

## 2431 ATHLETIC COMPETITION (M)

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The Board of Education recognizes the value of a program of athletic competition for both boys and girls as an integral part of the total school experience. Game activities and practice sessions provide opportunities to learn the values of competition and good sportsmanship. Programs of athletic competition, both intrascholastic and interscholastic, offer students the opportunity to exercise and test their athletic abilities in a context greater and more varied than that offered by the class or school or school district alone, and an opportunity for career and educational development.

For purpose of this Policy, programs of athletic competition include all activities relating to competitive sports contests, games, events, or sports exhibitions involving individual students or teams of students when such events occur within or between schools within this district or with any schools outside this district. The programs of athletic competition shall include, but are not limited to, high school interscholastic athletic programs, middle school interscholastic athletic programs where school teams or squads play teams or squads from other school districts, and/or intramural athletic programs within a school or among schools in the district and any cheerleading program or activity in the school district.

#### Eligibility Standards

A student who wishes to participate in a program of athletic competition must submit, on a form provided by the district, the signed consent of his/her parent. The consent of the parent of a student who wishes to participate in a program of athletic competition will include an acknowledgment of the physical hazards that may be encountered in the activity.

Student participation in a program of athletic competition shall be governed by the following eligibility standards:

1. A student in grades 6 through 8 is eligible for participation in school district sponsored programs of athletic competition if he/she passed all courses required for promotion or graduation in the preceding semester as documented by the home school instructor or the school district.
2. A student in any grade must maintain a satisfactory record of attendance to be eligible for participation in school district sponsored programs of athletic competition. An attendance record is unsatisfactory if the number of unexcused



absences exceed 10 school days in the semester prior to the student commencing participation in school district sponsored programs of athletic competition.

A student who is absent, either excused or unexcused, for a school day may not participate in school district sponsored programs of athletic competition the afternoon or evening of that school day. The same requirement shall stand for a home-schooled student.

A student who is serving an in-school or out-of-school suspension may not participate in school district sponsored programs of athletic competition while serving the suspension.

3. A student in any grade who fails to observe school rules for student conduct may forfeit his/her eligibility for participation in school district sponsored programs of athletic competition.
4. A student must either be a resident in the district or attend school as a regular or tuition student to be eligible for participation in school district sponsored programs of athletic competition.
5. **A student in grade 5 is eligible to participate in practice but not competition for non-cut programs, including wrestling, if he/she meets the other requirements imposed on students in grades 6 through 8 for participation.**

Notice of the school district's eligibility requirements shall be available to students.

#### Required Examinations – Interscholastic or Intramural Team or Squad

Students enrolled in grades six to twelve must receive a medical examination, in accordance with the provisions of N.J.S.A. 18A:40-41.7, prior to participation on a school-sponsored interscholastic or intramural team or squad and any cheerleading program or activity.

The examination shall be conducted within 365 days prior to the first day of official tryout or practice in an athletic season with examinations being conducted at the medical home of the student. The "medical home" is defined as a health care provider and that provider's practice site chosen by the student's parent for the provision of health care. If a student does not have a medical home, the school district shall provide the examination at the school physician's office or other comparably equipped facility. The parent may choose either the school physician or their own private physician to provide this medical examination. The medical examination required prior to participation shall be in accordance with the requirements as outlined in



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N.J.A.C. 6A:16-2.2(h)1 and Regulation 2431.2 and shall be documented using the Preparticipation Physical Evaluation form required by the Department of Education.

Information concerning a student'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. The health findings of this medical examination shall be maintained as part of the student's health record.

### Emergency Procedures

Athletic coaches shall be trained in first aid to include sports-related concussion and head injuries, the use of a defibrillator, the identification of student athletes who are injured or disabled in the course of any athletic program or activity, and any other first aid procedures or other health related trainings required by law or the Superintendent.

The Superintendent shall prepare and present to the Board for its approval procedures for the emergency treatment of injuries and disabilities that occur in the course of any athletic program or activity. Emergency procedures shall be reviewed not less than once in each school year and shall be disseminated to appropriate staff members.

### Interscholastic Standards

The Board shall approve annually a program of interscholastic athletics and shall require that all facilities utilized in that program, whether or not the property of this Board, properly safeguard both players and spectators and are kept free from hazardous conditions.

The Board adopts the Constitution, Bylaws, Rules, and Regulations of the New Jersey State Interscholastic Athletic Association as Board policy and shall review such rules on a regular basis to ascertain they continue to be in conformity with the objectives of this Board.

N.J.S.A. 2C:21-11

N.J.S.A. 18A:11-3 et seq.

N.J.A.C. 6A:7-1.7; 6A:16-1.4; 6A:16-2.1 et seq.

Adopted: 24 January 2006

Revised: 24 July 2012

Revised: 26 April 2016



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[See POLICY ALERT Nos. 152, 155, 159, 185 and 211]

## R 2460.1 SPECIAL EDUCATION - LOCATION, IDENTIFICATION, AND REFERRAL

All students with disabilities, who are in need of special education and related services, including students with disabilities attending nonpublic schools, and highly mobile students such as migrant ~~workers' children~~ and homeless students regardless of the severity of their disabilities, are located, identified and evaluated according to N.J.A.C. 6A:14-3.3.

### A. Procedures for Locating Students With Disabilities

1. The Supervisor of Pupil Services will coordinate the child find activities to locate, identify and evaluate all children, ages three through twenty-one, who reside within the school district or attend nonpublic schools within the school district and who may **have a disability** ~~be disabled~~.
2. By November 1 of each school year, the Supervisor of Pupil Services or his/her designee will conduct child find activities, **in the native language of the population, as appropriate**, including but not limited to:
  - a. Development of child find materials for distribution.
  - b. Broadcasting of child find information on the school district cable television station. (if applicable)
  - c. Distribution of flyers to the parents of all students enrolled in the school district.
  - d. Mailing of child find material to nonpublic schools in the area.
  - e. Mailing of child find material to local pediatricians, hospitals and clergy.





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- f. Public service announcements on the local foreign language radio stations and cable television stations. ~~in the following languages (list languages)~~

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~~or~~

~~The Superintendent or designee ensures that if any native language speakers for languages other than English are identified, public service communications will include but not be limited to native language announcements on local foreign language radio stations and/or cable television stations.~~

- g. Public service announcements in local newspapers.
- h. Distribution of child find materials in supermarkets, convenience stores, shelters for the homeless, public and private social service agency locations and nursery school providers.
- i. Mailing information letters to local physicians, hospitals, nursery schools, non-public schools, health departments, community centers, rescue squads and churches.
- j. A guide to preschool services for potentially disabled children ages three to five is made available to parents and nonpublic schools.
- k. Posting of State developed child find materials in each school and the district office for potentially disabled students and/or early intervention program.
- l. Training of home school advocate/school community liaisons or others to assist in the identification of potentially disabled students.



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- m. Listings of Early Intervention Program (EIP), local nursery schools and pediatricians are maintained. The district's preschool coordinator (or other) maintains contact with EIP coordinator and nursery school director.
- n. Information is distributed through the Parent Advisory Committee.
- o. School handbooks distributed to parents contain information describing special education services.
- p. Distribution of information to the school district's ESL/Bilingual teachers describing child find activities.
- q. Students entering Kindergarten are screened to identify ~~potentially disabled~~ students **who may have a disability**.
- r. Intervention and Referral Services Committees (I&RS) have been established in all school buildings.
- s. (Insert any other procedures specific to district.)

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- 3. No later than October 1 of each school year the Supervisor of Pupil Services will contact by mail the director or principal of the nonpublic school(s) to request input from nonpublic school parents and officials for suggestions on ways to conduct child find activities for students attending nonpublic schools.



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The child find activities for nonpublic students shall be comparable to the child find activities for public school students.

The following individual(s) shall serve as representatives from nonpublic schools:

<u>School</u>	<u>Title of the Individual Representing the Nonpublic School</u>
_____	_____
_____	_____
_____	_____
_____	_____

Based on the suggestions from the representatives of the nonpublic schools and parent(s), the Supervisor of Pupil Services will modify the child find activities for the next school year, as appropriate.

## B. Procedures for Intervention in the General Education Program

A staff member or agency shall provide in writing a request for intervention services for students ages 3 to 14, (indicate ages of students present in the school district) to the Building Principal or designee. The request shall contain the following:

1. Reason for request (including parental or adult student request);
2. Descriptive behavior of student performance; and
3. Indication of the prior interventions.

Teachers and other school professionals, as appropriate, will be in-serviced annually by the Building Principal or designee regarding the procedures for initiating and providing interventions in the general education program. The parent(s) will be informed of the procedures to initiate interventions in the general education program.



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The Superintendent or designee will oversee the district's implementation/**evaluation** and ~~effectiveness~~ of the ~~procedures~~ for interventions **identified in the general education program**.

An Intervention and Referral Services Committee (I&RS) will be in place in each school building pursuant to N.J.A.C. 6A:16-8.1 **et seq. and Policy and Regulation 2417**.

The Building Principal or designee will be responsible for the following:

1. The implementation and effectiveness of building level I&RS Committee;
2. Will identify the roles and responsibilities of building staff who participate in planning and providing intervention services; and
3. Review, assess and document the effectiveness of the services provided in achieving the outcome identified in the intervention plan.

~~\*Sample forms are located in the Resource Manual for Intervention and Referral Services published by the NJDOE.~~

4. The I&RS Committee shall:
  - a. Plan and provide appropriate intervention services;
  - b. Actively involve the parent(s) in the development and implementation of intervention plans;
  - c. Develop an action plan for an identified student which specifies specific tasks, resources, persons responsible, completion dates, date for review;
  - d. Coordinate the services of community based social and health provider agencies;
  - e. Process and complete the documentation forms;



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- f. Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan; **and**
  - g. Ensure the type, frequency, duration, and effectiveness of the interventions are documented.
5. The Building Principal will insure that:
- a. I&RS Committee receive in-service training by the Building Principal or designee by October of each school year;
  - b. Staff handbooks are updated annually and include information regarding intervention procedures;
  - c. New instructional staff attend the district's orientation program commencing in the month of August which includes information on I&RS Committee;
  - d. School calendars are distributed in the month of September and provide information on intervention services; and
  - e. Parent/student handbooks distributed in the month of September and include information on intervention services.

## C. Procedures for Referral

Referral procedures are included in professional staff handbooks and referral forms are available in the Principal's office, the Child Study Team (CST) office, and the Office of Pupil Services.

### 1. Parental Notification of Referral Procedures

Referral procedures shall be included in the district newsletter and website and in back-to-school correspondence, which shall be distributed to the parent(s). These procedures and publications shall be updated annually and be distributed to the parent(s) and appropriate social service and welfare agencies not later than October 1 of each year.



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## 2. Parent Initiated Referral

When a parent makes a written request for an evaluation to determine eligibility for services:

- a. The written request shall be received and dated by the Supervisor of Pupil Services;
- b. The written request shall be immediately forwarded to the office of special services/special education;
- c. A file will be initiated to include a timeline for processing the referral including the date that initiates the twenty-day timeline for conducting the referral/identification meeting and any forms used to open a case;
- d. Upon receipt of the referral a request for a summary and review of health and medical information regarding the student shall be forwarded to the school nurse who will transmit the summary to the ~~Child Study Team~~ (CST);
- e. The Child Study Team will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date the request was received by the district;
- f. A "Notice of a Referral/Identification Meeting" will be sent to the parent(s);
- g. The notice will contain "Parental Rights in Special Education" (PRISE) Booklet; and
- h. The referral/identification meeting will be attended by the parent(s), CST, and regular education teacher.

## 3. School Initiated Referral

Referral of a student **to the CST** may be made by administrative, instructional, or other professional staff to determine eligibility for special services when:





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- a. It is determined (optional: through the I&RS Committee) that interventions in the general education program have not **been effective in alleviating** adequately addressed the **student's** educational difficulties ~~and it is believed that the student may be disabled.~~
- b. It can be documented that the nature of the student's educational problem(s) is such that an evaluation to determine eligibility for services is warranted without delay.
- c. The Department of Pupil Services, through in-service training, shall ensure that students **are referred** who may **have a disability, but** ~~be potentially disabled are referred even though they are advancing from grade to grade.~~
  - (1) **A student with a disability, who is advancing from grade to grade with the support of specially designed services, may continue to be eligible when:**
    - (a) **As part of the re-evaluation, the Individualized Education Plan (IEP) team determines that the student continues to require specially designed services to progress in the general education curriculum; and**
    - (b) **The use of functional assessment information supports the IEP team's determination.**

The following procedure will be followed for a school initiated referral:

- a. A referral to the CST will be completed by the referring staff member;



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- b. I&RS documentation including, but not limited to: teacher reports, grades and other relevant data (optional: the intervention record) shall be forwarded with the referral to the CST along with any other relevant data;
  - c. I&RS documentation does not need to be forwarded for direct referral when the nature of the student's problem is such that the evaluation is warranted without delay;
  - d. The referral should be dated upon receipt by the CST;
  - e. A file will be initiated to include a timeline for processing the referral including the date that initiates the twenty-day timeline for conducting the referral/identification meeting;
  - f. Upon receipt of the referral, a request for a summary and review of health and medical information regarding the student shall be forwarded to the school nurse who will transmit the summary to the CST;
  - g. The Child Study Team will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date recorded on the referral;
  - h. A "Notice of a Referral/Identification Meeting" will be sent to the parent(s);
  - i. The notice shall contain "Parental Rights in Special Education" (PRISE); and
  - j. The referral/identification meeting will be attended by the parent(s), CST, and regular education teacher.
4. The district may use community rehabilitation programs approved by the New Jersey Department of Labor, Division of Vocational Rehabilitation Services or any other State agency empowered to accept secondary level student placement according to N.J.A.C. 6A:14-4.7(f)1.



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5. Each evaluation of the student requires an assessment to determine appropriate post-secondary outcomes as part of transition services planning.
6. Each IEP Team member is required to certify in writing whether the IEP Team report reflects his or her conclusions. In the event the IEP Team report does not reflect the IEP Team member's conclusion, the IEP Team member must submit a dissenting opinion in order to ensure the parent(s) is aware of dissenting opinions regarding the determination of eligibility for a specific learning disability.
7. The parent(s) must receive a copy of their child's evaluation report and any documentation leading to a determination of eligibility not less than ten calendar days prior to the eligibility conference in order to ensure the parent(s) has a reasonable amount of time to review documentation prior to an eligibility conference.
8. A student may be referred directly to the ~~Child Study Team~~ **CST** when warranted.

Adopted:



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[See POLICY ALERT Nos. 95, 153, 161, 164, and 211]

## 2464 GIFTED AND TALENTED STUDENTS

The Board of Education recognizes its responsibility to identify gifted and talented students within the school district and to provide these students **with** appropriate instructional adaptations and services. To that end, the Board directs each such student in the school district be identified and offered an appropriate educational program and services.

For purposes of this ~~P~~policy, “gifted and talented students” **means** ~~will be defined as those exceptionally able~~ students who possess or demonstrate high levels of **ability** ~~abilities~~, in one or more content areas, when compared to their chronological peers in the district and who require modification of their educational program if they are to achieve in accordance with their capabilities.

The ~~Board~~ **Superintendent** will develop appropriate curricular and instructional modifications ~~to be~~ used for gifted and talented students indicating content, process, products, and learning environments.

The Superintendent will develop procedures, ~~using multiple measures~~, for an ongoing **Kindergarten through grade eight** identification process and ~~appropriate educational challenges~~ for gifted and talented students ~~initiated in Kindergarten and reviewed annually through grade twelve~~ **that includes multiple measures. Multiple measures may include, but are not limited to: achievement test scores; grades; student performance or products; intelligence testing; parent, student, and/or teacher recommendation; and other appropriate measures.** The identification methodology will be developmentally appropriate, non-discriminatory, and related to the programs and services offered by the district. ~~The~~ **These identification** procedures will be reviewed annually.

**The Superintendent will take into consideration the Pre-Kindergarten through Grade Eight Gifted Programming Standards of the National Association for Gifted Children in developing programs for gifted and talented students.** The educational program offered to gifted and talented students will encourage and challenge them in the specific areas of their abilities, but will not replace the basic instructional program of the various grades of this district. The program offered to a gifted and talented students may ~~be~~ **include,**



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but are not limited to: **pull-out programs; classroom differentiated instruction; acceleration; flexible pacing; compacted curricula; distance learning; advanced classes; or individual programs** infused into the student's regular instructional program, provided that a written description of the infusion has been prepared and filed in the student's record.

Programs for ~~the~~ gifted and talented **students** will be periodically evaluated for their continuing efficacy and adjusted accordingly.

The parent(s) ~~or legal guardian(s)~~ of any student identified as gifted or talented shall be consulted regarding any program designed to address the student's particular needs.

N.J.S.A. 18A:61A-2; 18A:35-4.16

N.J.A.C. ~~6:37-1.1~~; 6A:8-1.3; 6A:8-3.1(a)5-

P.L. 108-382, Sec. 10201 et seq.

Adopted:



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[See POLICY ALERT Nos. 120, 135, 147, 153, 168, 170, 197, 205, 209,  
and 211]

## 2622 STUDENT ASSESSMENT

The Commissioner of Education, **in accordance with N.J.S.A. 18A:7C-1 et seq. and 18A:7E-2 and 3, may** ~~shall implement a system and related schedule of Statewide assessments to evaluate~~ **of student achievement in any grade(s) and by such assessments as he or she deems appropriate.** ~~of the 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 prescribed by the Commissioner. The~~ **Commissioner shall report to the State Board of Education the results of such assessments.**

**The Commissioner shall implement a system and related schedule of Statewide assessments to evaluate student achievement of the New Jersey Student Learning Standards (NJSLS). The Commissioner, with the approval of the State Board of Education, shall define the scope and level of student performance on Statewide assessments that demonstrate thorough understanding of the knowledge and skills delineated by the NJSLS at grade levels three through twelve. After consultation with the Commissioner, the State Board of Education shall establish by resolution uniform Statewide criteria defining adequate school district progress toward meeting the NJSLS.**

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.





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**Pursuant to N.J.A.C. 6A:8-4.1(b) and (c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled.** ~~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 Assessment System

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

**The Board of Education shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments, including the following major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight; the high school end-of-course PARCC assessments; and the alternative assessment for students with disabilities; and provide notification to each student entering grades three through twelve of the Statewide assessment schedule.**

**The Department of Education shall implement the elementary component of the Statewide assessment of the NJSLs consisting of continued administration of mathematics and English language arts in grades three, four, and five, and of science in grade four.**

**The Department of Education shall implement the middle school component of the Statewide assessment of the NJSLs consisting of the following: continued administration of mathematics and English language arts in grades six, seven, and eight; and of science in grade eight.**



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The Department of Education shall implement a high school assessment program component of the NJSLs that assesses, at a minimum, English language arts, mathematics, and science with the exception that students may receive a waiver from the Board of Education from taking the high school end-of-course PARCC assessment in ELA 11 due to the student's participation in another English language/literature college placement assessment during the same school year.

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 IEP or 504 Team in accordance with N.J.A.C. 6A:8-4.1(d)1. The Board may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or English. The Board of Education shall have the option for a first-year ELL of substituting a Department of Education-approved language proficiency test only for the English language arts section of the elementary or middle school component of the Statewide assessment, when the student has entered the United States after July 1 of the calendar year prior to the test administration.

The Board of Education shall ensure students with disabilities as defined in N.J.A.C. 6A:14-1.3 participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10.

At specific times prescribed by the Commissioner of Education, the Board of Education shall administer the alternative assessment for students with disabilities to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities. The Department of Education shall implement the alternative assessment for students with disabilities according to the schedules in N.J.A.C. 6A:8-4.1(c)1, 2, and 3. The alternative assessment for students with disabilities measures the progress of students who have been determined eligible for the alternative assessment for students with disabilities by the IEP team in accordance with N.J.A.C. 6A:14-4.10.

The Boards of Education shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(f).



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## Test Administration Procedures and Security Measures

**The Board of Education shall be responsible for ensuring the security of all components of the Statewide assessment system that are administered within the school district.** 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

The Department of Education shall provide the Superintendent with documentation of student ~~achievement~~ **performance** after **each test** administration ~~of each test~~ in accordance with the provisions of N.J.A.C. 6A:8-4.2(a). The Board shall maintain an accurate record of each student's performance on Statewide assessments in accordance with N.J.A.C. 6A:8-4.2. Information regarding individual student test scores shall only be released in accordance with Federal and State law.

**The Board of Education shall transmit within ten business days any official records, including transcripts, of students who transfer to other school districts or institutions.**

**The Board of Education shall maintain an accurate record of each student's performance on Statewide assessments.**

**The Board of Education shall maintain for every student a ninth grade through graduation transcript that contains the following, as available:**

- 1. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth in N.J.A.C. 6A:8-5.1(a)6;**
- 2. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);**
- 3. Evidence of instructional experience and performance in the NJSLs;**
- 4. Evidence of technological literacy;**
- 5. Evidence of career education instructional experiences and career development activities;**



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6. **Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in Department of Education-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and**
7. **Any other information deemed appropriate by the Board of Education.**

## 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 of Education will provide parents, students, and citizens with results of annual assessments according to N.J.A.C. 6A:8-4.23. The Board shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area either on Statewide or local assessments. All students shall be expected to demonstrate the knowledge and skills of the Core Curriculum Content NJSLS Standards as measured by the Statewide assessment system.

## Annual Review and Evaluation of School Districts

**The Department of Education shall review the performance of schools and school districts in accordance with the provisions of N.J.A.C. 6A:8-4.4.**

## Public Reporting

In accordance with the requirements of N.J.A.C. 6A:8-4.5, the Department of Education shall report annually to the State Board of Education and the public on the progress of all students and student subgroups in meeting the NJSLS Core Curriculum Content Standards as measured by the Statewide assessment system by publishing and distributing the Department of Education's annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 5. After each test administration, the Department of Education shall report to the Board on the performance of all students and of student subgroups. The Department of Education shall report performance on the APA with the same frequency and in the same detail as it reports on other Statewide assessments, including school and school district means, and the number and percentage of participating students. In public reporting of school and district performance data, the Department of Education shall not compromise the confidentiality of individual students.



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## Parental Notification

Parents shall be informed of the district assessment system and of any special tests that are to be administered to their children.

## 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.~~

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

N.J.A.C. 6A:8-4.1 et seq.; 6A:8-5.1; 6A:14-1.1 et seq.; 6A:14-3.7;  
6A:14-4.10

Adopted:



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TEACHING STAFF MEMBERS

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[See POLICY ALERT Nos. 97, 103, 110, 139, 165, 175 and 211]

## 3160 PHYSICAL EXAMINATION

The Board of Education requires each **candidate for employment who receives a conditional offer of employment** to ~~newly employed teaching staff member~~ undergo a physical examination(s) **to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA).**

**If upon completing an examination(s) it is determined a candidate for employment who received a conditional offer of employment is unable to perform with reasonable accommodation job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent of Schools, if the Board has not yet approved the appointment, or by the Board, if the Board had approved the appointment at a Board meeting.**

The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include, **but not limited to:** height and weight; blood pressure; pulse and respiratory rate; vision screening; **and** hearing screening; ~~and Mantoux test for tuberculosis.~~

~~A teaching staff member may provide health status information, including medications, which may be of value to medical personnel in the event of an emergency requiring treatment. The staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency. School employee physicals, examinations and/or annual medical updates do not require screening or disclosure of HIV status.~~

**Candidates for employment who have received a conditional offer of employment will be required to be tested** ~~The Board of Education will require testing for the usage of controlled dangerous substances as they are defined in N.J.S.A. 2C:35-2 as part of any physical examination which is required of any candidate for employment. This testing will be completed in accordance with~~





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### Physical Examination

New Jersey Department of Health and Department of Education guidelines. **Testing for the usage of controlled or dangerous substances, if required by the Board, will be required for all candidates for employment who have received a conditional offer of employment.**

~~The physical examinations required by this policy shall be limited to those assessments or information necessary to determine the individual's physical and mental fitness to perform with reasonable accommodation in the position he/she seeks or currently holds and to detect any health risks to students or other employees.~~

**Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of pPhysical examinations required by this Ppolicy may be performed conducted by a physician or institution designated by the Board. or, However, the candidate shall bear the cost if the examination is performed at the employee's election, by a physician or institution designated by the candidate employee and approved with approval of by the Board. The cost of any such examination conducted by the physician or institution designated by the Board shall be borne by the Board. The cost of any such examination conducted by the physician or institution chosen by the employee and approved by the Board shall be borne by the employee. In the event the Board approves the physician or institution designated by the candidate to complete an examination required by this Policy, the candidate will be provided with the detailed requirements of the examination.**

**School employee physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.**

**A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the district, and contractors or volunteers who have contact with students.**

All staff members' medical and health records, including computerized records, will be secured, ~~and will be stored, and maintained separately from other personnel files.~~ The information contained in medical records will be kept confidential. Only the staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual employee. **Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5. The staff member may provide health-**



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**status information, including medications that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the staff member may also choose to share section of the medical record that contains the health history may be shared with the staff member's Building Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency with the consent of the staff member.**

Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy No. 3161 or disability in accordance with Policyies Nos. 3425 and 3435.

42 U.S.C.A. 12101

N.J.S.A. 18A:16-2 et seq.

N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

Adopted:



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Physical Examination

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[See POLICY ALERT Nos. 110, 139, 141, 165 and 211]

## R 3160 PHYSICAL EXAMINATION

### A. Definitions

- ~~1. "Employee assurance statement" means a statement signed by the employee certifying that information supplied by the employee is true to the best of the employee's knowledge.~~
12. "Employee" or "staff member" means the holder of any full-time or part-time position of employment.
23. "Health history" means the record of a person's past health events obtained in writing, completed by the individual or their physician.
34. "Health screening" means the **use of testing of people, using one or more diagnostic tools, to test a person for determine** the presence or precursors of a particular disease.
- ~~5. "Medical evaluation" means the examination of the body by the school medical inspector or by any physician licensed to practice medicine.~~
46. "Physical examination" means the assessment of an individual's health **by a professional licensed to practice medicine or osteopathy, or by an advanced practice nurse or physician assistant.**
5. "Physician assistant" means a health care professional licensed to practice medicine with physician supervision.
- ~~7. "Psychiatric examination" means an examination for the purpose of diagnosis and treatment of mental disorders.~~

### B. **Employees' Initial Physical Examinations – Candidates for Employment Who Have Received a Conditional Offer of Employment**



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### Physical Examination

1. ~~Each~~ **Candidates for employment who have received a conditional offer of employment** ~~newly employed teaching staff member~~ shall be required to undergo a physical examination. The physical examination shall include, but is not limited to, a health history; **and** health screenings; ~~and medical evaluation to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA). The candidate for employment will be provided the Board's requirements for the physical examination.~~
  - a1. ~~A health history shall be completed by the employee or by his/her physician which shall include, but is not limited to, the candidate's employee's:~~
    - (1) **Past serious illnesses and injuries;**
    - (2) **Current health problems;**
    - (3) **Allergies; and**
    - (4) **A record of immunizations.**
  - a. ~~Past serious illnesses and injuries;~~
  - b. ~~Current health problems;~~
  - c. ~~Allergies; and~~
  - d. ~~Record of immunizations.~~
  - b2. ~~The employee shall submit to~~ **A health screenings which shall include, but is not limited to his/her:**
    - (1) **Height;**
    - (2) **Weight;**
    - (3) **Pulse and respiratory rate;**
    - (4) **Hearing screening;**
    - (5) **Blood pressure;**
    - (6) **Vision screening;**
    - (7) \_\_\_\_\_;
    - (8) \_\_\_\_\_.



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- a. ~~Height and weight;~~
- b. ~~Blood pressure;~~
- c. ~~Pulse and respiration rate;~~
- d. ~~Vision screening;~~
- e. ~~Hearing screening.~~

## C. Medical Requirements Upon Employment

31. ~~Health screening~~ **A Mantoux tuberculosis test shall be given upon employment of all newly hired staff members (full-time and part-time), and to all student teachers, school bus drivers on contract with the district, and to contractors or volunteers who have contact with students also include a Mantoux test for the presence of tuberculosis. Tuberculosis testing is not required for volunteers working with students less than twenty hours per month.**

a. ~~A newly employed member will be exempt from the Mantoux test if he/she presents satisfactory documentation of a test~~

(1) ~~Administered in a New Jersey school district from which the member has transferred, or~~

(2) ~~Administered in any place within the six months previous to the member's initial employment in this district.~~

a. **Tuberculosis testing is not required:**

(1) **For new staff members, student teachers, and contractors of the school district with a documented negative tuberculosis test result in the last six months or a documented positive tuberculosis test, regardless of when this test was done; or**



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- (2) **For a school district staff member transferring between school districts or from a non-public school within New Jersey with a documented tuberculosis test result upon his/her initial employment by a New Jersey school.**
- b. **Staff members, student teachers, contractors or volunteers who have contact with students and claim a religious exemption cannot be compelled to submit to tuberculosis testing. In these instances, a symptom assessment must be done (TB-8 Form). If TB-like symptoms are reported, a physician must document that the staff member, student teacher, contractor, or volunteer does not have an active disease.**
- (1) **The school district shall determine the criteria essential to document a valid religious exemption.**
- cb. **Procedures for the administration of the Mantoux tuberculosis test, interpretation of reactions, follow-up procedures, and reporting shall be conducted in accordance with the guidelines and requirements issued by of the New Jersey State Department of Health and titled School Tuberculin Testing in New Jersey.**
- e. ~~If the results of the Mantoux test so indicate, the employee shall be referred for a chest X-ray and medical evaluation to determine the presence of tuberculosis at the employee's expense. The employee shall submit the report of the X-ray and evaluation to the school medical inspector. If the school medical inspector does not receive the report within four weeks of the referral or is unwilling to accept the findings of the report, he/she may direct the employee to submit to a chest X-ray examination at Board expense, the results of which will be reported directly to the school medical inspector.~~



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- d. ~~An employee who presents a physician's or nurse practitioner's documentation, acceptable to the school medical inspector, showing significant tuberculin reaction and a subsequent negative chest X-ray will be exempt from the Mantoux test.~~
4. ~~A medical evaluation that shall be limited to those assessments or information necessary to determine the employee's physical and mental fitness to perform with reasonable accommodation in the position which the employee seeks or currently holds and to detect any health risks to students and other employees. The employee's medical evaluation shall include, but not be limited to, a record of immunizations. Guidance regarding immunizations for adults may be found in "Adult Immunization: Recommendations of the Immunization Practices Advisory Committee (ACIP)", available from the Immunization Program, Centers for Disease Control, Public Health, U.S. Department of Health and Human Services, Atlanta, GA 30333.~~
25. **An individual** teaching staff member may provide health-status information, including medications, **that** ~~which~~ may be of value to medical personnel in the event of an emergency requiring treatment. **In such instances,** ~~t~~**The teaching** staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

### DC. Health Records

1. **All health records of candidates for employment who have received a conditional offer of employment and of current employees** ~~medical records~~, including computerized records, shall be secured, ~~and shall be stored,~~ and maintained separately from other personnel files.
2. **Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5** ~~Only the employee, the Superintendent, and the school medical inspector shall have access to the medical information in that individual's file.~~





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3. ~~The portion of the employee's medical record containing a health history may be shared with the Principal and the school nurse with the consent of the employee, as provided in B.5.above.~~

**E.D. Employees' Physical Examination and Medical Updates**

1. School employee physicals, examinations, and/or annual medical updates shall not require disclosure of HIV status.

d. \_\_\_\_\_.]

**F. ~~Controlled Dangerous Substance Testing for Usage of Controlled or Dangerous Substances for Candidates Who Have Received a Conditional Offer of Employment~~**

1. Candidates for **employment** ~~teaching staff member positions~~, who have received a conditional offer of employment **will be required to must** complete testing, conducted at the Board's expense, for the usage of controlled dangerous substances as they are defined in N.J.S.A. 2C:35-2.

a1. Candidates will be allowed privacy during specimen collection. Control and accountability of specimens will be maintained with a chain of custody in accordance with accepted practices and as recommended by the approved laboratory. **A The laboratory approved by the New Jersey Department of Health** will be selected by the Board **for such testing** and ~~approved by the New Jersey Department of Health.~~

b2. The laboratory will conduct **the test in accordance with industry standard practices for testing for controlled dangerous substances** ~~an initial or screening test and a confirmatory test.~~ ~~Refusal of employment will not be based on the results of a screening test alone. An initial test is an immunoassay test to eliminate negative test results from further consideration and to identify the potentially positive specimens for the purpose of further testing and confirmation. A confirmatory test is a second analytical procedure to identify the presence of a specific drug which~~



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~~uses more sophisticated technique to ensure reliability and accuracy.~~

- c3. A Medical Review Officer, who is a licensed physician ~~certified and qualified to complete drug testing~~ will review the final results of **all** positive ~~drug~~ tests **to determine if there is,** ~~scrutinizing them for possible alternative~~ a medical explanations **for the results.** The Medical Review Officer will review the candidate's medical history and **may** ~~will~~ conduct a medical interview **with the candidate** to determine **any** ~~the other~~ relevant factors contributing to the results of the test. The Medical Review Officer will communicate the results of a **an investigation regarding** positive drug tests to the **candidate** ~~applicant~~ and to the Superintendent.
- d4. The ~~American with Disabilities Act (ADA)~~ prohibits employment discrimination against qualified individuals with disabilities. Persons who use drugs illegally (the use of controlled dangerous substances (CDS) and the illegal use of prescription drugs) are not protected by the ADA.
- e5. After a conditional offer of employment, the school district **administration and/or the Medical Review Officer** may ask **the candidate** questions concerning present drug or alcohol use; however, information obtained may not be used to exclude an individual with a disability, based on the disability, unless it can be shown that the reason for exclusion meets the following three tests:
- (1)a. It must be job-related and cannot be met with reasonable accommodation;
- (2)b. It must be consistent with the demonstrated necessity of conducting business; and
- (3)e. It must be related to legitimate job criteria.



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- f6. The school district **shall** refuse to hire **a candidate** ~~an applicant~~ based upon a test result that indicates the illegal use of drugs **as confirmed by the Medical Review Officer**. This action **shall** be taken even if the **candidate** ~~applicant~~ claims he/she recently stopped illegally using drugs.
27. ~~The school district would incur liability under ADA if a person is excluded from a job if the school district erroneously regarded the candidate to be an addict currently using drugs illegally when the drug test showed the presence of a lawfully prescribed drug. The Superintendent will confer with the Medical Review Officer regarding all positive tests to prevent any ADA violation liability.}~~
3. **Testing for controlled or dangerous substances will be required for all candidates for employment who receive a conditional offer of employment.**

## G. ~~Candidates Records~~ **Review of Examinations and Assessments**

1. ~~All records regarding pre-employment physicals and drug tests will be maintained in separate medical files and treated as confidential medical records. These records will be:~~
  - a. ~~Kept separate from a candidate's personnel file;~~
  - b. ~~Kept in a locked cabinet in a central school district location; and~~
  - e. ~~Accessible only to the Superintendent and/or designee.~~
12. **The results records of the physical examination of a candidate's for employment who has received a conditional offer of employment** ~~physical examination~~ will be **reviewed by** ~~submitted to the school physician medical inspector, who, in consultation with the Superintendent,~~ will determine the candidate's physical and mental fitness to function with reasonable accommodation in the position for which he/she has made application. That determination will be made a part of the candidate's application.



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3. ~~A candidate's medical records will be maintained separately from his/her application and will be kept confidential in accordance with §D.~~

a. ~~If and when the candidate is employed by this district, the records will be kept in the person's medical file.~~

b. ~~If the candidate is not employed by this district within one year \_\_\_\_\_ (period of time), the records will be destroyed.]~~

## H. Rescinding a Conditional Offer of Employment – Notice to Candidates for Employment Who Receive a Conditional Offer of Employment

1. All candidates for employment who receive a conditional offer of employment shall be informed by the district that:

a. An offer of employment by the Superintendent of Schools or designee is conditional upon completion of the Board's required physical examinations and assessments;

b. The required examinations and assessments will be used to determine the candidate's ability to perform with reasonable accommodations job-related functions pursuant to ADA; and

c. If it is determined upon completing the examination(s) or assessment(s) the candidate is unable to perform with reasonable accommodations job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent if the Board has not yet approved the appointment or by the Board, if the Board had approved the appointment at a Board meeting.

Adopted:



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[See POLICY ALERT Nos. 97, 103, 110, 139, 165, 175 and 211]

## 4160 PHYSICAL EXAMINATION

The Board of Education requires each **candidate for employment who receives a conditional offer of employment to** ~~newly employed support staff member~~ undergo a physical examination(s) **to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA).**

**If upon completing an examination(s) it is determined a candidate for employment who received a conditional offer of employment is unable to perform with reasonable accommodation job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent of Schools, if the Board has not yet approved the appointment, or by the Board, if the Board had approved the appointment at a Board meeting.**

The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include, **but not limited to:** height and weight; blood pressure; pulse and respiratory rate; vision screening; **and** hearing screening; ~~and Mantoux test for tuberculosis.~~

~~A support staff member may provide health status information, including medications, which may be of value to medical personnel in the event of an emergency requiring treatment. The staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency. School employee physicals, examinations and/or annual medical updates do not require screening or disclosure of HIV status.~~

**Candidates for employment who have received a conditional offer of employment will be required to be tested** ~~The Board of Education will require testing for the usage of controlled dangerous substances as they are defined in N.J.S.A. 2C:35-2 as part of any physical examination which is required of any candidate for employment. This testing will be completed in accordance with New Jersey Department of Health and Department of Education guidelines.~~  
**Testing for the usage of controlled or dangerous substances, if required by**



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**the Board, will be required for all candidates for employment who have received a conditional offer of employment.**

~~The physical examinations required by this policy shall be limited to those assessments or information necessary to determine the individual's physical and mental fitness to perform with reasonable accommodation in the position he/she seeks or currently holds and to detect any health risks to students or other employees.~~

**Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of pPhysical examinations required by this Ppolicy may be performed conducted by a physician or institution designated by the Board. or, However, the candidate shall bear the cost if the examination is performed at the employee's election, by a physician or institution designated by the candidate employee and approved with approval of by the Board. The cost of any such examination conducted by the physician or institution designated by the Board shall be borne by the Board. The cost of any such examination conducted by the physician or institution chosen by the employee and approved by the Board shall be borne by the employee. In the event the Board approves the physician or institution designated by the candidate to complete an examination required by this Policy, the candidate will be provided with the detailed requirements of the examination.**

**School employee physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.**

**A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the district, and contractors or volunteers who have contact with students.**

All staff members' medical and health records, including computerized records, will be secured, ~~and will be stored,~~ and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Only the staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual employee. **Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5. The staff member may provide health-status information, including medications that may be of value to medical**





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### Physical Examination

**personnel in the event of an emergency requiring treatment. In such instances, the staff member may also choose to share** ~~section of the medical record that contains the health history may be shared~~ **with the staff member's Building Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency** ~~with the consent of the staff member.~~

Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy ~~No. 43161~~ or disability in accordance with Policy~~ies~~ ~~Nos. 43425 and 43435.~~

42 U.S.C.A. 12101

N.J.S.A. 18A:16-2 ~~et seq.~~

N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

Adopted:





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Physical Examination

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[See POLICY ALERT Nos. 110, 139, 141, 165 and 211]

## R 4160 PHYSICAL EXAMINATION

### A. Definitions

1. ~~“Employee assurance statement” means a statement signed by the employee certifying that information supplied by the employee is true to the best of the employee’s knowledge.~~
12. “Employee” or “staff member” means the holder of any full-time or part-time position of employment.
23. “Health history” means the record of a person’s past health events obtained in writing, completed by the individual or their physician.
34. “Health screening” means the **use of testing of people, using one or more diagnostic tools; to test a person for determine** the presence or precursors of a particular disease.
5. ~~“Medical evaluation” means the examination of the body by the school medical inspector or by any physician licensed to practice medicine.~~
46. “Physical examination” means the assessment of an individual’s health **by a professional licensed to practice medicine or osteopathy, or by an advanced practice nurse or physician assistant.**
5. “Physician assistant” means a health care professional licensed to practice medicine with physician supervision.
7. ~~“Psychiatric examination” means an examination for the purpose of diagnosis and treatment of mental disorders.~~

### B. Employees’ Initial Physical Examinations – Candidates for Employment Who Have Received a Conditional Offer of Employment



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Physical Examination

1. ~~Each~~ **Candidates for employment who have received a conditional offer of employment** ~~newly employed support staff member~~ shall be required to undergo a physical examination. The physical examination shall include, but is not limited to, a health history, ~~and health screenings, and medical evaluation to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA). The candidate for employment will be provided the Board's requirements for the physical examination.~~

a1. ~~A health history shall be completed by the employee or by his/her physician which shall include, but is not limited to, the candidate's employee's:~~

- (1) **Past serious illnesses and injuries;**
- (2) **Current health problems;**
- (3) **Allergies; and**
- (4) **A record of immunizations.**

a. ~~Past serious illnesses and injuries;~~

b. ~~Current health problems;~~

e. ~~Allergies; and~~

d. ~~Record of immunizations.~~

b2. ~~The employee shall submit to~~ **A health screenings which shall include, but is not limited to his/her:**

- (1) **Height;**
- (2) **Weight;**
- (3) **Pulse and respiratory rate;**
- (4) **Hearing screening;**
- (5) **Blood pressure;**
- (6) **Vision screening;**
- (7) \_\_\_\_\_;
- (8) \_\_\_\_\_.



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- a. — Height and weight;
- b. — Blood pressure;
- c. — Pulse and respiration rate;
- d. — Vision screening;
- e. — Hearing screening.

## C. Medical Requirements Upon Employment

31. ~~Health screening~~ **A Mantoux tuberculosis test shall be given upon employment of all newly hired staff members (full-time and part-time), and to all student teachers, school bus drivers on contract with the district, and to contractors or volunteers who have contact with students also include the conduct of a Mantoux test for the presence of tuberculosis infection. Tuberculosis testing is not required for volunteers working with students less than twenty hours per month.**

- a. — ~~A newly employed member will be exempt from the Mantoux test if he/she presents satisfactory documentation of a test~~

- (1) — ~~Administered in a New Jersey school district from which the member has transferred, or~~
- (2) — ~~Administered in any place within the six months previous to the member's initial employment in this district.~~

- a. **Tuberculosis testing is not required:**

- (1) **For new staff members, student teachers, and contractors of the school district with a documented negative tuberculosis test result in the last six months or a documented positive tuberculosis test, regardless of when this test was done; or**



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- (2) For a school district staff member transferring between school districts or from a non-public school within New Jersey with a documented tuberculosis test result upon his/her initial employment by a New Jersey school.
- b. Staff members, student teachers, contractors or volunteers who have contact with students and claim a religious exemption cannot be compelled to submit to tuberculosis testing. In these instances, a symptom assessment must be done (TB-8 Form). If TB-like symptoms are reported, a physician must document that the staff member, student teacher, contractor, or volunteer does not have an active disease.
- (1) The school district shall determine the criteria essential to document a valid religious exemption.
- cb. Procedures for the administration of the Mantoux tuberculosis test, interpretation of reactions, follow-up procedures, and reporting shall be conducted in accordance with the guidelines **and requirements** issued by of the New Jersey State Department of Health and titled School Tuberculin Testing in New Jersey.
- ~~e. If the results of the Mantoux test so indicate, the employee shall be referred for a chest X-ray and medical evaluation to determine the presence of tuberculosis at the employee's expense. The employee shall submit the report of the X-ray and evaluation to the school medical inspector. If the school medical inspector does not receive the report within four weeks of the referral or is unwilling to accept the findings of the report, he/she may direct the employee to submit to a chest X-ray examination at Board expense, the results of which will be reported directly to the school medical inspector.~~
- ~~d. An employee who presents a physician's or nurse practitioner's documentation, acceptable to the school medical inspector, showing significant tuberculin reaction and a subsequent negative chest X-ray will be exempt from the Mantoux test.~~



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4. ~~A medical evaluation that shall be limited to those assessments or information necessary to determine the employee's physical and mental fitness to perform with reasonable accommodation in the position which the employee seeks or currently holds and to detect any health risks to students and other employees. The employee's medical evaluation shall include, but not be limited to, a record of immunizations. Guidance regarding immunizations for adults may be found in "Adult Immunization: Recommendations of the Immunization Practices Advisory Committee (ACIP)", available from the Immunization Program, Centers for Disease Control, Public Health, U.S. Department of Health and Human Services, Atlanta, GA 30333.~~
25. An **individual** support staff member may provide health-status information, including medications, **that** ~~which~~ may be of value to medical personnel in the event of an emergency requiring treatment. **In such instances,** ~~t~~The support staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

### DC. Health Records

1. All **health records of candidates for employment who have received a conditional offer of employment and of current employees** ~~medical records~~, including computerized records, shall be secured, ~~and shall be stored,~~ and maintained separately from other personnel files.
2. **Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5** ~~Only the employee, the Superintendent, and the school medical inspector shall have access to the medical information in that individual's file.~~
3. ~~The portion of the employee's medical record containing a health history may be shared with the Principal and the school nurse with the consent of the employee, as provided in paragraph B.5. above.~~



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Physical Examination

~~D. Examination of School Bus Drivers~~

- ~~1. School bus drivers employed by this district are subject to Policy No. 4160 and this regulation generally.~~
- ~~2. School bus drivers employed by a contractor supplying transportation services to this district shall be tested for tuberculosis in accordance with paragraph B3 of this regulation.~~

E. Employees' Physical Examination and Medical Updates

1. School employee physicals, examinations, and/or annual medical updates shall not require disclosure of HIV status.
  - b. \_\_\_\_\_;
  - c. \_\_\_\_\_;
  - d. \_\_\_\_\_.]

F. ~~Controlled Dangerous Substance Testing for Usage of Controlled or Dangerous Substances for Candidates Who Have Received a Conditional Offer of Employment~~

1. Candidates for **employment** ~~support staff member positions~~, who have received a conditional offer of employment **will be required to must** complete testing, conducted at the Board's expense, for the usage of controlled dangerous substances as they are defined in N.J.S.A. 2C:35-2.
  - ~~a1.~~ Candidates will be allowed privacy during specimen collection. Control and accountability of specimens will be maintained with a chain of custody in accordance with accepted practices and as recommended by the approved laboratory. **A The laboratory approved by the New Jersey Department of Health** will be selected by the Board **for such testing** and ~~approved by the New Jersey Department of Health.~~



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- b2. The laboratory will conduct **the test in accordance with industry standard practices for testing for controlled dangerous substances** ~~an initial or screening test and a confirmatory test.~~ Refusal of employment will not be based on the results of a screening test alone. An initial test is ~~an immunoassay test to eliminate negative test results from further consideration and to identify the potentially positive specimens for the purpose of further testing and confirmation.~~ A confirmatory test is a second analytical procedure to identify the presence of a specific drug which uses more sophisticated technique to ensure reliability and accuracy.
- c3. A Medical Review Officer, who is a licensed physician ~~certified and qualified to complete drug testing~~ will review the final results of **all** positive drug tests **to determine if there is,** scrutinizing them for possible alternative a medical explanations **for the results.** The Medical Review Officer will review the candidate's medical history and **may** will conduct a medical interview **with the candidate** to determine **any** ~~the other~~ relevant factors contributing to the results of the test. The Medical Review Officer will communicate the results of a **an investigation regarding** positive drug tests to the **candidate** ~~applicant~~ and to the Superintendent.
- d4. The ~~American with Disabilities Act (ADA)~~ prohibits employment discrimination against qualified individuals with disabilities. Persons who use drugs illegally (the use of controlled dangerous substances (CDS) and the illegal use of prescription drugs) are not protected by the ADA.
- e5. After a conditional offer of employment, the school district **administration and/or the Medical Review Officer** may ask **the candidate** questions concerning present drug or alcohol use; however, information obtained may not be used to exclude an individual with a disability, based on the disability, unless it can be shown that the reason for exclusion meets the following three tests:





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- (1)a. It must be job-related and cannot be met with reasonable accommodation;
  - (2)b. It must be consistent with the demonstrated necessity of conducting business; and
  - (3)e. It must be related to legitimate job criteria.
- f6. The school district **shall** refuse to hire a **candidate** an ~~applicant~~ based upon a test result that indicates the illegal use of drugs **as confirmed by the Medical Review Officer**. This action **shall** be taken even if the **candidate** ~~applicant~~ claims he/she recently stopped illegally using drugs.
- 27. ~~The school district would incur liability under ADA if a person is excluded from a job if the school district erroneously regarded the candidate to be an addict currently using drugs illegally when the drug test showed the presence of a lawfully prescribed drug. The Superintendent will confer with the Medical Review Officer regarding all positive tests to prevent any ADA violation liability.}~~
- 3. **Testing for controlled or dangerous substances will be required for all candidates for employment who receive a conditional offer of employment.**

### Optional

#### G. ~~Candidates Records~~ **Review of Examinations and Assessments**

- 1. ~~All records regarding pre-employment physicals and drug tests will be maintained in separate medical files and treated as confidential medical records. These records will be:~~
  - a. ~~Kept separate from a candidate's personnel file;~~
  - b. ~~Kept in a locked cabinet in a central school district location; and~~
  - e. ~~Accessible only to the Superintendent and/or designee.~~



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12. The ~~results records of the physical examination of~~ a candidate's ~~for employment who has received a conditional offer of employment~~ physical examination will be ~~reviewed by~~ submitted to the school ~~physician medical inspector~~, who, **in consultation with the Superintendent**, will determine the candidate's physical and mental fitness to function with reasonable accommodation in the position for which he/she has made application. That determination will be made a part of the candidate's application.
3. ~~A candidate's medical records will be maintained separately from his/her application and will be kept confidential in accordance with~~  
~~§D.~~
  - a. ~~If and when the candidate is employed by this district, the records will be kept in the person's medical file.~~
  - b. ~~If the candidate is not employed by this district within one~~  
~~year \_\_\_\_\_ (period of time), the records will be destroyed.~~

## H. Rescinding a Conditional Offer of Employment – Notice to Candidates for Employment Who Receive a Conditional Offer of Employment

1. All candidates for employment who receive a conditional offer of employment shall be informed by the district that:
  - a. An offer of employment by the Superintendent of Schools or designee is conditional upon completion of the Board's required physical examinations and assessments;
  - b. The required examinations and assessments will be used to determine the candidate's ability to perform with reasonable accommodations job-related functions pursuant to ADA; and
  - c. If it is determined upon completing the examination(s) or assessment(s) the candidate is unable to perform with reasonable accommodations job-related functions pursuant to the provisions of the ADA, the conditional



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**offer of employment will be rescinded either by the Superintendent if the Board has not yet approved the appointment or by the Board, if the Board had approved the appointment at a Board meeting.**

Adopted:



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Education of Homeless Children  
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[See POLICY ALERT Nos. 160, 210 and 211]

## 5116 EDUCATION OF HOMELESS CHILDREN

The Board of Education will admit and enroll homeless children in accordance with Federal and State laws and New Jersey Administrative Code. The Board of Education adopts this Policy to be in compliance with law and administrative code to ensure the enrollment of homeless children in school and to respond to appeals made by parents or other parties related to the enrollment of homeless children.

The Board of Education shall determine that a child is homeless when he or she resides in a publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers. A child is also determined homeless when he or she resides in a public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles including mobile homes; tents or other temporary shelters; parks; abandoned buildings; bus or train stations; temporary shelters provided to migrant workers and their children on farm sites; and the residence of relatives or friends where the homeless child resides out of necessity because his or her family lacks a regular or permanent residence of its own. A child is also determined homeless when he or she resides in substandard housing ~~or any temporary location wherein children and youth are awaiting foster care placement.~~

The school district of residence for a homeless child is responsible for the education of the child and shall assume all responsibilities as required in N.J.A.C. 6A:17-2.3. The school district of residence for a homeless child means the school district in which the parent of a homeless child resided prior to becoming homeless.

The school district liaison designated by the Superintendent of Schools for the education of homeless children is the Supervisor of Pupil Services. The liaison will facilitate communication and cooperation between the school district of residence and the school district where the homeless child resides and shall assume all responsibilities as outlined in N.J.A.C. 6A:17-2.4(a).



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### Education of Homeless Children

When a homeless child resides in a school district, the school district liaison shall notify the liaison of the school district of residence within twenty-four hours of receiving notification from the parent, the Department of Human Services or the Department of Children and Families, a shelter director, an involved agency, or a case manager. Upon notification of the need for enrollment of a homeless child, the liaison in the school district of residence shall coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.5(b).

The Superintendent of the school district of residence or designee shall decide in which school district the homeless child shall be enrolled in accordance with the provisions of N.J.A.C. 6A:17-2.5.

Unless parental rights have been terminated by a court of competent jurisdiction, the parent retains all rights under N.J.A.C. 6A:17-2.1 et seq.

When a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or the designee(s) of the involved district(s) or the child's parent(s) shall immediately notify the Executive County Superintendent of Schools, who, in consultation with the Department of Education's McKinney-Vento Homeless Education Coordinator or designee, shall immediately decide the child's status. If a dispute remains between the parent and the involved school district(s) following the Executive County Superintendent's determination, the parent or the involved district Board(s) of Education may appeal to the Commissioner of Education for determination pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

When a school district designated as the school district of residence disputes its designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts shall immediately notify the Executive County Superintendent of Schools, who shall immediately make a determination, if possible, but no later than within forty-eight hours.

If the dispute regarding determination of district of residence does not involve the determination of homelessness and/or district enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the Department of Education pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f) and



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request a determination from the Division of Administration and Finance. If an appeal of a determination of district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

Any dispute or appeal shall not delay the homeless child's immediate enrollment or continued enrollment in the school district. The homeless child shall be enrolled in the school district in which enrollment or continued enrollment is sought by the parent, pending resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child with a disability shall be made pursuant to N.J.A.C. 6A:14.

Financial responsibility, including the payment of tuition for the homeless child, will be in accordance with N.J.A.C. 6A:17-2.8. The school district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence shall no longer list the student on its ASSA. The State shall assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12.1 and shall pay the tuition to the school district in which the child is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. under the circumstances outlined in N.J.A.C. 6A:17-2.8(c).

N.J.S.A. 18A:7B-12; 18A:7B-12.1

N.J.A.C. 6A:17-2.1 et seq.

Adopted:



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[See POLICY ALERT Nos. 160, 210 and 211]

## R 5116 EDUCATION OF HOMELESS CHILDREN

### A. Definitions (N.J.A.C. 6A:17-1.2)

1. “School district liaison for the education of homeless children” means the person identified in the school district that facilitates all activities needed to ensure the enrollment and attendance of homeless children.
2. “School district of residence” for a homeless child means the school district in which the parent of a homeless child resided prior to becoming homeless. It may not be the school district in which the student currently resides. This is synonymous with the term “school district of origin” referenced in the McKinney-Vento Homeless Education Assistance Act. “School district of residence” for a student in a State facility means the school district in which the parent with whom the student lived prior to placement in a State facility currently resides pursuant to N.J.S.A. 18A:7B-12.b.
3. “Homeless child” means a child or youth who lacks a fixed, regular, and adequate residence, pursuant to N.J.S.A. 18A:7B-12 and N.J.A.C. 6A:17-2.2.
4. “Immediate” or “immediately” means at the instant the need for placement is made known.
5. “Parent” means the natural or adoptive parent, legal guardian, foster parent, surrogate parent, or person acting in the place of a parent such as the person with whom the child legally resides or a person legally responsible for the child’s welfare.
6. “Superintendent” means Superintendent and/or Chief School Administrator.

### B. Determination of Homelessness (N.J.A.C. 6A:17-2.2)

1. The Board of Education shall determine that a child is homeless for the purposes of N.J.A.C. 6A:17-2 when he or she resides in any of the following:





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- a. A publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers;
  - b. A public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles including mobile homes; tents or other temporary shelters; parks; abandoned buildings; bus or train stations; or temporary shelters provided to migrant workers and their children on farm sites;
  - c. The residence of relatives or friends where the homeless child resides out of necessity because his or her family lacks a regular or permanent residence of its own; **or**
  - d. Substandard housing; ~~or.~~
  - e. ~~Any temporary location wherein children and youth are awaiting foster care placement.~~
- C. Responsibilities of the School District of Residence (N.J.A.C. 6A:17-2.3)
- 1. The school district of residence for a homeless child is responsible for the education of the child and shall:
    - a. Determine the school district in which the child shall be enrolled after consulting with the parent pursuant to N.J.A.C. 6A:17-2.5;
    - b. Pay the cost of tuition pursuant to N.J.S.A. 18A:38-19, when the child attends school in another school district; and
    - c. Provide for transportation for the child pursuant to N.J.A.C. 6A:27-6.2.



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2. The determination of the homeless child's school district of residence shall be made by the Superintendent of the school district of residence or designee pursuant to N.J.A.C. 6A:17-2.4 based upon information received from the parent, the Department of Human Services or the Department of Children and Families, a shelter provider, another school district, an involved agency, or a case manager.
  3. The district Board of Education identified in accordance with N.J.S.A. 18A:7B-12 as the school district of residence for a homeless child shall be the school district of residence until the parent establishes a permanent residence. Financial responsibility will remain with the homeless child's school district of residence until the family is deemed domiciled in another jurisdiction, pursuant to N.J.S.A. 18A:38-1.d.
- D. Designation of School District Liaisons and Their Responsibilities (N.J.A.C. 6A:17-2.4)
1. The Superintendent identifies The Supervisor of Pupil Services as the district liaison for the education of homeless children. The school district liaison shall:
    - a. Facilitate communication and cooperation between the school district of residence and the school district where the homeless child resides;
    - b. Develop procedures to ensure a homeless child residing in the school district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.5;
    - c. Ensure homeless families, children, and youth receive educational services for which they are eligible, including Head Start and Even Start programs, preschool programs administered by the local education agency, and referrals to health care, dental, mental health, and other appropriate services;



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- d. Inform parents of homeless children and youth of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children;
  - e. Ensure that public notice of the educational rights of homeless children and youth is disseminated where such children receive services, such as schools, family shelters, and soup kitchens;
  - f. Ensure enrollment disputes are resolved pursuant to N.J.A.C. 6A:17-2.7;
  - g. Ensure the parent of a homeless child or youth, or any unaccompanied youth, is fully informed of all transportation services, including transportation to the school district of residence, and is assisted in accessing transportation to the school selected under N.J.A.C. 6A:17-2.5;
  - h. Assist the parent to obtain the homeless child or youth's medical records or required immunizations; and
  - i. Assist an unaccompanied youth to ensure he or she is enrolled and is receiving all services pursuant to N.J.A.C. 6A:17.
- 2. When a homeless child resides in a school district, the district liaison shall notify the liaison of the school district of residence within twenty-four hours of receiving notification from the parent, the Department of Human Services or the Department of Children and Families, a shelter director, an involved agency, or a case manager.
  - 3. Upon notification of the need for enrollment of a homeless child, the liaison in the school district of residence shall coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.5(b).



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## E. School District Enrollment (N.J.A.C. 6A:17-2.5)

1. The Superintendent of the school district of residence or designee shall decide in which district the homeless child shall be enrolled as follows:
  - a. Enroll the homeless child in the school district of residence to the extent feasible, except when doing so is contrary to the wishes of the homeless child's parent;
  - b. Continue the homeless child's education in the school district of last attendance if it is not the school district of residence; or
  - c. Enroll the homeless child in the school district where the child resides.
2. The Superintendent of the school district of residence or designee shall decide the school district of enrollment of a homeless child based on what is determined to be in the best interest of the child after considering:
  - a. The enrollment of the homeless child in the school district of residence to the extent feasible, except when doing so is contrary to the wishes of the child's parent.
  - b. The continuity of the child's educational program;
  - c. The eligibility of the child for special instructional programs, including but not limited to bilingual, gifted and talented, special education, early childhood, and career and technical education programs; and
  - d. The distance, travel time, and safety factors in coordinating transportation services from the residence to the school.
3. The Superintendent of the school district of residence or designee shall determine the child's school district enrollment immediately after consultation with the parent. The school district of residence shall adhere to the following procedures:



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- a. Enrollment decisions shall be made immediately upon notification of the need for enrollment. When the decision is made, the child will be enrolled immediately. If a dispute arises regarding enrollment of a homeless child, the homeless child shall be immediately enrolled in the school district in which enrollment is sought by the parent, pending resolution of the dispute pursuant to N.J.A.C. 6A:17-2.7.
  - b. Consultation with the parent regarding the enrollment decision and the right to appeal the decision shall be documented in writing.
  - c. A decision to enroll a homeless child in a school district other than the school district of residence or the school district requested by the parent shall be explained in writing and provided to the parent.
4. When a decision is made to enroll the child in a school district other than the school district of residence, the Superintendent or designee of the school district of residence shall forward to the new school district all relevant school and health records consistent with the provisions of N.J.A.C. 6A:32, School District Operations.
  5. When a homeless child with a disability is enrolled in a school district other than the school district of residence, the school district of enrollment shall treat the student as a transfer student pursuant to N.J.A.C. 6A:14, Special Education.
  6. When the school district of residence for a homeless child cannot be determined, the Superintendent or designee of the school district in which the child currently resides shall enroll the child immediately in the school district of the current residence or the school district of last attendance.
  7. The school district selected pursuant to N.J.A.C. 6A:17-2 shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment such as previous academic records, medical records, proof of residency, or other documentation.



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8. Enrollment in the school district of residence, the school district of last attendance if not the school district of residence, or the school district where the child resides shall continue for the duration of homelessness, including when a family becomes homeless between academic years, and also for the remainder of the academic year if the homeless child becomes permanently housed during the academic year.

F. Parental Rights (N.J.A.C. 6A:17-2.6)

1. Unless parental rights have been terminated by a court of competent jurisdiction, the parent retains all rights under N.J.A.C. 6A:17-2.1 et seq.

G. Disputes and Appeals (N.J.A.C. 6A:17-2.7)

1. When a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or designee(s) of the involved school district(s) or the child's parent(s) shall immediately notify the Executive County Superintendent of Schools, who, in consultation with the Department's McKinney-Vento Homeless Education Coordinator or designee, shall immediately decide the child's status. If a dispute remains between the parent and the involved school district(s) following the Executive County Superintendent's determination, the parent or the involved district Board(s) of Education may appeal to the Commissioner of Education for a determination pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
2. When a school district designated as the school district of residence disputes its designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts shall immediately notify the Executive County Superintendent of Schools, who shall make a determination immediately, if possible, but no later than within forty-eight hours.



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- a. If the dispute regarding determination of district of residence does not involve the determination of homelessness and/or district enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the Department of Education pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f), and request a determination from the Division of Administration and Finance.
  - b. If an appeal of a determination of district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
3. Any dispute or appeal shall not delay the homeless child's immediate enrollment or continued enrollment in the school district. The homeless child shall be enrolled in the school district in which enrollment or continued enrollment is sought by the parent, pending resolution of the dispute or appeal.
  4. Disputes and appeals involving the services provided to a homeless child with a disability shall be made pursuant to N.J.A.C. 6A:14.
- H. Tuition (N.J.A.C. 6A:17-2.8)
1. When the homeless child is enrolled in a school district other than the school district of residence, the school district of residence shall pay to the school district of enrollment the tuition costs pursuant to N.J.S.A. 18A:38-19 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence shall no longer pay tuition to the school district of enrollment.
  2. The school district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence shall no longer list the student on its ASSA.





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3. The State shall assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12.1 and shall pay the tuition to the school district in which the child is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d, under the following circumstances:
  - a. If the school district of residence cannot be determined for the homeless child;
  - b. If the school district of residence is outside of the State; or
  - c. If a child resides in a Department of Community Affairs-licensed emergency shelter or transitional living facility due to domestic violence for more than a year combined for the duration of the placement pursuant to N.J.S.A. 18A:7B-12.d.
- (1) When the State assumes fiscal responsibility for the tuition of a homeless child, the State shall pay to the school district in which the child is enrolled the weighted base per pupil amount calculated pursuant to N.J.S.A. 18A:7F-49, and the appropriate security and special education categorical aids per pupil pursuant to N.J.S.A. 18A:7F-55 and 56.

Issued:



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[See **POLICY ALERT No. 211**]

## 7446 SCHOOL SECURITY PROGRAM

The safety of students, staff members, and visitors on school grounds is an important concern for the Board of Education.

### School Resource Officer Program

The Board of Education authorizes a School Resource Officer Program in partnership with the municipality and local law enforcement. The Program is designed for municipal officials, law enforcement officers, and school authorities to work together to identify major problems faced by their schools and to create a more secure school environment through the presence of law enforcement officers within the school district. A School Resource Officer assigned to the school district shall remain an employee of the municipality and its Police Department.

The School Resource Officer may be a full-time Police Officer or a Class Three Special Law Enforcement Officer employed by the municipality in accordance with the provisions of N.J.S.A. 40A:14-146.11. A Class Three Special Law Enforcement Officer is authorized to exercise full powers and duties similar to those of a permanent regularly appointed full-time police officer while providing security at a public school during hours when school is normally in session or when occupied by students or school staff members. The use of a firearm by a Class Three Officer is authorized pursuant to the provisions of N.J.S.A. 40A:14-146.14. A Class Three Officer shall not carry a firearm except when engaged in the actual performance of the Officer's official duties as a School Resource Officer and when specifically authorized by the Chief of Police or in the absence of the Chief, a designee. The Board of Education and the municipality shall enter into a partnership agreement that sets forth the respective obligations of the municipality, local law enforcement, and the school district. The agreement shall include, but is not limited to, the following terms: the number of police officers assigned to the school district; the school(s) to be covered; the days of police coverage in the school district; the process for the Police Department to assign and the process for the Board of Education to approve a School Resource Officer(s); the duties of the assigned School Resource Officer(s); the reporting requirements for the School Resource Officer; and the financial obligations of the parties. The School Resource Officer Program Agreement shall be approved by the Board of Education.



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A School Resource Officer who is a full-time Police Officer or a Class Three Special Law Enforcement Officer must comply with all statutes and codes regarding their law enforcement status and all other statutory and administrative code responsibilities.

In order for a school security officer to be authorized to carry a handgun in a school building or on school grounds, the school security officer must provide the Superintendent of Schools with documentation supporting compliance with the requirements of N.J.S.A. 2C:39-6(l), including, but not limited to, a copy of an identification card issued by the Superintendent of the State Police permitting the retired officer to carry a handgun in accordance with N.J.S.A. 2C:39-6(l)(4). The identification card shall be valid for one year from the date of issuance, valid through the State, not transferable to any other person, and shall be carried at all times on the person of the retired law enforcement officer while the officer is carrying a handgun. The retired law enforcement officer shall produce the identification card for review on the demand of any law enforcement officer or authority.

The Superintendent of Schools will contact the Superintendent of the State Police to confirm the issuance of the identification card permitting the retired officer to carry a handgun in accordance with N.J.S.A. 2C:39-6(l)(4). The Superintendent of Schools will also submit the identification card to the school district's insurance company to ensure the Board of Education has the appropriate insurance for a school security officer to carry a handgun in accordance with this Policy. The school security officer's authorization to carry a handgun in school buildings and on school grounds will be dependent upon receipt of written confirmation from the school district's insurance company that sufficient insurance coverage, as determined by the Board, will be provided to the school district and school employees should any liability arise from the school security officer's handgun. The inability to obtain sufficient insurance coverage may independently form the basis for denial of a school security officer's authorization to carry a handgun in school buildings and on school grounds.

The appointment and authorization for a school security officer to carry a handgun in school buildings and on school grounds must be recommended by the Superintendent and approved by the Board of Education. Any authorization will only be for the time period the New Jersey State Police issued identification card is valid and under no circumstances will the authorization exceed one year. The Superintendent of Schools, if recommending a school staff member be authorized to carry a handgun in school buildings and on school grounds, will provide the



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School Security Program

Board of Education with a copy of all the information submitted by the school security officer in support of the application, any documentation from law enforcement agencies, and information from the district's insurance company. The Board of Education may approve the Superintendent's recommendation after review of the documentation, and upon such approval, the Superintendent of Schools will provide written authorization to the school security officer along with any conditions on the authority to carry a handgun in school buildings or on school grounds. The Superintendent of Schools or designee will inform local law enforcement officials of any school district security officer(s) authorized to carry a handgun in school buildings or on school grounds. A school security officer authorized to carry a handgun is not authorized to carry a handgun in school buildings or on school grounds beyond the hours of the officer's workday or work assignment.

A school security officer approved and authorized by the Board of Education to carry a handgun in school buildings and on school grounds must comply with all applicable New Jersey laws, including but not limited to: N.J.S.A. 2C:39-4; N.J.S.A. 2C:39-5; N.J.S.A. 2C:39-6; and N.J.S.A. 2C:58-4.]

This Policy will be reviewed and approved by the Board attorney for compliance with applicable statutes and administrative code provisions before initial adoption and subsequent re-adoptions by the Board.

N.J.S.A. 2C:39-4; 2C:39-5; 2C:39-6; 2C:58-4; 40A:14-146.10; 40A:14-146.11;  
40A:14-146.14

Adopted:



# POLICY GUIDE

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[See POLICY ALERT No. 211]

## 8350 RECORDS RETENTION

The New Jersey Department of the Treasury - Records Management Services places all public records on Records Retention Schedules that list the minimum legal and fiscal time periods public records must be retained by State and local governmental and educational agencies. Records Management Services determines these retention periods in conformance with State and Federal codes, regulations, and statutes of limitation. Final approval of the schedules comes from the State Records Committee, which is comprised of representatives of the Attorney General, State Treasurer, State Auditor, Director of Local Government Services, and the director of the division.

Part and parcel to a good records management program is the timely destruction of records once their retention period has expired. This pertains to the destruction of paper records as well as those that are microfilmed, have been imaged, or are electronic. Unique records disposal request (such as the disposal of fire damaged records which have not yet outlived their retention period) require specific authorization from the State Records Committee.

As per the Destruction of Public Records Act of 1953 (P.L. 1953, c. 410), the Board of Education must receive prior written authorization from Records Management Services to dispose of their public records regardless of the medium in which the information is maintained. Authorization to dispose public records shall be submitted electronically by the school district custodian of such records to Records Management Services. Records must be retained in accordance with the Records Retention Schedules and shall not be disposed until approval for such disposal is obtained from Records Management Services.

Adopted:

