAFF MEMBERS
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[See POLICY ALERT Nos. 125, 133, and 205]

R 3218 SUBSTANCE ABUSE

A. Definition

1. "Principal or designee" means the teaching staff member's Principal or a staff member designated by the Principal to be responsible at the time of the alleged violation or the teaching staff member's supervisor or a staff member designated by the teaching staff member's supervisor to be responsible at the time of the alleged violation.
2. "Substance" or "substances" means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.
3. "Substance test" means a test conducted by a State-licensed clinical laboratory using accepted substance use practices, accepted chain of custody procedures, and testing methodology recommended by the laboratory instrument's manufacturer.
4. "Under the influence" means the presence of a substance as defined in Policy 3218 and this Regulation as confirmed in a medical examination and substance test.

B. Procedures to be Followed When a Teaching Staff Member is Suspected to be Under the Influence of a Substance

1. The following procedures shall be used when a teaching staff member is suspected of being under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities.



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- a. The Principal or designee, upon receiving a report or information a teaching staff member may be under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities will:
 - (1) Immediately notify the Superintendent of Schools;
 - (2) Immediately meet with the teaching staff member;
 - (a) The Principal or designee may include another staff member in this meeting; and
 - (b) The teaching staff member suspected of being under the influence may include another staff member or a representative of their choice in this meeting.
- b. The Principal or designee shall present to the teaching staff member the report or information supporting the suspicion the teaching staff member may be under the influence of a substance.
- c. The teaching staff member shall be provided an opportunity to respond to the report or information presented by the Principal or designee.
- d. In the event the Principal or designee believes the teaching staff member may be under the influence of a substance after meeting with the teaching staff member, the Principal or designee will arrange for an immediate medical examination to include a substance test.
- e. The teaching staff member shall be transported to the examination and testing location by means of transportation approved by the Superintendent or designee and shall be accompanied by the Principal or designee.



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- f. The teaching staff member, prior to the medical examination and substance test, will be informed by the physician or the physician's designee on the type of testing to be completed and the substances that will be tested.
 - g. The teaching staff member may, prior to being examined and tested, disclose to the physician any prescription medicine, over-the-counter medicine or supplements, or any other reason why the teaching staff member's test results may be positive.
 - h. A teaching staff member's refusal to be examined or tested in accordance with the provisions of Policy 3218 and this Regulation will be deemed as a positive test for substances.
- 2. The medical examination and substance test shall be used by the physician to determine if the teaching staff member is under the influence of any substance as defined in Policy 3218 and this Regulation. The substance test procedures will provide for a confirming test using acceptable confirmation test procedures.
 - 3. The physician shall receive the results of the substance test within twenty-four hours of the test being administered. If the results of the substance test are not available within twenty-four hours, the physician shall report the results to the Superintendent and the teaching staff member as soon as the test results are available.
 - 4. If the physician determines, based upon the medical examination and the results of the substance test, that the teaching staff member was not under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the physician will notify the Superintendent of such results and the teaching staff member shall return to their position in the school district. Any records or documentation related to the incident shall not be included in the teaching staff member's personnel file.
 - 5. If the physician determines, based upon the medical examination and the results of the substance test, that the teaching staff member was under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the physician will:



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- a. Discuss the results of the examination and substance test with the teaching staff member and provide the teaching staff member an opportunity to present any medical or other reasons for the physician's determination.
- b. Provide the teaching staff member an opportunity to have the substance test results confirmed by a State-licensed clinical laboratory selected by the staff member and approved by the physician.
 - (1) The physician will schedule and coordinate the confirming test procedures, including the acceptable time period for the confirming test to be conducted based on the existing test results, and the time in which a confirming test result would be valid.
 - (2) The confirming substance test results must be provided to the physician within the time period required by the physician.
 - (3) Any confirming test results provided to the physician not within the time period required by the physician shall not be accepted and the teaching staff member shall be determined to have waived their right to have a confirming substance test considered by the physician.
- c. After completing the requirements in a. and b. above the physician shall make a final determination whether the teaching staff member was under the influence of a substance during the work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities.
 - (1) If the physician makes a final determination the teaching staff member was not under the influence during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the physician will report these



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results to the Superintendent and the teaching staff member shall return to their position in the school district and any records or documentation related to the incident shall not be included in the teaching staff member's personnel file.

- (2) If the physician makes a final determination the teaching staff member was under the influence during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities, the physician will report these results to the Superintendent of Schools and the teaching staff member will be required to meet with the Superintendent.

C. Procedures to be Followed When a Teaching Staff Member is Determined to be Under the Influence of a Substance

1. Any teaching staff member who has been determined by the physician to be under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities shall be required to meet with the Superintendent.
 - a. The teaching staff member may include a staff member or a representative of their choice in this meeting.
2. The Superintendent will provide the teaching staff member an opportunity to respond to the physician's determination.
3. A teaching staff member who has been determined to have been under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member was assigned job responsibilities will be subject to appropriate discipline which may include termination of a non-tenured teaching staff member or the filing of tenure charges for a tenured teaching staff member.

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[See POLICY ALERT Nos. 125, 133, and 205]

4218 SUBSTANCE ABUSE

The Board of Education recognizes a support staff member who reports to work under the influence of drugs or alcohol poses a significant threat to their health, safety, and welfare and the health, safety, and welfare of others, including students and other staff members. The Board strongly advises any support staff member that has a dependency on a substance as defined in this Policy to seek appropriate treatment. The Board has an obligation and the right to maintain a safe and healthy work environment and adopts this Policy as an important component toward maintaining a safe environment in the school district. A support staff member is prohibited from possession, use, distribution, or being under the influence of any substance during work hours.

For the purposes of this Policy, "substance" or "substances" means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

Any support staff member who reports to work under the influence of or in possession of any substance will be subject to appropriate discipline, which may include termination or the filing of tenure charges for a tenured support staff member in accordance with law.

A support staff member shall be required to submit to an immediate medical examination to include a substance test if the support staff member's supervisor has reasonable suspicion to believe a support staff member is under the influence of a substance during work hours. Refusal of a support staff member to consent to the medical examination and substance test will be determined to be a positive result.



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In the event a support staff member's medical examination and substance test results are negative for a substance, any documents or records pertaining to the requirement for the examination and test and results will not be maintained by the school district. Any required examination and testing shall be paid for by the Board. The support staff member will be afforded the opportunity to have any test results confirmed using acceptable test confirmation practices. This confirming test shall be paid for by the support staff member.

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any support staff member who, in the course of their employment, has reason to believe a school staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal, or in the absence of the Principal, to the staff member responsible at the time of the alleged violation. Either the Principal or the staff member shall notify the Superintendent of Schools who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)3, the Superintendent or designee shall not disclose the identity of a support staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the support staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a support staff member in response to questioning initiated by the Principal or designee or following the discovery by the Principal or designee of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.

42 CFR Part 2
N.J.A.C. 6A:16-6.3; 6A:32-6.3

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[See POLICY ALERT Nos. 125, 133, and 205]

R 4218 SUBSTANCE ABUSE

A. Definition

1. "Substance" or "substances" means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.
2. "Substance test" means a test conducted by a State-licensed clinical laboratory using accepted substance use practices, accepted chain of custody procedures, and testing methodology recommended by the laboratory instrument's manufacturer.
3. "Support staff member's supervisor" or "supervisor" means the building or district administrative staff member who is responsible for supervising the support staff member. For the purposes of this Policy and Regulation, the support staff member's supervisor shall be the support staff member's Principal, School Business Administrator/Board Secretary, district Director or Supervisor, or any other administrative staff member designated by the Superintendent.
4. "Under the influence" means the presence of a substance as defined in Policy 4218 and this Regulation as confirmed in a medical examination and substance test.

B. Procedures to be Followed When a Support Staff Member is Suspected to be Under the Influence of a Substance

1. The following procedures shall be used when a support staff member is suspected of being under the influence of a substance during work hours.



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- a. The support staff member's supervisor, upon receiving a report or information a support staff member may be under the influence of a substance during work hours will:
 - (1) Immediately notify the Superintendent of Schools;
 - (2) Immediately meet with the support staff member;
 - (a) The support staff member's supervisor may include another staff member in this meeting; and
 - (b) The support staff member suspected of being under the influence may include another staff member or a representative of their choice in this meeting.
- b. The support staff member's supervisor shall present to the support staff member the report or information supporting the suspicion the support staff member may be under the influence of a substance.
- c. The support staff member shall be provided an opportunity to respond to the report or information presented by the supervisor.
- d. In the event the supervisor or designee believes the support staff member may be under the influence of a substance after meeting with the support staff member, the supervisor will arrange for an immediate medical examination to include a substance test.
- e. The support staff member shall be transported to the examination and testing location by means of transportation approved by the Superintendent or designee and shall be accompanied by the support staff member's supervisor or designee.
- f. The support staff member, prior to the medical examination and substance test, will be informed by the physician or the physician's designee on the type of testing to be completed and the substances that will be tested.



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- g. The support staff member may, prior to being examined and tested, disclose to the physician any prescription medicine, over-the-counter medicine or supplements, or any other reason why the support staff member's test results may be positive.
 - h. A support staff member's refusal to be examined or tested in accordance with the provisions of Policy 4218 and this Regulation will be deemed as a positive test for substances.
- 2. The medical examination and substance test shall be used by the physician to determine if the support staff member is under the influence of any substance as defined in Policy 4218 and this Regulation. The substance test procedures will provide for a confirming test using acceptable confirmation test procedures.
- 3. The physician shall receive the results of the substance test within twenty-four hours of the test being administered. If the results of the substance test are not available within twenty-four hours, the physician shall report the results to the Superintendent and the support staff member as soon as the test results are available.
- 4. If the physician determines, based upon the medical examination and the results of the substance test, that the support staff member was not under the influence of a substance during work hours, the physician will notify the Superintendent of such results and the support staff member shall return to their position in the school district. Any records or documentation related to the incident shall not be included in the support staff member's personnel file.
- 5. If the physician determines, based upon the medical examination and the results of the substance test, that the support staff member was under the influence of a substance during work hours, the physician will:
 - a. Discuss the results of the examination and substance test with the support staff member and provide the support staff member an opportunity to present any medical or other reasons for the physician's determination.



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- b. Provide the support staff member an opportunity to have the substance test results confirmed by a State-licensed clinical laboratory selected by the staff member and approved by the physician.
 - (1) The physician will schedule and coordinate the confirming test procedures, including the acceptable time period for the confirming test to be conducted based on the existing test results, and the time in which a confirming test result would be valid.
 - (2) The confirming substance test results must be provided to the physician within the time period required by the physician.
 - (3) Any confirming test results provided to the physician not within the time period required by the physician shall not be accepted and the support staff member shall be determined to have waived their right to have a confirming substance test considered by the physician.
- c. After completing the requirements in a. and b. above the physician shall make a final determination whether the support staff member was under the influence of a substance during the work hours.
 - (1) If the physician makes a final determination the support staff member was not under the influence during work hours, the physician will report these results to the Superintendent and the support staff member shall return to their position in the school district and any records or documentation related to the incident shall not be included in the support staff member's personnel file.
 - (2) If the physician makes a final determination the support staff member was under the influence during work hours, the physician will report these results to the Superintendent of Schools and the support staff member will be required to meet with the Superintendent.



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- C. Procedures to be Followed When a Support Staff Member is Determined to be Under the Influence of a Substance
1. Any support staff member who has been determined by the physician to be under the influence of a substance during work hours shall be required to meet with the Superintendent.
 - a. The support staff member may include a staff member or a representative of their choice in this meeting.
 2. The Superintendent will provide the support staff member an opportunity to respond to the physician's determination.
 3. A support staff member who has been determined to have been under the influence of a substance during work hours will be subject to appropriate discipline which may include termination of or the filing of tenure charges for a tenured support staff member.

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[See POLICY MEMO No. 17]
[See POLICY ALERT Nos. 95, 96, 139, 172, 176, 203 and 205]

5200 ATTENDANCE

In accordance with the provisions of N.J.S.A. 18A:38-25, every parent, guardian, or other person having control and custody of a child between the ages of six and sixteen shall cause the child to regularly attend school. The Board of Education requires students enrolled in the school district attend school regularly in accordance with the laws of the State.

In accordance with the provisions of N.J.A.C. 6A:16-7.6 and for the purposes of this Policy and Regulation 5200, a student's absence from school ~~will~~ may be excused, or unexcused that counts toward truancy, ~~or unexcused that does not count toward truancy.~~

Students that are absent from school for any reason are responsible for the completion of assignments missed because of their absence. A student who is absent from school for observing a religious holiday shall not be deprived of any award, eligibility, or opportunity to compete for any award, or deprived of the right to take an alternate test or examination that was missed because of the absence provided there is a written excuse of such absence signed by the parent.

Prolonged or repeated absences, excused or unexcused, from school or from class, deprive students of the educational and classroom experiences deemed essential to learning and may result in retention at grade level.

For districts with secondary school(s)

or loss of credit or removal from a course that would count toward the high school diploma in accordance with policies of this Board.

Students shall be subjected to the school district's response for unexcused absences that count ~~account~~ toward truancy during the school year as outlined in N.J.A.C. 6A:16-7.6(a)4 and Regulation 5200.



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Unexcused absences from school or from classes within the school day may subject a student to consequences that may include the denial of a student's participation in co-curricular activities and/or athletic competition. Repeated absences from school interfere with efforts of this Board and its staff in the maintenance of good order and the continuity of classroom instruction and such absences may result in the removal of the student from a class or course of study.

The Superintendent shall calculate and monitor the average daily attendance rate for the district and for each school in the district. Whenever the average daily attendance rate does not meet the New Jersey Department of Education requirements the Superintendent or designee shall develop a district improvement plan to improve student attendance pursuant to N.J.A.C. 6A:30-5.2.

N.J.S.A. 18A:36-14; 18A:38-25
N.J.S.A. 34:2-21.1 et seq.
N.J.A.C. 6A:16-7.6; 6A:32-8.3

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[See POLICY MEMO. No. 17]
[See POLICY ALERT Nos. 95, 96, 139, 176, 203 and 205]

R 5200 ATTENDANCE

A. Definitions

1. For the purposes of school attendance, a "day in session" shall be a day on which the school is open and students 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.
2. A "school day" shall consist of not less than four hours, except that one continuous session of two and one-half hours may be considered a full day of Kindergarten.
3. "A day of attendance" shall be one in which the student is present for a full day under the guidance and direction of a teacher while school is in session.
 - a. Whenever over-crowded conditions make it necessary to hold two separate sessions with a different group of students in each session, a student 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.
4. 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.

B. Attendance Recording

1. A record of the attendance of all students 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 issued by the Commissioner of Education.



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2. No student shall be recorded as present unless the school is in session and the student so recorded is under the guidance and direction of a teacher in the teaching process.
3. A student 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 students excused due to religious holidays who shall be recorded as excused.
4. A student shall be recorded as either present, absent, or excused for religious observance, every day the school is in session after the student enters until the date the student is transferred to another school, transferred to an individual home instruction record, or officially leaves the school system.
5. The Commissioner shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis.
6. The mere presence of a student at roll call shall not be regarded as sufficient attendance for compliance with N.J.A.C. 6A:32-8.3. In a school which is in session during both the forenoon and the afternoon, a student 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 student shall be present at least two hours in the session in order to be recorded as present for the full day.
7. A student not present in school because of his/her participation in an approved school activity, such as a field trip, meeting, cooperative education assignment, or athletic competition will be considered to be in attendance.

C. **Unexcused Absences That Count Toward Truancy/Excused Absences** ~~Unexcused Absences~~

1. "An unexcused absence that counts toward truancy" is a student's absence from school for a full or a portion of a day for any reason that is not an "excused absence" as defined below.



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12. "An ~~excused~~ absence" is a student's absence from school for a full day or a portion of a day for the observance of a religious holiday pursuant to N.J.S.A. 18A:36-14 through 16, for ~~Take-Your-Child-to-Work-Day~~, or any other absence determined to be excused by the New Jersey Department of Education or any absence for the reasons listed below:

1. ~~"Unexcused absence that counts toward truancy" is a student's absence from school for a full or a portion of a day for any reason that is not excused as defined above or for any unexcused absence that does not count toward truancy listed below.~~
2. ~~"Unexcused absence that does not count toward truancy" is a student's absence from school for a full day or a portion of a day for the reasons listed below:~~

[Select one or more options below]

- ☐ The student's illness
 - ☐ supported by a written letter from the parent upon student's return to school;
 - ☐ supported by notification to the school by the student's parent;
- ☐ The student's required attendance in court;
- ☐ Where appropriate, when consistent with Individualized Education Programs, the Individuals with Disabilities Act, accommodation plans under 29 U.S.C. §§ 794 and 705(20), and individualized health care plans;
- ☐ The student's suspension from school;
- ☐ Family illness or death
 - ☐ supported by a written letter from the parent upon the student's return to school;
 - ☐ supported by notification to the school by the student's parent;



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- Visits to post-secondary educational institutions;
- Interviews with a prospective employer or with an admissions officer of an institution of higher education;
- Examination for a driver's license;
- Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day;
- **Take Our Children to Work Day;**
- **An absence considered excused by a New Jersey Department of Education rule;**
- **An absence for a reason not listed above, but deemed excused unexcused that does not count toward truancy by the Principal upon a written request by the student's parent stating the reason for the absence and requesting permission for the absence to be an excused unexcused absence that does not count toward truancy;**

43. "Truancy" means ten or more cumulative unexcused absences that count toward truancy of a student between the ages of six and sixteen as determined by the Board's Attendance Policy and Regulation pursuant to N.J.A.C. 6A:16-7.6(a)4.iii. and the definition of school day pursuant to N.J.A.C. 6A:32-8.3. Any unexcused absence not listed in C.23. above shall be an unexcused absence counted toward truancy.



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[Optional]

54. ~~Instances of "Unexcused tardiness" in the number established by Policy 5240~~ may constitute an unexcused absence that counts toward truancy in accordance with Policy 5240.]

D. Notice to School of a Student's Absence

1. The parent or adult student is requested to call the school office before the start of the student's school day.
2. The parent of the student or an adult student who will attend the morning session, but will not attend the afternoon session should call or provide notice to the school office before the start of the afternoon session.
3. The parent or adult student who anticipates a future absence or anticipates that an absence will be prolonged should notify the school office to arrange make-up work.

E. Readmission to School After an Absence

1. A student returning from an absence of any length of time must provide a written statement that is dated and signed by the parent or adult student listing the reason for the absence.
2. A note explaining a student's absence for a noncommunicable illness for a period of more than _____ school days must be accompanied by a physician's statement of the student's illness with medical clearance to return to school.
3. A student who has been absent by reason of having or being suspected of having a communicable disease must present to the school nurse written evidence of being free of communicable disease, in accordance with Policy 8451.

F. Instruction

1. Teachers shall cooperate in the preparation of home assignments for students who anticipate an excused absence of _____ school days duration. The parent or student must request such home assignments.



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2. A student who anticipates an absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with Policy 2412. The parent must request home instruction.
3. Students absent for any reason are expected to make up the work missed. The parent or student is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.
4. In general, students will be allowed a reasonable amount of time as determined by the teacher to make up missed work.
5. A student who missed a test or an exam shall be offered an opportunity to take the test, exam, or an appropriate alternate test.

G. Denial of Course Credit

1. The teacher will determine the credit to be awarded a student for make-up work. Where class participation is a factor in the learning process, the teacher may consider a student's absence in determining a final grade, except ~~excused~~ absences **for the observance of a religious holiday** or absence for a student's suspension from school will not adversely affect the student's grade. The teacher may record an incomplete grade for a student who has not had a full opportunity to make up missed work.

[Optional

2. A secondary student may be dropped from a course or denied course credit when he/she has been absent from _____ **(number, fraction, or percentage)** or more of the class sessions, whatever the reason for the absence, except that ~~excused~~ absences **for the observance of a religious holiday** or absences caused by a student's suspension will not count toward the total.]

[Options

— Exceptions to this rule may be made for students who have demonstrated to the teacher through completion of make-up assignments that they have mastered the proficiencies established for the course of study.



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— A secondary student who has been dropped from a course of study may be assigned to an alternate program.

— A secondary student denied course credit after completing the course will be permitted to attend a credit completion session to regain the denied credit, provided the student has not been absent from the class more than _____ times.]

[Optional

3. An elementary student may be retained at grade level, in accordance with Policy 5410, when he/she has been absent _____ (number, fraction, or percentage) or more school days, whatever the reason for the absence, except that excused absences for the observance of a religious holiday and absences due to student's suspension will not count toward the total.]

[Option

— Exceptions to this rule may be made for students who have demonstrated through completion of home assignments and/or home instruction that they have mastered the proficiencies established for the assigned courses of study.]

II. School District Response To Unexcused Absences During the School Year That Count Toward Truancy

1. For up to four cumulative unexcused absences that count toward truancy, the Principal or designee shall:
 - a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;
 - b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent;



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- c. Identify, in consultation with the student's parents, needed action designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;
 - d. Proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potentially missing or abused child situation is detected; and
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
2. For between five and nine cumulative unexcused absences that count toward truancy, the Principal or designee shall:
- a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;
 - b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent;
 - c. Evaluate the appropriateness of action taken pursuant to N.J.A.C. 6A:16-7.6(a)4.i.(3) and 11.1.e. above;
 - d. Develop an action plan to establish outcomes based upon the student's patterns of unexcused absences and to specify the interventions for supporting the student's return to school and regular attendance, which may include any or all of the following:
 - (1) Refer or consult with the building's Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
 - (2) Conduct testing, assessments, or evaluations of the student's academic, behavioral, and health needs;
 - (3) Consider an alternate educational placement;



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- (4) Make a referral to or coordinate with a community-based social and health provider agency or other community resource;
 - (5) Refer to a court or court program pursuant to N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;
 - (6) Proceed in accordance with N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potential missing or abused child situation is detected; and
 - (7) Engage the student's family.
- e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
3. For ten or more cumulative unexcused absences that count toward truancy, a student between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-25, and the Principal or designee shall:
- a. Make a determination regarding the need for a court referral for the truancy, per N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;
 - b. Continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance;
 - c. Cooperate with law enforcement and other authorities and agencies, as appropriate; and
 - d. Proceed in accordance with N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School, and other applicable State and Federal statutes, as required.
4. A court referral may be made as follows:
- a. When unexcused absences that count toward truancy are determined by school officials to be violations of the compulsory education law, pursuant to N.J.S.A. 18A:38-25, and the Board of Education's policies, in accordance with N.J.A.C. 6A:16-7.6(a), the parent may be referred to Municipal Court.



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- (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Municipal Court; or
 - b. When there is evidence of a juvenile-family crisis, pursuant to N.J.S.A. 2A:4A-22.g, the student may be referred to Superior Court, Chancery Division, Family Part.
 - (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Juvenile-Family Crisis Intervention Unit.
- 5. For a student with a disability, the attendance plan and its punitive and remedial procedures shall be applied, where applicable, in accordance with the student's IEP, pursuant to 20 U.S.C. §§ 1400 et seq., the Individuals with Disabilities Education Act; the procedural protections set forth in N.J.A.C. 6A:14; accommodation plan under 29 U.S.C. §§ 794 and 705(20); and individualized health care plan and individualized emergency healthcare plan pursuant to N.J.A.C. 6A:16-2.3(b)5.xii.
- 6. All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a), shall act in accordance with N.J.A.C. 6A:16-7.6(a)4.i. and H.1. above for each student with up to four cumulative unexcused absences that count toward truancy.
 - a. For each student attending a receiving school with five or more cumulative unexcused absences that count toward truancy, the absences shall be reported to the sending school district.
 - (1) The sending school district shall proceed in accordance with the Board of Education's policies and procedures pursuant to N.J.A.C. 6A:16-7.6(a) and H.5. above and the provisions of N.J.A.C. 6A:16-7.6(u)4.ii. through iv. and H.2. through H.5. above, as appropriate.



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I. Discipline

1. Students may be denied participation in co-curricular activities if the Board establishes attendance standards for participation.
2. Students may be denied participation in athletic competition if the Board establishes attendance standards for participation.
3. No student who is absent from school for observance of a religious holiday may be deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.

J. Recording Attendance

1. Teachers must accurately record the students present, tardy, or absent each day in each session or each class. Attendance records must also record students' attendance at out-of-school curricular events such as field trips.
2. A record shall be maintained of each excused absence, **and each unexcused absence that counts toward truancy as defined in Policy and Regulation 5200**, ~~and unexcused absence that does not count toward truancy for each student.~~
3. A report card will record the number of times the student was absent and tardy in each marking period.
4. A student's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

K. Appeal

1. Students may be subject to appropriate discipline for their school attendance record.
2. A student who has been retained at grade level for excessive absences may appeal that action in accordance with Policy 5410.



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3. A student who has been dropped from a course and/or denied course credit for excessive absences may appeal that action in accordance with the following procedures:
 - a. The student shall file a written appeal to the Principal or designee within five school days of receiving notice of the action. The appeal should state the reasons for each absence, any documentation that may support reducing the number of absences for the purposes of course credit, and reasons why the student should either continue to be enrolled in the course or receive course credit for a class the student completed.
 - b. The Principal or designee will respond in writing no later than seven school days after receiving the student's appeal.
 - c. If the student is not satisfied, he/she may submit a written request to the Principal for consideration by an Attendance Review Committee.
 - d. On a student's request for consideration by an Attendance Review Committee, the Principal shall convene an Attendance Review Committee. The Attendance Review Committee shall meet informally to hear the student's appeal. The student's parent and teacher(s) may attend the meeting.
 - e. The Attendance Review Committee shall decide the appeal and inform the student in writing within seven school days of the meeting.
 - f. The student may appeal an adverse decision of the Attendance Review Committee to the Superintendent, the Board of Education, and the Commissioner of Education in accordance with Policy 5710, Pupil Grievance and N.J.S.A. 18A. An appeal to the Attendance Review Committee shall be considered to have exhausted the first two steps of the grievance procedure outlined in Policy 5710.



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I. Attendance Records

1. Attendance records for the school district and each school will be maintained and attendance rates will be calculated as required by the New Jersey Department of Education. The school district will comply with all attendance requirements and any improvement plans as required by the Department of Education.

Adopted:



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[See POLICY ALERT Nos. 90, 95, 121 153, 157, 169, 186, and 205]

5460 HIGH SCHOOL GRADUATION

The Board of Education will recognize the successful completion of the secondary school instructional program by the award of a State-endorsed diploma certifying the pupil student has met all State and local requirements for high school graduation. The Board will annually certify to the Executive County Superintendent each pupil student who has been awarded a diploma has met the requirements for graduation.

A. High School Graduation Requirements

A graduating pupil student must have earned a minimum of **(four-year high school; no fewer than one hundred twenty credits)** credits in courses designed to meet all of the New Jersey Core Curriculum Content Standards including, but not limited to, the following credits:

1. **(At least twenty)** credits in language arts literacy aligned to grade nine through twelve standards, ~~effective with the 2009-2010 grade nine class;~~
2. **(At least fifteen)** credits in mathematics, including Algebra I or the content equivalent ("content equivalent" is defined at N.J.A.C. 6A:8-1.3) ~~effective with the 2008-2009 grade nine class;~~ including geometry or the content equivalent effective with the 2010-2011 grade nine class;; and including a third year of mathematics that builds on the concepts and skills of algebra and geometry and that prepares pupils students for college and 21st century careers effective with the 2012-2013 grade nine class;
3. **(At least fifteen)** credits in social studies, including satisfaction of N.J.S.A. 18A:35-1 and 18A:35-2;; five credits in world history;; and the integration of civics, economics, geography, and global content in all course offerings;
4. **(At least fifteen)** credits in science, including at least five credits in laboratory biology/life science or the content equivalent effective with the 2008-2009 grade nine class;; including one additional laboratory/inquiry-based science course, which shall include chemistry, environmental science, or physics effective with the 2010-2011 grade nine class;; and including one additional laboratory/inquiry-based science course effective with 2012-2013 grade nine class;



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5. ____ (At least three and three-quarters) credits in health, safety, and physical education during each year of enrollment, distributed as one hundred fifty minutes per week, as required by N.J.S.A. 18A:35-5, 7 and 8;
6. ____ (At least five) credits in visual and performing arts;
7. ____ (At least five) credits in world languages or pupil student demonstration of proficiency as set forth in N.J.A.C. 6A:8-5.1(a)2ii(2);
8. ____ (At least two and one-half) credits in financial, economic, business, and entrepreneurial literacy, effective with 2010-2011 grade nine class;
9. Technological literacy, consistent with the Core Curriculum Content Standards, integrated throughout the curriculum;
10. ____ (At least five) credits in 21st century life and careers, or career-technical education; and
11. Electives as determined by the high school program sufficient to total a minimum of ____ (must be at least one hundred twenty) credits.

As defined in N.J.A.C. 6A:8-1.3, "eCredit" means the award for the equivalent of a class period of instruction which meets for a minimum of forty minutes, one time per week during the school year or as approved through N.J.A.C. 6A:8-5.1(a)2.

The high school graduation credit requirement may be met in whole or in part through program completion of a range of experiences that enable pupils students to pursue a variety of personalized learning opportunities, as follows:

1. The district shall establish a process to approve individualized pupil student learning opportunities that meet or exceed the Core Curriculum Content Standards.



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- a. Individualized **student** pupil learning opportunities in all Core Curriculum Content Standards areas include, but are not limited, to the following:
 - (1) Independent study;
 - (2) Online learning;
 - (3) Work-based programs, internships, apprenticeships;
 - (4) Study abroad programs;
 - (5) Pupil Student exchange programs; and
 - (6) **Structured Service learning experiences—and, including, but not limited to, work-based programs, internships, apprenticeships, and service learning experiences.**
 - (7) ~~Structured learning experiences;~~
- b. Individualized ~~pupil~~ **student** learning opportunities based upon specific instructional objectives aimed at meeting or exceeding the Core Curriculum Content Standards shall:
 - (1) Be based on **student** pupil interest and career goals as reflected in the Personalized **Student Pupil** Learning Plans ~~as they are phased in according to the schedule of implementation set forth at N.J.A.C. 6A:8-3.2(a)1;~~
 - (2) Include demonstration of **pupil student** competency;
 - (3) Be certified for completion based on the district process adopted according to 2. below; and
 - (4) Be on file in the school district and subject to review by the Commissioner or his/her designee.



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- c. Group programs based upon specific instructional objectives aimed at meeting or exceeding the Core Curriculum Content Standards shall be permitted and shall be approved in the same manner as other approved courses.
2. The district shall establish a process for granting of credits through successful completion of assessments that verify ~~pupil student~~ achievement in meeting or exceeding the Core Curriculum Content Standards at the high school level, including ~~standards achieved~~ ~~these occurring~~ by means of the individualized ~~pupil student~~ learning opportunities enumerated as outlined in N.J.A.C. 6A:8-5.1(a)2. Such programs or assessments may occur all or in part prior to a ~~pupil's student's~~ high school enrollment; no such locally administered assessments shall preclude or exempt ~~pupil student~~ participation in applicable Statewide assessments at grades three through twelve.
 - a. The district shall choose assessments that are aligned with or exceed the Core Curriculum Content Standards and may include locally designed assessments.
 - b. The district shall choose from among the following assessment options to determine if ~~pupils students~~ have achieved the level of language proficiency designated as Novice-High as defined by the American Council on the Teaching of Foreign Languages (ACTFL) and recognized as fulfilling the world languages requirement of the Core Curriculum Content Standards:
 - (1) The Standards-based Measurement of Proficiency (STAMP) online assessment;
 - (2) The ACTFL Oral Proficiency Interview (OPT) or Modified Oral Proficiency Interview (MOP1); or
 - (3) Department-approved locally designed competency-based assessments.



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3. The district shall establish a process to approve post-secondary learning opportunities that may consist of: **(select one or more options)**

- _____ Advanced Placement (AP) courses;
- _____ the College-Level Examination Program (CLEP); or
- _____ concurrent/dual enrollment at accredited higher education institutions.

- a. The district shall award credit for successful completion of an approved, accredited college course that assures achievement of knowledge and skills that meets or exceeds the Core Curriculum Content Standards.

B. Additional Graduation Requirements

1. Attendance requirements as indicated in Policy and Regulation No. 5200;

2. Other requirements established by the Board of Education as indicated below:

_____;

3. Any statutorily mandated requirements for earning a high school diploma; and

4. Any Statewide assessment graduation requirements as determined by the New Jersey Department of Education, and as outlined in C. below.

- ~~4. Demonstrated proficiency in all sections of the High School Proficiency Assessment (HSPA), Competency Assessments, or Alternative High School Assessment process applicable to the class graduating in the year they meet all other graduation requirements, based on a schedule prescribed by the Commissioner in accordance with N.J.A.C. 6A:8-4.1(b) through (d); and~~



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5. ~~Those pupils graduating from an adult high school shall demonstrate proficiency in all sections of the HSPA, applicable Competency Assessments, or designated Alternative High School Assessment (AHSA) process for any subjects not yet passed on a previously approved Statewide assessment required for graduation.~~
- C. ~~High School Proficiency Assessment (HSPA) and Alternative High School Assessment (AHSA)~~
1. ~~The district will provide pupils who have not demonstrated proficiency on one or more sections of the HSPA following the 11th grade, or applicable Competency Assessments, with the opportunity to demonstrate such competence through both repeated administrations of the HSPA and the AHSA process conducted in accordance with rules of the State Board of Education.~~
- a. ~~The _____ shall submit the results of the AHSA process to the Executive County Superintendent of Schools by March 31 of each year, or as otherwise determined by the Commissioner of Education, for approval for graduation in June of the same year. Such results shall include information, as prescribed by the Commissioner, pertaining to pupils successfully completing the AHSA process, and to those who fail to complete the AHSA process successfully.~~
- b. ~~The Executive County Superintendent, as the Commissioner's designee, shall review the results of each pupil's AHSA and recommend to the Commissioner either approval or disapproval for graduation.~~
- c. ~~All English Language Learners (ELLs) shall satisfy the school district's requirements for high school graduation, except that any ELLs may demonstrate that they have attained State minimum levels of proficiency through:~~
- (1) ~~Passage of the AHSA process in their native language, when available, and passage of an English fluency assessment approved by the Department of Education; or~~
- (2) ~~Passage of the AHSA process in English with appropriate accommodations.~~



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- d. ~~Pupils with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act and who participate in the AHSA process are not required to participate in repeated administrations of the HSPA.~~

C. Statewide Assessment Graduation Requirements

1. The New Jersey Department of Education (NJDOE) is transitioning from the High School Proficiency Assessment (HSPA) to the Partnership for the Assessment of Readiness for College and Careers (PARCC) End-of-Course assessments for students, including students with disabilities, in the classes of 2016, 2017, and 2018.
2. Students in the classes of 2016, 2017, and 2018 will be able to demonstrate proficiencies in English Language Arts (ELA) and Mathematics required by State statute by either meeting the "cut score" on the PARCC assessments or meeting the "cut score" on a substitute assessment or by meeting the criteria of the NJDOE portfolio appeal process.
3. A student with a disability, whose Individualized Educational Plan (IEP) team determines the student is exempt from these requirements, would be required to achieve the alternative proficiency in his/her IEP.
4. The NJDOE has developed "concordant" cut scores for additional substitute assessments. For the classes of 2016, 2017, and 2018, students will be able to demonstrate proficiency in both ELA and Mathematics by meeting one of the criteria under English Language Arts and Mathematics as indicated below:
 - a. English Language Arts
 - Passing score on a PARCC ELA Grade 9; or
 - Passing score on a PARCC ELA Grade 10; or
 - Passing score on a PARCC ELA Grade 11; or
 - SAT \geq 400; or



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- ACT \geq 16; or
- Accuplacer Write Placer \geq 6; or
- PSAT \geq 40; or
- ACT Aspire \geq 422; or
- ASVAB – AFQT \geq 31; or
- Meet the criteria of the NJDOE Portfolio Appeal

b. Mathematics

- Passing score on a PARCC Algebra I; or
- Passing score on a PARCC Geometry; or
- Passing score on a PARCC Algebra II; or
- SAT \geq 400; or
- ACT \geq 16; or
- Accuplacer Elementary Algebra \geq 76; or
- PSAT \geq 40; or
- ACT Aspire \geq 422; or
- ASVAB – AFQT \geq 31; or
- Meet the criteria of the NJDOE Portfolio Appeal

D. Attendance

Regular attendance is required for the successful completion of a course of study and graduation. Pupil Students are expected to be present in every scheduled class except as their attendance is excused in accordance with Board Policy 5200.

E. Pupil Students with Disabilities

1. ~~The district, Through the IEP process and pursuant to N.J.A.C. 6A:14-4.11 - Graduation, the district may, for individual pupils with disabilities as defined in N.J.A.C. 6A:14-1.3, specify alternate requirements for a State-endorsed diploma for individual students with disabilities as defined in N.J.A.C. 6A:14-1.3.~~
- a2. The district shall specifically address any alternate requirements for graduation in a pupil's student's IEP, in accordance with N.J.A.C. 6A:14-4.11.



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- b3. The district shall develop and implement procedures for assessing whether a **pupil student with a disability** has met any alternate requirements for graduation individually determined in an IEP.
24. If a **pupil student** with a disability attends a school other than that of the school district of residence, which is empowered to grant a diploma, the **pupil student** shall have the choice of receiving ~~a~~ the diploma of the school attended or ~~a~~ the diploma of the school district of residence.
- a. If the school the **pupil student** is attending declines to issue a diploma to the **pupil student**, the district of residence Board of Education shall issue the **pupil student** a diploma if the **pupil student** has satisfied all State and local graduation requirements, as specified in the **pupil's student's** IEP.
35. **Pupils Students** with disabilities who meet the standards for graduation according to the school district's graduation requirements shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.
46. A **pupil student** with a disability whose **IEP individualized education—program** prescribes continued special education programs beyond the fourth year of high school shall be permitted to participate in commencement ceremonies with his/her graduating class and shall receive a certificate of attendance, provided the **pupil student** has attended four years of high school.
57. When a **pupil student** with a disability graduates or exceeds the age of eligibility, the **pupil student** shall be provided a written summary of his or her academic achievement and functional performance prior to the date of the **pupil's student's** graduation or the conclusion of the school year in which he or she exceeds the age of eligibility. The summary shall include recommendations to assist the child in meeting his or her postsecondary goals.



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F. High School Diploma

1. The Board of Education shall award a State-endorsed high school diploma to prospective graduates who have met all of the requirements adopted in accordance with State and local **Board of Education** requirements.
2. The Board of Education shall not issue a high school diploma to any ~~pupil student~~ not meeting the criteria specified in State and local requirements.
 - a. The district shall provide ~~pupils~~ **students** exiting grade twelve without a diploma the opportunity for continued high school enrollment to age twenty, or until the requirements for a State-endorsed diploma have been met, whichever comes first.
 - b. The district shall allow any out-of-school individual to age twenty who has otherwise met all State and local graduation requirements, but has failed to ~~pass the HISPA or applicable Competency Assessments~~ **meet the Statewide assessment graduation requirements**, to return to school at scheduled times for the purpose of **meeting the Statewide assessment graduation requirements** ~~taking the necessary test~~. Upon certification of **meeting these requirements** ~~passing the test applicable to the pupil's class in accordance with N.J.A.C. 6A:8-5.1(a)8~~, a State-endorsed diploma shall be granted by the high school of record.
3. The Commissioner of Education shall award a State-issued high school diploma in accordance with the provisions of N.J.A.C. 6A:8-5.2(c) and (d).
4. The Board of Education shall award a State-endorsed high school diploma to any currently enrolled ~~pupil student~~ formally requesting an early award of the diploma in accordance with the provisions of N.J.A.C. 6A:8-5.2(e) and Board Policy 5465.



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G. Notification

Each ~~pupil~~ **student** who enters or transfers into the high school and the ~~pupil's~~ **student's** parent(s) or legal guardian(s) will be provided a copy of the school district's requirements for a State-endorsed diploma, and the those programs available to assist ~~pupils~~ **students** in attaining the State-endorsed diploma, **in accordance with N.J.S.A. 18A:7C-5.**

11. Reporting

The Superintendent, in accordance with N.J.S.A. 18A:7C-7 and 18A:7E-3, shall report annually ~~at a public meeting not later than September 30;~~ to the Board of Education and to the Commissioner of Education ~~the number of students who completed the twelfth grade course requirements and were denied a diploma and the number of students who received State endorsed diplomas;~~

- ~~1. The total number of pupils graduated;~~
- ~~2. The number of pupils graduated under the A-HSA process;~~
- ~~3. The number of pupils receiving State-endorsed high school diplomas as a result of meeting any alternative requirements for graduation as specified in their IEPs;~~
- ~~4. The total number of pupils denied graduation from the 12th grade class; and~~
- ~~5. The total number of pupils denied graduation from the 12th grade class solely because of failure to pass the HSPA or A-HSA, based on the provisions of N.J.A.C. 6A:8-5.1(a).~~

1. The Superintendent shall provide ~~to the Executive County Superintendent~~ the district's graduation requirements each year they are evaluated through the Quality Single Accountability Continuum (QSAC) ~~to the Executive County Superintendent and update the this filed copy each time the graduation policy and requirements are revised.~~

N.J.S.A. 18A:7C-1 et seq.; 18A:35-1;

18A:35-4.9; 18A:35-7; 18A:36-17

N.J.A.C. 6A:8-1 et seq.; 6A:8-5.1; 6A:8-5.2; 6A:14-4.11 et seq.

Adopted:



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Early Graduation
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[See POLICY ALERT Nos. 153, 160, 186, and 205]

5465 EARLY GRADUATION

The Board of Education will award a State-endorsed diploma to a student that has met all State and local requirements for high school graduation. In addition, ~~(The Board of Education shall award a State-endorsed high school diploma to any currently enrolled pupil student in accordance with the provisions of N.J.A.C. 6A:8-5.2(e) who has not completed the twelfth grade.~~

In accordance with the provisions of N.J.A.C. 6A:8-5.2(e), the Board of Education ~~a State-endorsed high school diploma will~~ shall be awarded a State-endorsed high school diploma early by the Board of Education to any currently enrolled pupil student who:

1. ~~Has performed at a proficient or advanced proficient level of achievement in all sections of the HSPA or applicable High School Competency Assessments demonstrated proficiencies in the Statewide assessments as required by the New Jersey Department of Education for high school graduation;~~
2. Has presented official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education; and
3. Has formally requested an early award of a State-endorsed high school diploma.

The diploma will bear the date of its issuance. The pupil student may be permitted to participate in graduation ceremonies with his/her classmates without formal readmission to the school district on application to and approval of the high school Principal.

N.J.S.A. 18A:7C-1 et seq.
N.J.A.C. 6A:8-5.1 et seq.; 6A:8-5.2 et seq.

Adopted:



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Bus Driver/**Bus Aide** Responsibility

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[See POLICY MEMO No. 67]

[See POLICY ALERT Nos. 164 and 205]

8630 BUS DRIVER/**BUS AIDE** RESPONSIBILITY

The Board of Education requires all school bus drivers and bus aides employed by the district or employed by a contracted school bus company to be reliable persons of good moral character who possess the qualifications and ~~communication skills~~ necessary to perform the duties of the position. Anyone driving a The school bus driver will used to transport students to and from school and school related activities must meet all requirements of N.J.S.A. 18A:39-17, 18, 19.1, and 20 and all New Jersey Motor Vehicle Commission (NJMVC) rules governing school bus drivers. All school bus drivers must possess the appropriate license and endorsement(s) to drive a school bus in the State of New Jersey and are is subject to all the Federal and State requirements to maintain the appropriate license.

School bus drivers and bus aides shall meet criminal history background check requirements pursuant to N.J.S.A. 18A:6-7.1 et seq. and tuberculin testing requirements pursuant to applicable State statutes and administrative codes. School bus drivers and bus aides shall be considered under the Federal Family Educational Rights and Privacy Act (FERPA) to be school officials who have a legitimate educational interest to parts of a student's record relating to transportation, without parental consent, as outlined in N.J.A.C. 6A:27-12.1(j)1. School bus drivers and bus aides shall receive training in the use of a student's educational records and in their responsibility to ensure the privacy of the student and his or her records. In addition, permanent and substitute school bus drivers and bus aides shall be trained for the functions of their positions and in a safety education program as outlined in N.J.A.C. 6A:27-11.2(b) and (c).

In accordance with the provisions of N.J.S.A. 18A:39-28, school bus drivers must visually inspect the school bus they are assigned at the end of the transportation route to determine that no student has been left on the bus.

The school bus driver shall be in full charge of the school bus at all times and shall be responsible for maintaining order. The school bus driver will never exclude a student pupil from the school bus, but if unable to manage a student pupil, the school bus driver will report the unmanageable student pupil to the Principal or designee of the school in which the student pupil attends.



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Bus Driver/Bus Aide Responsibility

The Principal or designee, upon such report from the school bus driver, may assign appropriate discipline. The discipline may include excluding the ~~student pupil~~ from the bus. ~~and The student's parent pupil's parent(s) or legal guardian(s)~~ shall provide for the ~~student's pupil's~~ transportation to and from school during the time of exclusion.

In the event of an emergency, the school bus drivers shall follow procedures established by this Board. School administrators shall organize and conduct emergency exit drills at least twice within the school year for all students who are transported to and from school. All other students shall receive school bus evacuation instruction at least once per year. School bus drivers and bus aides shall participate in the emergency exit drills, which shall be conducted on school property and shall be supervised by the Principal or person assigned to act in a supervisory capacity. Drills shall be documented in the minutes of the Board of Education at the first meeting following completion of the emergency exit drill in accordance with the provisions of N.J.A.C. 6A:27-11.2(d).

The school bus driver will immediately inform the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation following an accident that involves injury, death, or property damage. The school bus driver must also complete and file within ten days of the accident the a Preliminary School Bus Accident Report prescribed by the Commissioner of Education. In addition to the Preliminary School Bus Accident Report, the driver of a school bus involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of \$500, shall complete and file within ten days after such accident a motor vehicle accident report in accordance with N.J.S.A. 39:4-130, and provide the Report to the Principal of the receiving school by the end of the next working day. The Principal of the receiving school shall retain a copy of the Report and forward other copies of the Report as prescribed by the New Jersey Department of Education.

A school bus driver, during the driver's work schedule, may only use a cellular, or other wireless telephone, for school related business. ~~The driver is School bus drivers are prohibited from using a cellular, or other wireless telephone, while operating a school bus. A cellular, or other wireless telephone, may only be used for school related business by the school bus driver while operating the school bus, when unless the school bus is parked in a safe area off a highway or in an emergency situation pursuant to N.J.S.A. 39:3B-25. A school bus driver who violates this policy provision is subject to fines pursuant to N.J.S.A. 39:3B-25.~~



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Bus Driver/Bus Aide Responsibility

The School bus drivers are is responsible for the safety of ~~their his/her pupils~~ students and shall rigorously observe all motor vehicle laws and regulations and State Board of Education rules in the operation of ~~his/her~~ their school bus.

N.J.S.A. 18A:25-2; 18A:39-28

N.J.S.A. 39:3B-25

N.J.A.C. 6A:27-11.1 et seq.; 6A:27-12.1 et seq.

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[See POLICY ALERT Nos. 164 and 205]

R 8630 EMERGENCY SCHOOL BUS PROCEDURES

A. Staff Training

1. The Board of Education will administer a safety education program for all permanent and substitute school bus drivers and bus aides. At a minimum, the training shall include:
 - a. Student management and discipline;
 - b. School bus accident and emergency procedures;
 - c. Conducting school bus emergency exit drills;
 - d. Loading and unloading procedures;
 - e. School bus stop loading zone safety;
 - f. Inspecting the school vehicle for students left on board the bus at the end of a route; and
 - g. The use of student's educational records, including the district's responsibility to ensure the privacy of the student and his or her records, if applicable.
2. The district shall administer a safety education program to school bus drivers that includes defensive driving techniques and railroad crossing procedures.

The following procedures apply to all school bus drivers employed by the Board of Education or under contract with the Board of Education for the transportation of pupils to and from school or in the course of an activity sponsored by the Board of Education:

BA. Emergency Bus Evacuation Exit Drills

1. The Principal of each school shall organize and conduct emergency bus exit drills at least twice each school year for students pupils who are transported to and from school and all other students shall receive school bus evacuation instruction at least once within the school year at least once per year for all other pupils.



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2. ~~The School bus drivers and bus aides shall will~~ participate in the emergency exit drills.
3. Bus exit drills will be conducted on school property and ~~shall will~~ be supervised by the Principal or by a person assigned ~~by the Principal to act in a supervisory capacity supervise the drill.~~ The drills will be conducted when weather is conducive to safety and preferably when the bus arrives at school with a full complement of ~~students pupils~~.
4. The portion of the drill involving the use of the rear emergency door, which requires ~~students pupils to jump from the bus to the ground a thirty-inch drop; does need not to be performed by every student pupil; a few pupils and may be demonstrated by for the others.~~
5. The school bus driver or supervisor of the drill shall:
 - a. Describe and demonstrate the use of kick-out windows and split-sash windows;
 - b. Describe the location and use of flares, flags, fire ax, and other emergency equipment;
 - c. Give instruction in the opening and closing of front and rear doors, turning off the ignition switch, and setting and releasing the emergency brake;
 - d. Explain that the bus will be evacuated by the front door when the bus is damaged in the rear and by the rear door when the front door is blocked;
 - e. Demonstrate the use of the emergency exit door;
 - f. Instruct ~~students pupils~~ that lunches and books should be left on the bus in the evacuation procedure;
 - g. ~~Encourage~~ Appoint older, bigger ~~students pupils~~ to assist younger, smaller ~~students pupils~~ in their exit from the bus;



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- h. Have ~~students~~ pupils leave the bus one row at a time, left and right sides alternating, in a prompt and orderly fashion;
 - i. Instruct ~~students~~ pupils to group in a safe place ~~at least fifty "giant-steps" distance~~ away from the bus and to wait in that place until directed by the driver, a police officer, or other adult in authority; and
 - j. Tolerate no ~~student~~ pupil misbehavior in the conduct of the drill; the failure of any ~~pupil~~ student to follow directions must be reported to the Principal; and
 - k. Provide any other training that will protect the safety of the students in the event the bus needs to be exited due to an emergency.
6. In accordance with the provisions of N.J.A.C. 6A:27-11.2(d), emergency bus evacuation drills shall be documented in the minutes of the Board at the first meeting following completion of the emergency exit drill. The minutes shall include, but are not limited to, the following:
- a. The date of the drill;
 - b. The time the drill was conducted;
 - c. The school name;
 - d. The location of the drill;
 - e. The route number(s) included in the drill; and
 - f. The name of the Principal or assigned person(s) who supervised the drill.

CB. Additional Precautions

- 1. School bus drivers may, depending on the age of the students on a bus route, discuss with the students additional safety precautions that may be taken in the event of a bus emergency. The safety precautions to be discussed shall be approved by the
(Transportation Supervisor or
Principal or designee).



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- A ~~(pupil leader, school bus aide, adult monitor, or other)~~ will be appointed to assist the school bus driver. A ~~pupil leader will be selected on the basis of the pupil's maturity, ability to lead, and, where possible, residency near the furthest point of the bus route; written parental approval must be secured. The~~ ~~will be trained to substitute for the bus driver in the event of the driver's incapacitation.~~
2. School bus drivers shall attend training workshops offered by the New Jersey Department of Education and this school district and shall be trained in first aid.
 3. Each school bus shall be equipped with:
 - a. A list of the ~~pupils~~ **students** assigned to that bus;
 - b. A first aid kit approved by the school ~~nurse~~ **medical inspector** and inspected regularly by the ~~school bus driver~~ **school nurse**;
 - c. Several emergency notice cards on which are printed the telephone numbers of the appropriate police department, the receiving school, and an emergency medical service and on which is provided a space for writing the location of a disabled school bus and the name of the bus driver; and
 - d. Flags or flares or other warning devices; and
 - e. **Any other equipment or supplies determined to be included on the school bus by the administration.**
 4. Each school bus driver shall:
 - a. **Inspect Daily** ~~survey~~ his/her bus for possible hazards or safety concerns **before driving the bus each day**;
 - b. Keep aisles and passageways clear at all times;
 - c. **Maintain student** ~~pupil~~ discipline on the bus;



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- d. Prohibit the presence of any **non-service** animal, firearm, ammunition, weapon, explosive, or any other dangerous or **illegal** material or object on the school bus;
- e. Report promptly to the _____ (**Principal, Transportation Supervisor, Other**) any potential driving hazard on his/her route, such as construction, road work, etc.;
- f. Report promptly to the _____ (**Principal, Transportation Supervisor, Other**) any deviation in the bus route or schedule;
- g. Drive at safe speeds at all times and exercise extraordinary care in inclement weather;
- h. Know and obey all motor vehicle laws and regulations and State Board of Education regulations; and
- i. Not smoke, eat, or drink **while in or operating the bus at any time** ~~any liquid~~ or perform any act or behave in any manner that may impair the safe operation of the school bus ~~while it is transporting pupils~~;
- j. **Visually inspect the school bus at the end of each transportation route to determine that no student has been left on the bus; and**
- k. **Not allow a student on board a school bus unless the bus driver or other employee of the Board or school bus contractor is also on board the bus. This shall not apply when a school bus driver leaves the bus to assist in the boarding or exiting of a disabled student or in the case of an emergency.**

DE. General Emergency Rules

- 1. **The School bus drivers are is responsible for the safety of the students pupils on their his/her bus. In the event of an emergency, the school bus drivers must exercise responsible leadership. The safety and well-being of students pupils must be**



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~~the driver's~~ **drivers'** paramount consideration. ~~The School bus drivers shall will stay with their his/her students pupils at all times until another school staff member, law enforcement officer, or a first responder can assume responsibility for the safety of the students.~~

2. ~~School~~ **The bus drivers** may not leave the school bus when children are aboard except in an emergency and, then, only after ~~he/she has they have turned off the engine stopped the motor,~~ removed the ignition key, and safely secured the school bus set ~~the auxiliary brake, and put the transmission in gear for a standard transmission or in "Park" for an automatic transmission.~~
3. A school bus must be evacuated when:
 - a. There is a fire in the engine or any other portion of the bus;
 - b. There is a danger of fire because the bus is near an existing fire or a quantity of gasoline or other highly combustible material and is unable to move away; or
 - c. The bus is disabled for any reason and
 - (1) Its stopping point is in the path of a train or is adjacent to a railroad track,
 - (2) A potential exists for the position of the bus to shift thus endangering **students pupils**, or
 - (3) The stopping point (e.g., on a hill, curve, or near an obstruction) fails to provide oncoming traffic with at least 300 feet visibility of the bus, thus creating the danger of a collision; or
 - d. **The risk of remaining in the bus poses a greater safety risk than evacuating the bus.**
4. When a school bus is evacuated, ~~students pupils~~ shall leave the bus by the exit(s) and in the manner that affords maximum safety in the circumstances.



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5. ~~Students~~ Pupils who have been evacuated from a school bus shall be moved to a safe place ~~and distance at least 100 feet~~ from the bus and remain there until the driver or, if the driver is incapacitated, another person in authority has determined that no danger remains or until other **alternative safety** provisions can be made.
6. No ~~student~~ pupil shall be allowed to request a ride with a passerby or proceed to walk home or leave the scene without the specific approval of the bus driver, a police officer, or other person in authority.
7. In the event ~~Whenever~~ a school bus is disabled in the course of providing ~~student~~ pupil transportation, the driver, or a responsible person ~~designated~~ appointed by the driver, will notify the ~~(Principal of the receiving school, Transportation Supervisor, School Business Administrator, Other)~~ of the number and location of the bus and the circumstances of the disability. The ~~(Principal of the receiving school, Transportation Supervisor, School Business Administrator, Other)~~ will make arrangements for the safety of the ~~students~~ pupils involved, by substitute transportation or otherwise.

ED. Specific Emergency Situations

1. In the event of an accident or vehicle failure the following procedures will be implemented.
 - a. The school bus driver shall, in person or through a responsible ~~designee~~ delegate, summon the police and emergency medical services, if necessary, and notify the Principal of the receiving school and the School Business Administrator, or designee, of the district providing the transportation.
 - b. The school bus driver will attempt to make all ~~students~~ pupils as safe and comfortable as possible. If possible and necessary, the driver will administer emergency first aid to injured ~~students~~ pupils.



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- c. ~~Each pupil on a school bus involved in an accident must be examined for possible injuries, whether or not the pupil appears to have been injured. In the event the school medical inspector is not immediately available, pupils will be examined by the school nurse or by the pupil's personal physician. A written report must be made of the medical condition of each pupil on the bus and submitted to the~~
(Principal of the receiving school, Transportation Supervisor, School Business Administrator, Other).

In the event of an accident with no apparent or actual injuries and when law enforcement officials permit the bus to continue on its route after investigating the accident the school nurse will:

- (1) If the accident occurred on the way to school or during school hours, examine any student who is feeling or displaying any symptoms of any injuries from the accident when the bus arrives at school; or
 - (2) If the accident occurred on the way home from school, examine any student who is feeling or displaying any symptoms of any injuries from the accident the next school day or if the parent of a student requests the school nurse examine their child the next school day.
- d. In the event of an accident where students are injured, a student(s) may be transported to a hospital if it is determined by law enforcement, medical, and/or first aid staff at the accident scene additional medical treatment is required.
- (1) If the accident occurred on the way to school or during school hours, the school nurse will examine any student not transported to the hospital who is feeling or displaying any symptoms of any injuries from the accident when the bus arrives at school.



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- (2) If the accident occurred on the way home from school, the nurse will examine any student feeling or displaying any symptoms of any injuries from the accident the next school day or if the parent of a student requests the school nurse examine their child the next school day.
- ed. If another vehicle(s) is involved, the bus driver will obtain the following information from the driver(s) of that vehicle(s) or from law enforcement officers at the accident scene: driver's name, driver's license number, vehicle owner's name and address, vehicle registration number, owner's insurance company and policy number, and a description of the vehicle (color, make, year, body type).
- e. ~~The driver will obtain the names and addresses of persons involved in the accident and, if possible, of witnesses.~~
- f. The following notifications must be provided:
- (1) The school bus driver must report immediately to the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation, any accident that involves an injury, death, or property damage. In addition, the bus driver must complete and file the Preliminary School Bus Accident Report prescribed by the **Commissioner of Education** Department of Education with the Principal of the receiving school. ~~The written accident report must be accurate and complete.~~
 - (2) The Principal of the receiving school shall retain a copy of the Report and forward other copies of the Report as prescribed by the New Jersey Department of Education.



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- (3) In addition, a school bus driver involved in an accident resulting in injury or death of any person, or **damage to property of any one person** damage in excess of \$500 shall **complete and file**, within ten days after ~~such~~ the accident ~~complete and file~~ a Motor Vehicle Accident Report in accordance with N.J.S.A. 39:4-130.
 - (4) The ~~parent(s) or legal guardian(s)~~ of ~~students~~ pupils involved in a school bus accident shall be notified as quickly as possible commensurate with the severity of the accident and injuries, if any, and hospital placement of their child if transported to a hospital by ~~per~~ ambulance or by other emergency personnel report.
2. In the event the school bus driver is incapacitated, the following procedures will be implemented:
 - a. A school bus driver is incapacitated when he/she is unable to operate the school bus safely or when his/her driving ability is significantly impaired by the driver's physical or mental condition.
 - b. If there is a bus aide on the bus, the bus aide will take steps necessary to have the bus pulled off the road to a safe location and shall contact school officials or emergency services for assistance. ~~When the school bus driver is incapacitated, the _____ (pupil leader, school bus aide, adult monitor, other (see paragraph B1)) shall take charge of the bus and will be responsible for implementing these procedures. If a bus aide is not on the bus, the bus driver shall pull the bus off the road to a safe location and contact school officials or emergency services for assistance.~~
 - c. ~~If necessary,~~ The bus shall will be stopped, with due consideration for the safety of its passengers, the motor turned off, the ignition key removed, and safely secure the bus the auxiliary brake set.



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- d. ~~If necessary, the _____ (pupil-leader, school bus aide, adult monitor, other (see paragraph B1)) shall summon emergency medical services to aid the driver.~~
- e. ~~The _____ (pupil-leader, school bus aide, adult monitor, other (see paragraph B1)) shall, in person or through a responsible delegate, immediately notify the _____ (Principal of the receiving school, Transportation Supervisor, School Business Administrator, Other) of the number and location of the bus and, to the extent that it is known, the condition of the driver.~~
- df. The _____ (Principal of the receiving school, Transportation Supervisor, School Business Administrator, Other) shall immediately arrange for the transportation of the **students pupils** by substitute driver, substitute bus, or other means.
3. In the event of an injury to a **student pupil** on the bus, at a bus stop, or along a transportation route, not incurred as the result of a school bus accident, the following procedures will be implemented.
- a. In the absence of another responsible adult in authority, the school bus driver will take charge of a **student pupil** who has been injured or disabled on a school bus, at a school bus stop, or along the transportation route traveled by the school bus.
- b. If necessary, first aid will be administered.
- c. If the **student's pupil's** injury is serious, emergency medical services will be summoned; the school bus driver or a responsible adult appointed by the bus driver will remain with the **student pupil** until emergency medical help arrives.
- d. If the **student's pupil's** injury is not serious, and



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- (1) Occurs on the way to the school, the school bus driver will deliver the injured student pupil to the school nurse for examination and such treatment or referral as may be required. The school nurse will notify the student's pupil's parent(s) or legal guardian(s).
 - (2) Occurs on the way to the student's pupil's home, the school bus driver or another school district staff member will deliver the injured student pupil to his/her parent(s) or legal guardian(s) or to a responsible adult at the student's pupil's home or if no one is home the injured student pupil will be transported back to a school district location until a parent or another responsible adult can be contacted. If it is determined the student may need medical treatment and a parent or responsible adult cannot be contacted, the child may be transported to the school physician's office or to the nearest hospital emergency room.
 - (3) Occurs on the way to or from an extracurricular event, the school bus driver will notify a professional staff member assigned to the activity, who will take charge of the student pupil and notify the student's pupil's parent(s) or legal guardian(s).
- e. The school bus driver will immediately report the incident and any injuries to the Principal or designee of the school in which the student pupil is enrolled. The Principal may request that the school medical inspector examine the pupil or may request the pupil's parent(s) or legal guardian(s) to submit the report, if any, of the examining physician.

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Document L - Policies 2nd Reading/Adoption

Wednesday, February 17, 2016 10:53 AM

District Policy

5756- TRANSGENDER STUDENTS

Section: Students
Date Created:
Date Edited:

The Board of Education is committed to provide a safe, supportive, and inclusive learning environment for all students. In furthering this goal, the Board adopts this Policy to address the needs and rights of transgender/ and gender nonconforming students enrolled in the school district and to ensure all students have equal educational opportunities and equal access to the school district's educational programs and activities. The Board of Education, administration, and all school staff members will comply with Federal and State laws and regulations regarding transgender students and no student shall be subjected to discrimination on the basis of gender, gender identity or gender expression.

For purposes of this policy:

1. "Gender expression" is defined as the manner in which an individual expresses gender to others. This may include characteristics and behaviors, such as appearance, dress, mannerisms, speech patterns and social interactions.
2. "Gender identity" is defined as having, or being perceived as having, a gender-related identity or inner sense of self, regardless of the sex assigned to an individual at birth and regardless of whether or not stereotypically associated with a person's assigned sex at birth.
3. "Gender identity or expression" also means having or being perceived as having a gender-related identity or expression whether or not stereotypically associated with a person's assigned sex at birth.
4. "Gender nonconforming" is defined as an individual whose gender identity or expression does not conform to societal expectations for those assigned to that gender at birth.
5. "Transgender" is defined as an individual whose gender identity or gender expression is different from the sex which was assigned to an individual at birth.

The Board of Education believes the responsibility for determining and presenting a student's gender-related identity rests with the student or, in the case of young students not yet able to advocate for themselves, with the parent. Therefore, the Board will accept a student's assertion of his or her gender identity when there is a consistent and uniform assertion of the gender-related identity, demonstrating that the gender-related identity is a sincerely held as part of the student's core identity.

Gender or gender-related identity shall be provided to the school district by a parent of a student or by an adult student upon initial registration in the school district. However, if the student no longer identifies with the gender provided at registration, the parent or adult student may submit a letter to the administration, indicating the student's newly asserted gender identity. In the event

the parent does not consent to/agree with the student's gender identity, the Superintendent or designee may meet with the student or the student and the parent to determine how the student's gender identity shall be addressed by the school district, on a case-by-case basis and as requested.

The Board recognizes school related issues regarding a transgender or gender nonconforming students may arise and may vary on a case-by-case basis. Therefore, the Superintendent of Schools or designee will meet with the parent and/or the student to discuss school related issues. The issues to be discussed shall include, but are not limited to, the following:

1. Names/Pronouns – The school district will honor the request of the student to have the student addressed by a name or pronoun different from those associated with the student's gender at birth.
2. Student Records – The school district's official, permanent student record will be maintained in accordance with Federal law, State statutes, and administrative code and will indicate the legal name and gender appearing on the student's birth certificate, unless there is a legal name change. The school district will use the name requested by the student in other school related documents to include, but not be limited to, library cards, school photographs, grade books, posted lists of student names, and any other places where students' names are commonly used or written.
3. Restrooms – Transgender students shall have access to the restroom that corresponds to their gender identity. Transgender students may also be given use and access to a gender-neutral if available and if the student chooses to utilize the gender-neutral restroom.
4. Locker Rooms/Changing Facilities – Transgender students shall have access to locker room/changing facilities that correspond to their gender identity. Transgender students may also be given access to and use of a gender-neutral locker room/changing facility, if available and if the student chooses to utilize gender-neutral locker rooms/changing facilities. The school district will make available a reasonable alternative changing area for a transgender student, if requested.
5. Physical Education Classes – Transgender students shall be permitted to participate in physical education classes in a manner consistent with their gender identity.
6. Intramurals Programs – A transgender student's participation in the school district's intramural athletic programs shall be in accordance with the eligibility requirements for participation in interscholastic athletics as determined by the New Jersey Interscholastic Athletic Association.
7. Interscholastic Athletics – A transgender student's participation in the school district's interscholastic athletic programs shall be in accordance with eligibility requirements for participation in interscholastic athletics as determined by the New Jersey State Interscholastic Athletic Association.
8. Dress Codes – Transgender students shall comply with the dress code requirements that correspond to their gender identity.

In the event a student no longer identifies with a previously asserted gender other than his/her gender at birth, a parent of the student may submit a letter to the Superintendent of Schools indicating the student is no longer gender nonconforming. The school district will follow the same procedures regarding students who are no longer gender nonconforming as they follow for students who present as gender nonconforming, as stated above.

The school district, the administration and school staff members will ensure the privacy of any student's transgender status and will not disclose a student's transgender status unless required in accordance with any Federal law, State statute, administrative code, or if the parent and student have authorized such disclosure.

Adopted:

Revised:

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Outstanding Food Service Charges

Jul 15

[See POLICY ALERT No. 206]

8550 OUTSTANDING FOOD SERVICE CHARGES

The Board of Education understands a student may forget to bring breakfast or lunch, as applicable, or money to purchase breakfast or lunch to school on a school day. When this happens, the food service program will provide the student with breakfast or lunch with an expectation payment will be made the next school day or shortly thereafter. However, there may be circumstances when payment is not made and a student's school breakfast/lunch bill is in arrears. The school district will manage a student's breakfast or lunch bill that is in arrears in accordance with the provisions of N.J.S.A. 18A:33-21 and this Policy.

In the event a student's school lunch or breakfast bill is in arrears, the Principal or designee shall contact the student's parent to provide notice of the amount in arrears and shall provide the parent a period of ten school days to pay the full amount due. If the student's parent does not make full payment to the Principal or designee by the end of the ten school days, the Principal or designee shall again contact the student's parent to provide a second notice that their child's lunch or breakfast bill is in arrears. If payment in full is not made within one week from the date of the second notice, the student

[Select one option

~~_____ will not be served school breakfast or lunch, as applicable, beginning the eighth calendar day from the date of the second notice.~~

 X will be provided a basic lunch that will contain the essentials in balanced nutritional selections as prescribed by the Bureau of Child Nutrition Programs, New Jersey Department of Agriculture beginning the eighth calendar day from the date of the second notice.]

A parent who has received a second notice their child's lunch or breakfast bill is in arrears and who has not made payment in full within one week from the date of the second notice will be requested to meet with the Principal or designee to discuss and resolve the matter. In the event the parent refuses to meet with the Principal or designee or is unable to resolve the matter, the Principal or designee will report the parent's failure to provide breakfast or lunch, as applicable, for the child, to the New Jersey Department of Children and Families, Division of Child Protection and Permanency.



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Outstanding Food Service Charges

This provisions of N.J.S.A. 18A:33-21 and this Policy will be made available to parents of all children in the school district in a manner as determined by the Superintendent.

N.J.S.A. 18A:33-21

Adopted:



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POLICY GUIDE

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Service Animals
Oct 15

[See POLICY ALERT No. 207]

5337 SERVICE ANIMALS

In compliance with Title II of the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008, it is the policy of the Board to permit use of a service animal by an individual with a disability in all areas of the district where the public is normally permitted: in district buildings; on district property; and on vehicles owned, leased, or controlled by the district. (28 CFR §35.136)

A. Definitions

1. "Act" means the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008.
2. "Designated administrator" means Principal or person designated by the Principal to coordinate these activities.
3. "District" means this school district.
4. "Handler" means the animal's owner or a person, such as a trainer, assisting the owner with control of the service animal.
5. "Service animal" means a dog individually trained to do work or perform a specific job or task for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. (28 CFR §36.104)
 - a. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.
 - b. The work or tasks performed by a service animal must be directly related to the individual's disability (e.g. navigation, alerting physical support and assistance, preventing or interrupting impulsive or destructive behaviors).
 - c. Work or tasks for the purposes of this definition do not include the provision of emotional support, well-being, comfort, therapy, companionship, or crime deterrence.



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B. Generally

1. The district shall permit the use of a service animal by an individual with a disability unless:
 - a. The animal is out of control and the animal's handler does not take effective action to control it;
 - b. The animal is not housebroken.
2. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g. voice control, signals, or other effective means). (28 CFR §35.136(d))
3. If an animal is properly excluded, the district shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises. (28 CFR §35.136(b))
4. If there are places in the district where it is determined to be unsafe for a handler and service animal, reasonable accommodations will be provided to assure the individual equal access to the activity.
5. Unless the need for a service animal is readily apparent, the handler will be required to provide the district with information that:
 - a. The service animal is required because of a disability; and
 - b. What work or task the animal has been trained to perform.
6. The district may not require documentation, including proof that the animal has been certified, trained, or licensed as a service animal; nor that the dog demonstrates its ability to perform the work or task. (28 CFR §35.136(f))



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7. Individuals who have service animals are not exempt from local animal control or public health requirements.

8. Service animals must be licensed and registered in accordance with State and local laws.

C. Delegation of Responsibility

1. The district is not responsible for the care or supervision of a service animal. (28 CFR §35.136(e))

2. If the district normally charges individuals for damage they cause, an individual with a disability may be charged for damage caused by his or her service animal. (28 CFR §35.136(h))

3. The district will designate relief areas for the service animal which will be included in mobility training and orientation of students and animals new to the school.

D. Notification and Responsibilities

1. In the event a service animal will be introduced as part of the school community, the designated administrator will develop a comprehensive implementation plan prior to introduction of the service animal into the school to include:

a. Notification to parents of students who may be in contact with the service animal;

b. Appropriate etiquette regarding service animals to include:

(1) Never pet a service animal while it is working;

(2) Never feed a working service animal;

(3) Do not deliberately startle, tease, or taunt a service animal;

(4) Do not hesitate to ask the handler if he or she would like assistance regarding directions or the facility.



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2. The use of a service animal introduced as part of the school community will require inclusion into the student's Individualized Education Plan (IEP) or the student's Section 504 Accommodation Plan.
3. The district will require that the owner of a service animal introduced as part of the school community and, as included in the student's IEP or Section 504 Accommodation Plan, maintain liability insurance for the service animal in the amount required by the Board of Education.

E. Miniature Horses

1. Miniature horses, although not included in the Act under the definition of "service animal," may only be permitted if individually trained to do work or perform tasks for the benefit of the individual with a disability and if they meet the assessment factors outlined in 3. below. (28 CFR §35.136(i))
2. Ponies and full size horses are not considered miniature horses.
3. Assessment factors to determine whether the district can reasonably modify its policies, practices, and procedures to allow for the use of miniature horses on its property, facilities, or vehicles include:
 - a. Type, size, and weight of the miniature horse and whether the facility can accommodate those features;
 - b. Whether the handler has sufficient control of the miniature horse;
 - c. Whether the miniature horse is housebroken; and
 - d. Whether the miniature horse's presence compromises legitimate safety requirements necessary for safe operation.
4. All requirements for the use of service animals also apply to the use of miniature horses.

28 CFR §35.136
28 CFR §36.104

Adopted:



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