

Policy

105 (1530)

Board of Education Nutley

OBJECTIVES

EQUAL EMPLOYMENT OPPORTUNITY

The Board of Education shall, in accordance with law, guarantee equal employment opportunity in the schools of this district.

Each otherwise qualified person shall be offered equal access to all categories of employment in this district without regard to the candidate's race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation or sex, social or economic status, handicap, or disability.

For the purpose of this policy, "handicap" means suffering from physical disability; from any mental, psychological, or developmental disability; or from AIDS or HIV infection.

The Board shall not enter into any contract with a person, agency, or organization if it has knowledge that such person, agency, or organization discriminates on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation or sex, social or economic status, handicap, or disability, either in employment practices or in the provision of benefits or services to pupils or employees.

The Superintendent shall promulgate a complaint procedure for the adjudication of disputes alleging violation of the law prohibiting discrimination in employment or this policy.

The Board shall not discriminate against any person for that person's exercise of rights under the laws prohibiting discrimination in employment or this policy.

42 U.S.C.A. 12101 et seq.

N.J.S.A. 10:5-1 et seq.

N.J.S.A. 18A:6-5, 6-6; 18A:28-10; 18A:29-2

N.J.A.C. 6:4-1 et seq.

Date Adopted: 12/19/94

Dated: December 19, 1994

Policy

230 (2700)

Board of Education Nutley

PROGRAM

SERVICES TO NONPUBLIC SCHOOL PUPILS

The Board of Education shall provide, in accordance with law and to the limit of State aid available for such purposes, services to pupils enrolled in nonpublic schools located within this school district in which a child may legally fulfill compulsory school attendance requirements and which complies with Title VI of the Civil Rights Act of 1964.

Textbooks N.J.S.A. 18A:58-37.2 et seq.
N.J.A.C. 6:20-6

The Board shall, on individual request, purchase and loan, without charge, textbooks to pupils attending a nonpublic school located in this district, provided the pupil is a New Jersey resident and the pupil's tuition is not paid by a district Board of Education. Any textbook so loaned will remain the property of this Board. Textbooks loaned to nonpublic school pupils shall be returned at the end of the school year, unless the nonpublic school agrees, with the Superintendent's permission, to store the textbooks without cost of the Board.

A request for the loan of textbooks shall be submitted in writing by the pupil's parent either directly to this Board or through the nonpublic school. Requests must be received by this Board by March 1 of the preceding school year.

Textbooks shall be purchased in the same manner as are textbooks purchased for use in this district. Nonpublic school pupils shall be subject to the rules and sanctions for the care of textbooks set forth in Policy No. 525 (5513), Care of School Property, in the same manner as are pupils of this district.

Remedial services N.J.S.A. 18:46-19.1 et seq.
N.J.A.C. 6:28-6

The Board shall provide services for the identification, referral, evaluation, and determination of eligibility for special education and/or related services, the development of individualized education programs, and speech correction for articulation disorders.

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The eligibility of pupils in nonpublic schools for such services shall be determined by the criteria established by rules of the State Board and used to determine the eligibility of pupils enrolled in this district for the same services. Services shall be provided only upon the written consent of the parent of the pupil and shall include the procedural safeguards provided to pupils of this district under N.J.A.C. 6:28-2 and Policy No. 210 (2460), Special Education.

Remedial services will be supplied by appropriately certified personnel who are not employees of the nonpublic school except that speech correction may be provided by employees of the nonpublic school. Services may also be provided under contract with a public or private agency approved by the Commissioner for the provision of remedial services. The location in which services are provided will be determined by the Board, will comply with rules of the State Board, and will be in a place other than a church or sectarian school.

Auxiliary services N.J.S.A. 18A:46A-1 et seq.
N.J.A.C. 6:28-6

The Board shall provide supportive services for acquiring communication proficiency in the English language for children of limited English speaking ability, supplementary instruction services, and home instruction services. Auxiliary services will be provided only upon the written consent of the pupil's parent.

Auxiliary services may be provided by appropriately certified personnel who are employees of this district or of the nonpublic school. Services may also be provided under contract with a public or private agency approved by the Commissioner for the provision of auxiliary services. The location in which services are provided will be determined by the Board, will comply with rules of the State Board, and will be in a place other than a church or sectarian school.

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Nursing and emergency services N.J.S.A. 18A:40-23 et seq.

The Board shall provide nursing services for pupils unless the nonpublic school has given written notice that it declines to receive such services. The kind and extent of services shall be agreed upon the Board and the nonpublic school within the limits of state funding. Instruction services shall not be offered.

Nursing services shall include assistance with medical examinations and dental screening, screening of hearing examinations, maintenance of public health records, notification of local and county health officials of any pupil who has not been properly immunized, and the conduct of scoliosis examinations.

Nursing and health care services may be provided directly by appropriately certified employees of this district or in cooperation with other boards of education or under contract with a public or private agency approved by the Commissioner for the provision of nursing services. The services may be delivered on the premises of the nonpublic school.

The Board may purchase equipment and supplies for the provision of services under this policy, within the allocation of funds, and may lend any such equipment to a nonpublic school without charge provided it is understood that such equipment remains the property of the Board.

A nonpublic school pupil whose parent objects in writing to the receipt of nursing services shall not be compelled to receive such services, except for a physical examination to determine whether the pupil is ill or infected with a communicable disease.

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Delivery of services

The Board shall provide any transportation necessitated by the provision of services under this policy.

Funds spent on services delivered under this policy in any one nonpublic school shall not exceed the amount allocated to that school on a per pupil basis, less the cost to this district of administrative services directly attributable to the provision of such services. A maximum of six percent of the allocated amount may be spent on administrative costs.

Records regarding individual pupils receiving services under this policy shall be kept in accordance with State Board rules and Policy No. 516 (8330) on pupil records.

The Board shall, no later than November 5, file with the Commissioner a report on the number of nonpublic school pupils identified as eligible to receive services as of the last school day in October.

N.J.S.A. 18A:40-23 et seq.; 18A:46-19.1 et seq.;
18A:46A-1 et seq.; 18A:58-37.1 et seq.
N.J.A.C. 6:3-2; 6:8-4.3(a)3i; 6:20-6; 6:28-6

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IMMUNIZATION

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the Board requires all students to be immunized against certain diseases in accordance with State statutes, unless specifically exempt for religious or medical reasons. This policy shall be the administrative responsibility of the building principal of each school building in the district.

No child shall be admitted to school unless he or she has completed required immunization or has been granted a provisional status in accordance with rules and the regulation implementing this policy.

Exemptions for religious reasons are permitted upon the certification that immunization interferes with the free exercise of a pupil's rights, but said right shall not extend to the philosophic belief that the State should not require immunization nor the claim of religious exemption against only one vaccine. Children who have not completed immunization within a reasonable time period may not be admitted to school.

The Board believes that immunization is the primary responsibility of the parent(s). For those pupils who do not have ready access to private or public health services, the responsibility then belongs to the local health department.

No immunization program, other than that expressly required by the rules of the New Jersey State Department of Health or by order of the New Jersey State Commissioner of Health, may be conducted in district schools without the express approval of the Board.

Reference: 18A:40-20; 26-1A-7 et seq., 26:4-6; N.J.A.C.,
26:2N1 et seq.; 8:57-4.1 et seq.

Date Adopted: 5/21/80

Date Revised: 12/19/94

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IMMUNIZATION

A. Immunization on admission

1. No principal shall knowingly admit or retain any pupil who has not submitted acceptable evidence of immunization according to the schedule set forth at Paragraph E, unless the pupil is provisionally admitted as provided in Paragraph A2 or exempted as provided at Paragraph B.
N.J.A.C. 8:57-4.2
2. A pupil may be admitted to school on a provisional basis if a physician can document that at least one dose of each of the required vaccine(s) or antigen(s) which are age appropriate has been administered and that the pupil is in the process of receiving the remaining immunizations.
N.J.A.C. 8:57-4.5
 - a. Such provisional admission shall be for a reasonable length of time that is consistent with the immunization schedule set forth in Paragraph E, but all requirements must be completed within one year for pupils five years of age and older and within seventeen months for pupils under the age of five.
 - b. Provisional status shall be granted only one time to pupils entering or transferring into this district. If a pupil on provisional status transfers from this district, information on his or her status will be sent to the new school.
 - c. Pupils transferring into this district from another state shall be allowed a thirty day grace period before provisional status begins.

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- d. The principal shall insure that the provisionally admitted pupil is receiving required immunizations on schedule. If the pupil has not completed the immunizations at the end of the provisional period, the principal shall exclude the pupil from school until appropriate documentation of completion has been presented.
- e. Pupils on provisional status may be temporarily excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the Commissioner of Health.

B. Exemptions from immunization

- 1. A pupil shall not be required to have any specific immunization(s) that are medically contraindicated.
N.J.A.C. 8:57-4.3
 - a. A written statement from any physician licensed to practice medicine or osteopathy in any jurisdiction in the United States indicating that an immunization is medically contraindicated for a specified period of time and the reasons for the medical contraindication, will exempt a pupil from the specific immunization requirements of law for the period to time specified in the physician's statement.
 - b. The physician's statement shall be maintained a part of the immunization record of the pupil and shall be reviewed annually.
 - c. When the pupil's medical condition permits immunization, this exemption shall thereupon terminate, and the pupil will be required to obtain the immunizations from which he or she has been exempted.

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2. A pupil shall be exempted from mandatory immunization if the parent submits a signed statement that explains how the administration of immunizing agents conflicts with the pupil's exercise of bona fide religious tenets or practices. General philosophical or moral objection to immunization shall not be sufficient for any exemption on religious grounds.

N.J.A.C. 8:57-4.4

- a. The written statement signed by the parent will be kept by the school as part of the pupil's immunization record.
 - b. This exemption may be suspended by the Commissioner of Health during the existence of an emergency as determined by the Commissioner of Health.
 - c. Pupils enrolled in school before September 1991 and granted a religious exemption to immunization before May 1990 shall not be required to reapply for a new religious exemption.
3. Pupils exempted on medical or religious grounds may be temporarily excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the Commissioner of Health.

C. Documentation of immunization

1. Any of the following documents will be accepted as evidence of a pupil's immunization history, provided that the document lists the type of immunization and the date when each immunization was administered.

N.J.A.C. 8:57-4.6

- a. An official school record from any school or preschool indicating compliance with immunization requirements,
- b. A record from any public health department indicating compliance with immunization requirements, or

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- c. A certificate signed by a physician licensed to practice medicine or osteopathy in any jurisdiction immunization requirements.
 - 2. All immunization records submitted by a parent in a language other than English shall be accompanied by a translation sufficient to determine compliance with the immunization requirements of this regulation.
- D. Immunization records
- 1. Each school shall maintain an official State of New Jersey Immunization Record for every pupil which shall include the date of each individual immunization.
N.J.A.C. 8:57-4.7
 - a. The immunization record shall be kept separate and apart from the pupil's other medical records for the purpose of immunization record audit.
 - b. If a pupil withdraws, is promoted, or transfers to another school, the record, including statements pertaining to medical or religious exemptions, or certified copies thereof, shall be sent to the new school or be given to the parent on request, within twenty-four hours of the request.
 - c. When a pupil graduates from high school, the record or a certified copy thereof shall be sent to an institution of higher education or may be given to the parent on request.

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- d. Each pupil's immunization record or a copy thereof shall be retained by the high school for a minimum of four years after the pupil has left the school and shall be retained by the elementary school for a minimum of one year after the pupil has left the school.
 - e. Any computer-generated document or list developed to record immunization information will be considered a supplement to, not a replacement of, the official New Jersey Immunization Record.
2. A report of the immunization status of the pupils in each school shall be sent each year to the State Department of Health by the principal or other person in charge of a school. The form for the annual report will be provided by the State Department of Health. The report shall include all pupils and shall be submitted by December 1 of the respective academic year. A copy of this report shall be sent to the local board of health in whose jurisdiction the school is located.
N.J.A.C. 8:57-4.8
3. The principal in charge of a school shall make immunization records available for inspection by authorized representatives of the State Department of Health or the local board of health in whose jurisdiction the school is located, within twenty-four hours of notification.
N.J.A.C. 8:57-4.9

E. Immunization requirements

1. Every nonexempted pupil born on or after 1 January 1986 shall have received a minimum of four doses of diphtheria and tetanus toxoid and pertussis vaccine (DTP), one dose of which shall have been given on or after the fourth birthday.
N.J.A.C. 8:57-4.10
- a. Pupils enrolled in preschool who are too young to meet this requirement shall be considered to be in compliance if they are appropriately immunized for their age.

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- b. Pediatric diphtheria-tetanus (DT) shall be accepted in lieu of DTP for pupils under age seven if a physician's written medical contraindication to further pertussis vaccine has been presented.
 - c. Pupils seven years of age and older who have not completed this requirement shall receive tetanus and diphtheria toxoid (adult TD) instead of DTP. Any appropriately spaced combination of three doses of DTP or TD in a pupil over age seven shall be acceptable as adequate immunization for this vaccine series.
 - d. Those pupils born on or after January 1, 1986 who have received five or more doses of DTP shall have satisfied the DTP requirements.
2. Every nonexempted pupil born on or after January 1, 1986 shall have received at least three doses of live, trivalent, oral poliovirus vaccine (OPV), one dose of which shall have been given on or after the fourth birthday.
N.J.A.C. 6:29-4.11
- a. Pupils enrolled in preschool who are too young to meet this requirement shall be considered to be in compliance if they are appropriately immunized for their age.
 - b. Any appropriately spaced combination of four doses of conventional or enhanced inactivated poliovirus vaccine (IVP) and OPV will satisfy the poliovirus vaccine requirement.
 - c. For pupils seven years of age and older, any appropriately spaced combination of three doses of enhanced IPV and OPV will satisfy the poliovirus vaccine requirement.
3. Every nonexempt pupil shall have received one dose of measles virus vaccine, live, attenuated, or any vaccine combination containing live measles vaccine, administered on or after the first birthday.
N.J.A.C. 6:29-4.12

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- a. Pupils who present documented laboratory evidence of measles immunity shall not be required to receive measles vaccine.
- b. Pupils enrolled in school before September 1, 1991 who have a current immunization record with physician diagnosed and documented measles disease shall not be required to receive measles vaccine.
4. Every nonexempt pupil shall have received one dose of live rubella virus vaccine or any vaccine combination containing live rubella virus vaccine, administered on or after the first birthday. Rubella virus vaccine shall not be required of pupils who present documented laboratory evidence of rubella immunity.
N.J.A.C. 8:57-4.13
5. Every nonexempt pupil shall have received one dose of live mumps virus vaccine, or any vaccine combination containing live mumps vaccine, administered on or after the first birthday. Pupils who present written certification from the diagnosing physician that the pupil had mumps disease shall not be required to receive mumps vaccine. Pupils who present documented laboratory evidence of mumps immunity shall not be required to receive mumps vaccine.
N.J.A.C. 8:57-4.14

Date Adopted: 5/21/80

Date Revised: 12/19/94

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ADMINISTRATION OF MEDICATION

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of the illness of any pupil. At the same time, the Board recognizes that a pupil's attendance may be contingent upon the timely administration of medication duly prescribed by a physician. The Board will permit the dispensation of medication in school only when the pupil's health and continuing attendance in school so require and when the medication is administered in accordance with this policy.

For purposes of this policy, "medication" means any prescription drug or prescribed over-the-counter medicine or nutritional supplement and includes, but is not limited to, aspirin and cough drops.

No medication will be administered to pupils in school except by the school nurse, another registered nurse, or the pupil's parent. Medication must be delivered to the school nurse in its original labeled container by the pupil's parent and must be accompanied by the parent's written request for its administration and by the physician's written and signed statement of the medication's name, the purpose of its administration to the specific pupil for whom it is intended, its proper timing and dosage, its possible side effects, and the time when its use will be discontinued. Medication no longer required must be promptly removed by the parent. An exception is made for pupils with asthma or another potentially life threatening illness, who shall be allowed to self-administer medication when a nurse is not physically present at the scene, provided permissions for such administration are on file in the office of the school nurse and comply with the conditions for granting permission contained in Regulation 5100 (5330).

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All pupil medications shall be appropriately maintained and secured by the school nurse, except those medications to be self-administered by pupils. In those instances the medication may be retained by the pupil with the prior knowledge of the school nurse. The school nurse may provide the principal and other teaching staff members concerned with the pupil's educational progress with such information about the medication and its administration as may be in the pupil's best educational interests. The school nurse may report to the school medical inspector any pupil who appears to be affected adversely by the administration of medication and may recommend to the principal the pupil's exclusion pursuant to law.

The school nurse shall document each instance of the administration of medication to a pupil. Pupils self-administering medication shall report each incident to a teacher, coach or other individual designated by the school district to be in charge of the pupil during school activities. Such individuals shall report such incidents to the school nurse within 24 hours of the self-administration of medication. The school nurse shall preserve records and documentation regarding the self-administration of medication in the pupil's health file.

N.J.S.A. 18A:6-1.1; 18A:40-6; 18A:40-78

N.J.S.A. 24:11-23

P.L. 1993, Chapter 308

Date Adopted: 5/21/80

Date Revised: 12/19/94

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ADMINISTRATION OF MEDICATION

A. Definitions

1. "Medication" means any prescription drug or prescribed over-the-counter medicine or nutritional supplement and includes, but is not limited to, aspirin and cough drops.
2. "Administration" means the taking of any medication by ingestion, injection, or application to any part of the body or the giving of direct physical assistance to the person who is ingesting, injecting, or applying medication.
3. "Self-administration" means the administration of any medication by a pupil with asthma or other life threatening illness to him/herself.

B. Permission for administration by a school nurse or registered nurse

1. Permission for the administration of medication in school or at school-related events will be given only when the pupil's attendance depends upon the timely administration of medication in school or at school-related events.
2. Medication will not be administered to a pupil who is physically unfit to attend school or has a contagious disease. Any such pupil should not be permitted to attend school and may be excluded in accordance with Policy No. 806 (8451).
3. Parents or guardians requests for the administration of medication in school must be made in writing and signed by the parents or guardian.

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4. The parents or guardians must submit a certified statement written and signed by the pupil's physician. The statement must include:
 - a. The pupil's name,
 - b. The name of the medication,
 - c. The purpose of its administration to the pupil for whom the medication is intended,
 - d. The proper timing and dosage of medication,
 - e. Any possible side effects of the medication,
 - f. The time when the medication will be discontinued,
 - g. A statement that the pupil is physically fit to attend school and is free of contagious disease, and
 - h. A statement that the pupil would not be able to attend school if the medication is not administered during school hours.
5. A request for the administration of medication should be made to the Director of Special Services, who may grant or deny the request. The Director may consult with the school nurse and school medical inspector in making his or her determination.
 - a. An approved request will be signed by the Director, principal and given to the school nurse and the pupil's parent or guardian.

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- b. The parents or guardians will be informed of the reason for a denied request; a denied request may be appealed to the Superintendent.

C. Permission for self-administration of medication

Permission for self-administration of medication of a pupil with asthma or another potentially life threatening illness may be granted under the following conditions:

1. Parents or guardians of the pupil must provide the Board written authorization for the self-administration of medication. The request must be a signed written statement by the pupil's parents or guardians;
2. The parents or guardians of the pupil must provide the Board with a signed written certification from the physician of the pupil that the pupil has asthma or another potentially life threatening illness and is capable of, and has been instructed in, the proper method of self-administration of medication. The statement must include:
 - a. The pupils's name,
 - b. The name of the medication,
 - c. The purpose of its administration to the pupil for whom the medication is intended,
 - d. The proper timing and dosage of medication,
 - e. Any possible side effects of the medication,
 - f. The time when the medication will be discontinued,
 - g. A statement that the pupil is physically fit to attend school and is free of contagious disease, and

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- h. A statement that the pupil would not be able to attend school if the medication is not administered during school hours.
- 3. The Board shall inform the parents or guardians of the pupil in writing that the school district, the Board, and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil.
- 4. The parents or guardians of the pupil have signed a statement acknowledging that the school district shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents or guardians shall indemnify and hold harmless the school district, the Board, and its employees or agents from any and all claims arising out of the self-administration of medication.
- 5. Requests for the self-administration of medication should be made to the Director, who may grant or deny the request. The Director may consult with the school nurse and school medical inspector in making his or her determination.
 - a. An approved request will be signed by the Director and given to the school nurse and the pupil's parents or guardians.
 - b. The parents or guardians will be informed of the reason for a denied request; a denied request may be appealed to the Superintendent.
- 6. Permission to self-administer one medication shall not be construed as permission to self-administer other medication.
- 7. Permission shall be effective on the school year for which it is granted only. The conditions cited in subsections 1 to 6 above must be fulfilled in order for the permission to be renewed.

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D. Custodianship of medication

1. Medications to be administered by the school nurse or a registered nurse:
 - a. All medications must be delivered to the school by the parent or guardian.
 - b. All medications must be in the original container, with the prescription information affixed.
 - c. The school nurse shall be custodian of pupil's medication, which will be secured under lock and key under appropriate conditions.
 - d. Any unused medication must be picked up by the pupil's parent or guardian.
 - e. After reasonable efforts to have the parent retrieve the medication have failed, any unused medication that remains in the school at the end of the school year or six weeks after the pupil stops taking the medication, whichever first occurs, must be destroyed or discarded by the school nurse, in accordance with proper medical controls.
2. Medications to be self-administered by a pupil:
 - a. Time being of the essence in cases of asthma and other potentially life threatening illness, all medications to be self-administered by a pupil must be kept in the pupil's possession.
 - b. No pupil may possess medication for self-medication for self-administration unless the proper permission has been granted by the Director and a record of the medication is on file in the office of the school nurse.

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- c. Pupil's who are permitted to self-administer medications must secure their medication in such a manner that the medication will not be available to other pupils.
 - 3. When medication must be routinely administered to a pupil at a time when the school nurse cannot be present in the school building and the parent cannot be present, the medication may be administered directly by the affected pupil, provided that:
 - a. The Director, the pupil's parent, the pupil's physician, and the school medical inspector all agree in writing that
 - (1) The pupil is sufficiently mature and responsible to self-administer the medication and
 - (2) The risk of improper administration is minimal; and
 - b. When practical, the self-administration is observed and supervised by a teaching staff member trained by the school nurse in the proper administration of the medication.
- E. Administration of medication
- 1. No medication shall be administered to or taken by a pupil in school or at a school-sponsored event except as permitted by Board policy and this regulation.
 - 2. Medication may be administered only by the school nurse, a registered nurse, the pupil's parent or guardian, or in the case of pupils with asthma or other potentially life threatening illness by the pupil when proper permission has been granted.
 - 3. When practicable, self-administration of medication should be observed by the school nurse or another school official.

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4. Pupils self-administering medication shall report each administration of medication and any side effects to a teacher, coach, or the individual in charge of the pupil during school activities. Such individual shall report all administrations and any side effects reported or observed to the school nurse within 24 hours.
5. When a pupil attends a school-sponsored event at which medication may be required (such as an outdoor field trip or athletic competition) and the school nurse or a parent or guardian cannot be in attendance, the pupil's parent or guardian will be invited to attend. If neither the school nurse nor the parent or guardian can attend and the pupil does not have permission to self administer medication and there is a risk that the pupil may suffer significant injury from lack of medication is substantial, the pupil may be excused from the event.

F. Emergencies

Any medical emergency requiring medication of pupils will be handled in accordance with regulations on first aid and, as appropriate, the school medical inspector's standing orders for school nurses.

G. Records

The school nurse shall include the following in a pupil's health record:

1. The approved written request for the administration or self-administration of medication.
2. A record of each instance of the administration of the medication by the school nurse or a registered nurse.
3. A record of reports by teachers, coaches, and other individuals in charge of school activities who report student self-administration of medication.
4. Any side effects that resulted from the administration of medication, and

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5. Whether the supply of medication provided in cases where the medication is to be administered by the school nurse or a registered nurse was exhausted or the parent or guardian removed the medication or, if the parent failed to remove the medication, the medication was destroyed and the date on which that occurred.

H. Notification

1. The school nurse may provide the principal and other teaching staff members concerned with the pupil's educational progress with information about the medication and administration when such release of information is in the pupil's best educational interest.
2. The school nurse will provide teachers, coaches, and other individuals in charge of school activities with a list of pupils who have been given permission to self-administer medication.
3. The school nurse will inform the pupil's parent or guardian of any difficulty in the administration of medication or any untoward side effects.
4. The school nurse will report to the school medical inspector any pupil who appears to be adversely affected by the medication.

Adopted: 12/19/94

Policy

No. 511 (8760)

Board of Education Nutley

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ACCIDENT INSURANCE

The Board will maintain insurance coverage by a qualified insurer at no cost to the student for injury resulting from accidents sustained in the course of participation in the interscholastic sports program.

The Board of Education will reimburse students or their parents for medical expenses incurred from injuries sustained as a result of accidents while the student was engaged in the interscholastic sports program to the extent that such medical expenses are not reimbursable by insurance or otherwise, when the Board determines such expenses to have been necessary and reasonable.

The Board will provide parents the opportunity to purchase insurance coverage, at no cost to the Board, for injury resulting from accidents sustained by students in school, on school grounds, at an activity sponsored by the school, while traveling between home and school and in any activity round the clock.

Reference: NJSA 18A:43-1 et seq.

Date Adopted: 5/21/80

Date Revised: 12/19/94

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PUPIL RECORDS

The Nutley Board of Education believes that information about individual pupils must be complex and maintained in the interest of the pupil's educational welfare and advancement. The Board will strive to balance the pupil's right to privacy against the district's need to collect, retain, and use information about individual pupils and groups of pupils. The Board authorizes the establishment and maintenance of pupil files that include only those records mandated by law, rules of the State Board of Education, and authorized administrative directive and those records permitted by this Board. No liability shall be attached to any member, officer, or employee of this Board of Education for the furnishing of pupil records in accordance with law and rules.

The Superintendent shall prepare, present to the Board for approval, and distribute regulations that implement this policy and conform to applicable state and federal law and rules of the State Board of Education.

Notification of rights

Parents and adult pupils shall annually be notified in writing of their rights regarding pupil records, including the right to prohibit the release of directory information. Copies of applicable federal and state laws, Board policy, and administrative regulations governing pupil records will be made available to parents and adult pupils on request.

When the language of the parent or adult is not English or the parent or adult pupil is deaf, the Superintendent shall, whenever possible, provide interpretation in the dominant language or assist in securing an interpreter.

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Content of records

Mandated records include the pupil's personal descriptive data, daily attendance records, progress reports, and physical health records; records required for educationally disabled pupils; and all other records required by the State Board of Education.

Permitted records include observations and ratings by professional staff members acting within the scope of their professional duties, samples of pupil work, information obtained from professionally acceptable standard instruments of measurement, educationally relevant information provided by a parent or adult pupil concerning achievements and other school activities that the parent or pupil wishes to make part of the pupil's record, extra-curricular activities and achievements, rank in class, academic honors earned, and written evidence of compliance with the requirements of this policy for notification and consent.

In all cases, information in pupil records will be educationally relevant, objective, and based on the first-hand observation or personal knowledge of the originator. No record may be made or kept of a pupil's religious or political affiliation or of any indication of a pupil's illegitimacy.

The Board will describe annually at a public meeting the pupil records that professional employees have been authorized to collect and maintain.

Collection and maintenance of records

A single, central file will be compiled for each pupil and will be maintained in the office of the school to which the pupil has been assigned or, in the case of pupils assigned to a school or program outside the district, in the Special Services Office. If any record regarding a pupil is required to be kept outside that file, a notation of its existence and location must be kept in the central file.

The Superintendent shall be responsible for the security of pupil records and shall designate appropriate custodians of the records.

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The Superintendent shall request the school records of a transferred pupil within two weeks of the pupil's enrollment and shall obtain proper identification of new pupils.

Pupil records stored electronically in a computerized system must be protected by programmed security blocks and safeguards that insure both access to the full record by authorized persons and complete security against access by unauthorized persons. An updated hard copy of pupil records will also be maintained and will be subject to all the restraints of law and this policy.

Access to records

Access to pupil records will be available only to the pupil's parent, the adult pupil, appropriate school personnel acting in the educational interest of the pupil, and such others as may be permitted access by rules of the State Board of Education. Access by parents and adult pupils may be denied only when the originator of the record can demonstrate to the Superintendent that its release would involve substantial risk of harm to the pupil or to the person whom the record concerns; any such denial of access may be appealed.

The Board is permitted access to pupil records only through the Superintendent. Secretarial and clerical personnel are permitted access to pupil records only to the extent necessary in the performance of their responsibilities, under the direct supervision of teaching staff members.

Copies of pupil records may be made by those permitted access to them at the fee established for the reproduction of public records in Policy No. 801 (8310).

A request for access to the record or reproduction of any of its contents must be granted or denied within ten days but no later than any hearing or review to which the requested record is pertinent. No record shall be altered or destroyed between the time the written request is made and the record is reviewed.

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Information in a pupil's record may be released by a teaching staff member to the pupil, minor or adult, and to other appropriate persons in an emergency and for the purpose of protecting the health and safety of the pupil or other persons.

A pupil's records will be sent to the New Jersey school district to which the pupil transfers within ten days of the new district's verification of the transfer, in accordance with State Board rules. The records of a pupil who transfers to a private school or to a school outside New Jersey will be sent to the new school only on the written permission of the parent or adult pupil.

Directory information

The Board designates as "directory information" a pupil's name, address, telephone number, grade level, date and place of birth, dates of enrollment, participation in officially recognized activities and sports, awards received, previous school districts attended, the height and weight of members of district athletic teams.

Directory information may be released without specific permission, except when such release is prohibited by a parent or adult pupil.

Appeal of record

A parent or adult pupil may challenge the pupil's record and may request the addition of material or comments or the deletion of material from the record. The parent or adult pupil may request a stay of disclosure pending final determination of any such challenge. An appeal must be made in writing to the Superintendent, who shall attempt to resolve the issue within ten days. The issue may be further appealed, within ten days of the Superintendent's determination, to the Commissioner of Education or the Board of Education. Any appeal made to the Board will be determined within twenty days and after opportunity has been offered for a hearing. A record of the appeal will be made part of the pupil's record.

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A parent or adult pupil may place a statement in the record, which will be maintained with the contested portion of the record and will be disclosed whenever the contest portion is disclosed.

Review, transfer, preservation, and destruction

The records of currently enrolled pupils will be reviewed annually by appropriate teaching staff members, and permitted records that are detrimental or no longer educationally relevant must be deleted, except that no information shall be deleted from the record of a classified pupil without prior notice of parent or adult pupil. No record shall be kept of any such deletion or the materials deleted. Mandated information no longer necessary for the provision of educational services may also be destroyed, provided the parent or adult pupil has given written consent to the destruction or reasonable efforts to notify the parent or pupil and secure consent have been unsuccessful.

When a pupil is no longer enrolled in this district, those records mandated by rules of the State Board of Education shall be preserved in perpetuity. All other records will be destroyed, except that the student profile form, with attachments, of a pupil evaluated by Special Review Assessment will be retained for one year after the pupil's class graduates. The parent or adult pupil will be notified in writing that a copy of the entire pupil record will be provided upon request. No additions will be made to the pupil's record without the written consent of the parent or adult pupil.

20 U.S.C.A. 1231g

34 C.F.R. Part 99

N.J.S.A. 18A:6-9; 18A:36-19; 18A:40-4; 40-19

N.J.S.A. 47:1A-1; 1A-2

N.J.A.C. 6:3-2.1 et seq.; 6:20-1.1; 6:27-1.10; 6:28-2.9;
6:29-4.2(A)11; 29-4.5; 29-6.4(c); 6:39-1.3(g)

Date Adopted: 12/18/89

Date Revised: 12/19/94

5/5

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Board of Education

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PUPIL RECORDS

A. Definitions

1. "Access" means the right to view, take notes, and copy by hand or photo-reproduction.
2. "Adult pupil" means a pupil enrolled or formerly enrolled in this district who is the subject of the record and is eighteen years of age or older or is an emancipated minor. The Superintendent may determine that a minor pupil is emancipated on the pupil's presentation of evidence indicating that he or she is financially independent.
3. "Parent" means the natural or adoptive parent, custodial or noncustodial; legal guardian; foster parent; approved parent surrogate; or legal custodian of the pupil who is the subject of the record and includes only such persons for whom access is authorized at Paragraph D1a. In the event parental rights have been terminated or limited by a court of competent jurisdiction, the pupil's legal custodian must so notify the custodian of the pupil's file, by submission of appropriate legal documentation, in order that improper access to the pupil's record is not granted.
4. "Pupil record" means any information in tangible form regarding an individual pupil enrolled or formerly enrolled in this district, regardless of its subject, source, or physical form, that is maintained for the purpose of review by a person other than the originator of the record. Information recorded by a teaching staff member solely to aid memory is not a pupil record for the purpose of this regulation; at the time such information is reviewed by another person, it becomes a pupil record.

B. Authorized content of pupil records

A pupil's file may include only the following mandated and permitted records.

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1. The collection of the following mandated records is authorized:
 - a. Personal identifying data, including name, address, date of birth, citizenship, gender, and name of parent; personal data cannot include the pupil's religious or political affiliation, except as so requested by the adult pupil or parent, and cannot include any indication of the pupil's illegitimacy;
 - b. Daily attendance records;
 - c. Pupil progress report, report cards, and grade transcripts;
 - d. Grade level and program assignments;
 - e. Physical health records;
 - f. Records required and created in the identification, referral, evaluation, and classification of educationally disabled pupils and the provision of special education and/or related activities;
 - g. All other records requested by the State Board of Education.
2. The collection of the following permitted records is authorized to promote the pupil's educational welfare:
 - a. Personally authenticated observations, assessments, ratings, and anecdotal reports recorded by teaching staff members in the performance of their professional responsibilities and intended for review by another person, provided the record is dated and signed by the originator; information recorded solely as a memory aid for the originator becomes a pupil record when it is reviewed by any other person, including a substitute;

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- b. Information, scores, and results obtained from standardized tests or by approved tests conducted by professional personnel;
- c. Educationally relevant information provided by the parent or adult pupil regarding the pupil's achievements or school activities;
- d. Any correspondence with the pupil and/or the pupil's parent;
- e. Driver education certificate;
- f. Emergency notification form;
- g. New pupil registration form;
- h. Withdrawal or transfer form;
- i. Change of schedule form;
- j. Records of disciplinary infractions, penalties, and disciplinary hearings;
- k. Records of the pupil's co-curricular and athletic activities and achievements;
- l. Class rank;
- m. Awards and honors;
- n. Notations of additional records maintained in a separate file (Paragraph C2);
- o. The statement of a parent or adult pupil regarding a contested portion of the record; and
- p. Entries indicating review of the file by an authorized person (Paragraph D6).

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C. Collection and Maintenance of Records

1. A pupil's records will be maintained in a single central file in the office of the school to which the pupil is assigned. The file of a pupil assigned to a program outside this district will be maintained in the Special Services Office.
2. In the event any record is kept in a place other than the pupil's central file, the central file will include a notation of the existence and location of the additional record.
3. The Principal is the custodian responsible for the collection and security of pupil records in his or her school. The Director of Special Services is the custodian responsible for the collection and security of pupil records maintained by the child study team. The school nurse is the custodian responsible for any physical health records and emergency notification forms maintained in the school nurse's office.
4. All pupil records will be securely maintained under lock and key to protect the integrity of the record and to prevent access by unauthorized persons. Secretarial and clerical personnel, including properly assigned aides, may handle and view pupil records only to the limited extent necessary to enter data, clerical tasks, as specifically directed and supervised by professional personnel.
5. Any computer program utilized for the electronic storage and retrieval of pupil information must provide adequate security blocks to protect the records against improper access and alteration. An updated printout must be made of all computerized pupil records and will be maintained in strict accordance with these regulations.
6. The registration of a pupil transferring to this district must be reported to the Principal in order that prompt request for the pupil's records may be made.

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D. Access to pupil records

1. The responsible custodian shall permit access to pupil records only by the following authorized persons:
 - a. The parent of a minor pupil, or the parent of a financially dependent adult pupil who will not divulge information contained in the record without the adult pupil's consent.
 - b. A minor pupil with the written permission of his or her parent;
 - c. A pupil sixteen years of age who plans to terminate his or her education by graduation from high school or by withdrawal from school at the end of the term;
 - d. An adult pupil;
 - e. Teaching staff members who have assigned educational responsibilities for the pupil;
 - f. Representatives of accrediting organizations for the purpose of determining accreditation;
 - g. The Commissioner of Education and members of the New Jersey Department of Education staff who have assigned responsibilities that necessitate the review of pupil records;
 - h. Officers and employees of a state agency responsible for protective and investigative services for pupils referred in cases of suspected child abuse;
 - i. Representatives and persons outside the school who have been authorized by the written consent of the parent or adult pupil, provided that a written request for review, together with the required authorization, is first submitted to the custodian of the record and provided that the reviewer shall not transfer pupil record information to a third party without the written consent of the parent or adult pupil;

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- j. Representatives and persons not otherwise authorized, upon the presentation of a court order, provided that, absent a judicial order to the contrary; the parent or adult pupil has been given at least three days written notice of the name of the requesting agency and the records requested; and
 - k. Bona fide researchers approved by the Superintendent after the requesting researcher has submitted a written request that sets forth the nature of the research, the relevance of the records sought, and the researcher's assurances that pupil anonymity and confidentiality will be strictly guarded.
- 2. A request for inspection of pupil records submitted by an authorized person will be granted, provided any condition for access set forth in Paragraph D1 has been met, as soon as is practical and no later than ten (10) days after the request is received or any hearing or review to which the record is relevant, whichever first occurs.
 - 3. No pupil record shall be altered or destroyed after review has been requested and before the requested review occurs. As soon as a request is received, the pupil's file will be flagged to prevent inadvertent clerical alteration. The flag will be removed when the review occurs.
 - 4. Where access has been requested by a person other than a parent or pupil or teaching staff member educationally responsible for the pupil, access will generally be limited to the record or portion of the record relevant to the purpose for which access was granted.
 - 5. The custodian of the record, or a teaching staff member appointed by the custodian, shall be present during the period of review to provide interpretation of the record as required; to prevent any alteration, damage, or loss of the record; and to limit review where such limitation is a condition of access.

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6. Except for inspection by a parent, pupil, or teaching staff member educationally responsible for the pupil, every inspection of a pupil's record shall be noted in an entry in the file that sets forth the name of the person or persons granted access, the reason access was granted, the time and circumstances of the inspection, the records inspected, and the purposes for which the data will be used.
7. A record may be withheld from a parent or pupil authorized at Paragraph D1a through Paragraph D1d only when the Superintendent, in consultation with teaching staff members, determines that a disclosure of the record would create a substantial risk of harm to the pupil or to a person with whom the record is concerned. The parent or pupil denied access shall have the right to appeal the denial of access to the Commissioner of Education.
8. An authorized person may request a photocopy of all or a portion of that part of the pupil's record to which the reviewer has been granted access. Copies will be made by district personnel for a fee equal to that charged for copies of the public records of this district, except that the fee may be waived for a parent or adult pupil who, in the judgment of the custodian of the record, might otherwise be prevented from exercising his or her rights of access and appeal under rules governing access to pupil records and the due process rights of educationally disabled pupils.

E. Release of information

Information in a pupil record, other than directory information defined in Paragraph H1, may be released only to the following persons and under the following conditions:

1. In order to fulfill its legal responsibilities, the Board of Education may receive information contained in a pupil's record. Any request for such information must be made to the Superintendent by the Board duly convened.

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The information will be presented by the Superintendent to the Board in private session, except that the parent or adult pupil will be notified of the planned private discussion and, on the written request of the parent or adult pupil, the information will be discussed in a public meeting.

2. Teaching staff members may, in their discretion, disclose information in a pupil record to the minor pupil who is the subject of the record or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health and safety of the pupil or other persons.
3. A parent or adult pupil may be given information from that portion of another pupil's record that contains information about the parents child or about the adult pupil.

F. Transfer of records

1. When a pupil transfers to another school district in New Jersey, the custodian of the pupil's records shall, within ten days of the receiving district's verification of the transfer,
 - a. Forward the pupil's mandated records to the receiving district with written notice of the transfer to the parent or adult pupil, and
 - b. Forward the pupil's permitted records to the receiving district on the written consent of the parent or adult pupil.
2. When a pupil departs permanently from this school district by transfer to a private school or a school district outside New Jersey, the parent or adult pupil will be notified in writing that a copy of the entire pupil record will be provided on request. The record will be forwarded to the receiving school or district on the written request of the parent or adult pupil.

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G. Appeal of record

A parent or adult pupil may request the expungement of allegedly inaccurate, irrelevant, or improper information; the insertion of additional data and commentary; and request a stay of disclosure, the accordance with the following appeal procedures;

1. The parent or adult pupil must submit a written request to the Superintendent that includes the specific issues and allegations relating to the pupil record and the relief sought.
2. The Superintendent, or his designee, will, within ten days of the receipt of the request, meet with the parent or adult pupil to review the issues and allegations raised and the relief sought.
3. If the relief sought by the parent or adult pupil is not granted at the review meeting, the parent or adult pupil will be notified of his or her right to appeal the matter to the Board of Education or the Commissioner of Education in writing within ten days of the meeting.
4. An appeal to the Board will be promptly heard in private session, unless the parent or adult pupil requests a public meeting, and the Board will issue a written determination within twenty days of the receipt of the written request for appeal to the Board. The Board determination will include notification of the right of the parent or adult pupil to appeal to the Commissioner.
5. At all stages of the appeal process the parent or adult pupil will be afforded a full and fair opportunity to present evidence relevant to the issue.
6. A record of the appeal proceedings and outcome will be included in the pupil's file and copies will be made available to the parent or adult pupil.
7. Appeals relating to the records of educationally disabled pupils will be processed in accordance with N.J.A.C. 6:28.

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8. Regardless of the outcome of the appeal, the parent or adult pupil may place a statement in the pupil's file commenting on the information contained in the record or specifying reasons for disagreeing with the decisions of the Board or its officers. Any such statement will be retained in the file so long as the contested portion of the file is maintained and will be disclosed whenever the contested portion is disclosed.

H. Directory information

1. Directory information includes a pupil's name, address, telephone number, grade level, date and place of birth, dates of attendance, major field of study, participation in district activities recognized by the Board of Education, weight and height relating to athletic team membership, degrees, awards, the educational agency most recently attended by the pupil, and other similarly nonintrusive information. The district will notify parents/guardians and adult pupils annually in writing of their rights in regard to pupil participation in educational, occupational and military recruitment programs.
2. Except where a parent or adult pupil has requested that directory information about the pupil not be released, directory information may, without the consent of the parent or adult pupil, be
 - a. Released to recognized representatives of the press for use in published reports on district activities and
 - b. Used in district publications and records such as the newsletter, handbook, school newspaper, yearbook, graduation program, Board minutes, and administrative reports to the Board.

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PUPILS

I. Review of records

1. The records of all currently enrolled pupils will be reviewed annually by teaching staff members appointed by the custodian. Information no longer descriptive of the pupil or the pupil's educational situation or necessary to provide educational services to the pupil will be removed and destroyed except that no information shall be deleted from the record of a classified pupil without prior notice to the parent or adult pupil. No record will be made of the removed information or of its removal.
2. A record that is mandated (Paragraph B1) may be destroyed only after
 - a. The parent or adult pupil has been notified of the pending destruction and has consented in writing to the destruction or
 - b. Reasonable attempts to notify and secure the consent of the parent or adult pupil have been unsuccessful. Attempts will be deemed unsuccessful after registered mail to the parent or adult pupil to the last known address is returned or after, notification having been received, the parent or adult pupil fails to submit written consent within ten (10) days of receipt of notification.
 - c. Removed records will be destroyed by mechanical shredding.

J. Retention of records

When a pupil graduated from high school or permanently departs from the school system:

1. The parent or adult pupil will be notified in writing that records other than those permanently retained will be destroyed and that a copy of the pupil's entire record will be provided on request.

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2. Except where records are transferred to another New Jersey school district (Paragraph F1), the following records will be maintained in perpetuity: the pupil's name, date of birth, gender, address and telephone number at time of departure from this district, grades, attendance record, classes attended, grade level completed, year completed, name(s) of parent(s), and citizenship status.
3. The student profile form with all appropriate attachments, of any pupil assessed by a special review assessment, will be retained for one year after the graduation of the pupil's class.
4. All other records will be destroyed after
 - a. The parent or adult pupil has been notified of the pending destruction and has consented in writing to the destruction or
 - b. Reasonable attempts to notify and secure the consent of the parent or adult pupil have been unsuccessful. Attempts will be deemed unsuccessful after registered mail to the last known address of the parent or adult pupil is returned as undeliverable or after, notification having been received, the parent or adult pupil fails to submit written consent within ten (10) days of receipt of notification.
5. No additional information will be placed in the pupil's file without the prior written consent of the parent of adult pupil.
6. The permanent records of pupils formerly enrolled in this district will be maintained in the school guidance office under the custodianship of the Principal.

Date Adopted: 12/18/89
Date Revised: 12/19/94

12/12

Policy

No. 608 (6422)

Board of Education Nutley

FINANCES

PURCHASES NOT BUDGETED

The laws of the state and the interest of the community demand fiscal responsibility by the Board of Education in the operation of the school district. The Board directs the implementation of such fiscal controls as will insure that public moneys are not disbursed in amounts in excess of the funds provided to this district and that expenditures do not exceed the amount budgeted for each line item account.

A line item account is defined as the lowest (most specific) level of detail required by the State Department of Education in the appropriation or expenditure classification.

Transfer of funds

When funds allocated to or remaining in a line item account are insufficient for a proposed expenditure, the Superintendent shall request Board approval for the transfer of sufficient funds to meet the expenditure, except that the Superintendent may approve such transfers as are necessary between meetings of the Board.

Overexpenditure of funds

The Board Secretary shall present the Board a certification each month that no line item account has been overexpended in violation of law or this policy. In addition, the Board, after review of the Board Secretary's monthly financial report, shall certify in the minutes that no major account or fund has been overexpended and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

If the Board Secretary reports an overexpenditure or the Board is unable to certify that no overexpenditure has been made, the Board shall eliminate the deficit by approving a resolution that transfers amounts among line item accounts and/or from the free balance.

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An anticipated overexpenditure in the current expense, capital outlay, or debt services accounts will be reported immediately to the County Superintendent. The Superintendent will notify the County Superintendent of the projected amount of the anticipated overexpenditure, the reason or reasons for the overexpenditure, and the action being taken by the Board to avoid the overexpenditure. Any such corrective action will be recorded in the Board minutes.

In the event the Board has approved a budget with an expanded coding structure, the controls against overexpenditures established by this policy shall apply to all line item accounts, both those at the minimum level of detail required by the State Department of Education and those that exceed that level of detail.

The Board recognizes that it is a crime of the fourth degree for a Board member to purposely and knowingly disburse, order, or vote for the disbursement of public funds in excess of appropriation or incur obligations in excess of appropriation and the limit of expenditure set by law.

N.J.S.A. 2C:30-4

N.J.S.A. 18A:18A-1 et seq.; 18A:22-8 et seq.

N.J.A.C. 6:20-2A.10(m), 20-2A.11, 20-8.5

Date Adopted: 5/21/80

Date Revised: 8/27/90, 12/19/94

Policy

No. 619 (6820)

Board of Education Nutley

FINANCES

FINANCIAL REPORTS

The Board of Education directs the Board Secretary and the Treasurer of School Moneys to make such accurate and timely reports to county, state and federal offices as are required by law and rules of the State Board of Education. In addition, the Secretary and Treasurer shall report to the Board at each regular monthly meeting on the financial condition of the school district in accordance with law and in the manner and form required by the State Department of Education. Financial reports shall use a terminology and classification consistent with the approved budget and the accounts of this district.

The Secretary shall furnish each Board member and the Superintendent, no later than one day prior to the meeting, a summary statement of the line items and the revenues received to date showing:

1. Appropriation name and number,
2. Budget line item appropriated,
3. Budget line item expended to date,
4. Budget line item encumbered to date,
5. Budget line item unencumbered to date,
6. Total current expense funds encumbered to date, and
7. Total current expense funds unencumbered to date.

In the event that the Board has approved a budget with an expanded coding structure, the Secretary shall present the financial report in two forms. One form shall use the minimum level chart of accounts established by the State Department of Education and the other shall use the expanded chart of accounts approved by this Board.

BOARD OF EDUCATION
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If no line item account has encumbrances and expenditures that in total exceed the line item appropriation in violation of law, the Secretary shall so certify to the Board each month. If one or more line item account has encumbrances and expenditures that in total exceed the line item appropriation, the Secretary shall promptly notify the Board so that corrective action may be taken in accordance with Policy No. 608/6422.

If the reports of the Secretary and the Treasurer differ in cash receipts or expenditures, the Secretary shall resolve the difference prior to the next meeting of the Board. Any difference that cannot be rectified shall be referred immediately to the Auditor.

N.J.S.A. 18A:17-9, 17-36
N.J.S.A. 54:4-75
N.J.A.C. 6:20-2A.2(m), 20-2A.10

Date Adopted: 8/27/90
Date Revised: 12/19/94

Policy

806 (8451)

Board of Education Nutley

OPERATIONS

CONTROL OF COMMUNICABLE DISEASE

The Board of Education recognizes that control of the spread of communicable disease is essential to the well-being of the school community and to the efficient operation of the schools.

The Board shall be bound by the statutes and by rules of the State Board of Education for the exclusion and readmission of pupils who have contracted a communicable disease and of teachers and pupils who have been exposed to a communicable disease and for the instruction of teachers in health and the prevention of disease. The Board shall comply with regulations of the New Jersey Department of Health and the Nutley Board of Health governing the prevention, control, and reporting of communicable disease.

The teacher may exclude from the classroom and the principal may exclude from the school building any pupil who appears to be ill or has been exposed to a communicable disease. A pupil may be isolated in school to await the arrival of or instructions from an adult member of his or her family. If the school medical inspector or the school nurse is present in the building, his or her recommendation shall be sought before any such exclusion or isolation is ordered.

Any pupil retained at home or excluded from school by reason of having or being suspected of having a communicable disease shall not be readmitted to his or her classroom until he or she presents written evidence of being free of communicable disease. That evidence may be supplied by the school medical inspector or another qualified physician who has examined the pupil.

Policy

806 (8451)

Board of Education Nutley

OPERATIONS

Any pupil or adult who has weeping skin lesions that cannot be covered should be excluded from school.

The Superintendent shall develop procedures for the control of communicable disease that include the instruction of teaching staff members in the detection of disease and measures for its prevention and control; the removal from school premises to the care of a responsible adult of pupils identified and excluded in accordance with this policy; the preparation of standards for the readmission of pupils who have recovered from communicable disease; the provision of appropriate home instruction to excluded pupils in accordance with law; and the filing of reports as required by law.

N.J.S.A. 18A:40-3, 40-7

N.J.S.A. 26:4-4, 4-5

N.J.A.C. 8:57-1.7, 57-2.1 et seq.; 8:61-1.1

Date Adopted: 5/21/80
Date Revised: 9/24/90, 12/19/94

Regulations

8060 (8451)

Board of Education

OPERATIONS

CONTROL OF COMMUNICABLE DISEASE

A. Detection of communicable diseases

1. Teachers will be trained to detect communicable diseases in pupils by recognizing the symptoms of disease.
2. In general, a pupil who shows one or more of the following symptoms should be sent to the school nurse for evaluation and/or treatment:
 - a. Pain, generalized or specific;
 - b. Chills;
 - c. Fever;
 - d. Earache;
 - e. Vomiting;
 - f. Sore throat;
 - g. Enlarged glands;
 - h. Skin eruption;
 - i. Running nose; or
 - j. Red and discharging eyes.
3. A pupil who shows symptoms of any of the following communicable diseases should be sent promptly to the school nurse for evaluation.

Regulations

8060 (8451)

Board of Education

OPERATIONS

- a. Chicken pox: small reddish, itchy eruptions of the skin resembling pimples or blisters, which later fill with fluid and form crusts; slight fever.
- b. German measles (rubella): a common cold followed by a light red rash on face and body; small beady lumps behind ears; slight fever.
- c. Measles (rubeola): cold, runny nose, watery and light-sensitive eyes, fever, followed by bluish-white specks (Koplik spots) on inside of mouth, red blotchy rash, and dry cough.
- d. Mumps: tenderness and swelling of the salivary glands below and a little in front of the ear; fever.
- e. Streptococcal infections (including scarlet fever, sore throat, and erysipelas): Sudden onset of fever, sore throat, strawberry tongue, followed by bright red rash on body, usually on the inner arm and thigh.
- f. Whooping cough (pertussis): A common cold, with irritating cough, followed by repeated series of violent coughs without inhaling, often with respiratory whoops. Cough may end with vomiting.
- g. Fifth disease (erythema infectiosum): Fine rash that is most apparent on the cheeks and later spreads to arm and legs, low grade fever.
- h. Pink eye (conjunctivitis): Redness of white areas of eyes, accompanied by some itching; eyes may discharge pus and be light sensitive.
- i. Head lice (pediculosis): Itching scalp, presence of lice and nits at hair roots.

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- j. Impetigo (staphylococcus infection): Lesions
- k. Meningitis-meningococcal: Severe headache, chills, vomiting, convulsions, fever, stiff neck, pain in neck.
- l. Hepatitis infectious: Fever, anorexia, nausea, malaise, abdominal discomfort, followed by jaundice.

B. Exclusion from school

- 1. A pupil who exhibits any of the symptoms described in Paragraph A2 or whose condition suggests the presence of a communicable disease as described in Paragraph A3 will be sent to the school nurse's office. The teacher will insure that the pupil is accompanied by an adult or a responsible pupil.
- 2. The teacher will communicate to the school nurse, directly or by written note, the reason for which the pupil is sent for medical assessment.
- 3. The school nurse will examine the pupil and, in consultation with the school medical inspector if the pupil's condition so indicates, recommend to the principal the pupil's exclusion from school for medical reasons.
- 4. In the event neither the school nurse or the school medical inspector is available to be consulted about the pupil's condition, the principal may determine to exclude the pupil from school.
- 5. The parent, adult family member, or other responsible adult designated by the parent will be promptly notified by telephone of the pupils' exclusion and requested to come to school to fetch the pupil. Until the adult arrives to remove the pupil, the pupil will be kept in an isolated location in the school and will be made as comfortable as possible. The pupil will be supervised at all times by a school staff member.

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C. Readmission to school

1. A pupil who has been excluded from school or retained at home by reason of having or being suspected of having a communicable disease shall not be readmitted to school until the pupil presents written evidence that he or she is free of communicable disease.
2. Evidence that a pupil is free of communicable disease will consist of the certification of the school medical inspector or another qualified physician who has personally examined the pupil.
3. In general, no pupil who has had a communicable disease will be readmitted to school until the number of calendar days indicated below has elapsed from the time the pupil first showed symptoms of having the disease.

<u>Disease</u>	<u>Number of days</u>
Chicken pox	seven days from onset of rash
German measles (rubella)	three days
Measles (rubeola)	seven days from onset of rash
Mumps	seven days
Scarlet fever	when discharge ceases, not less than seven days
Whooping cough (pertussis)	twenty-one days from onset of cough

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4. In general, pupils with other communicable diseases may be readmitted, with a physician's certification, when the symptoms of the disease have ceased.

D. Reports

1. The school nurse will file such reports as may be required by the New Jersey State Department of Health in the reporting of communicable diseases in schools.
2. The teacher may, with the advice and consent of the principal and the school nurse, inform the parents of pupils in his or her class that a pupil in the class has contracted a communicable disease. The information given to parents may include the specific symptoms of the disease and parents may be encouraged to consult their personal physicians for inoculations that may prevent the disease or ease the symptoms of the disease.

Date Adopted: 5/21/80
Date Revised: 9/24/90, 12/19/94

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CHILD ABUSE

The Board of Education is concerned with the physical and mental well-being of the children of this district and recognizes the importance of early identification in halting child abuse and remediating the effects of child abuse. The Board will cooperate with state government in the identification and reporting of cases of child abuse in accordance with law.

Any employee, of this district who has reasonable cause to believe that a pupil of this district has been subject to abuse, abandonment, cruelty, or neglect, by any person, shall immediately report the same to the Division of Youth and Family Services (DYFS). The employee may release information to the DYFS in accordance with law and district regulation.

Any employee, who has reported a case of suspected child abuse to the DYFS shall promptly give notice of the report to the principal, unless the employee believes that such notice would be likely to endanger the child or the employee or would be likely to result in retaliation against the child or in employment discrimination against the employee.

Any employee's act of unbecoming conduct in the treatment of children, including alleged acts of child abuse reported to the DYFS, shall be promptly reported to the principal, who shall immediately inform the Superintendent and institute an investigation of the matter. The Superintendent may temporarily reassign the employee, or with the concurrence of the Board President, suspend the employee without loss of pay pending investigation.

No employee will be discriminated against in employment for having, in good faith, reported or caused to be reported the employee's reasonable cause to believe that child abuse, abandonment, cruelty, or neglect has occurred. However, a person who knowingly violates the law by failing to report an act that he or she has reasonable cause to believe is an act of child abuse may be subject to criminal penalties as a disorderly person.

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The principal and district staff members shall cooperate fully with the DYFS as necessary and appropriate in the interests of the abused child at each stage of the investigation, including the release of the child from school or the transfer of the child to another school. If necessary, medical attention shall be given to a pupil's injuries.

The Superintendent, or his designee, will act as primary contact person to provide liaison with the DYFS in order to facilitate communication and cooperation, encourage the sharing of information, and develop necessary training programs. The liaison officer shall be notified of each suspected case of child abuse reported to the DYFS and shall follow the progress of the reported child and maintain communication with the DYFS on behalf of the child. Any records regarding the possible abuse of a pupil and the services given that pupil shall be kept confidential. The public disclosure of the name, address or identity of a person under the age of eighteen alleged or determined to be the victim of sexual assault or child abuse is prohibited by law.

Information regarding child abuse and its prevention shall be incorporated into the district's family life/health education program. Staff members shall be provided with in-service training to assist them in the identification of child abuse and to instruct them in their responsibilities to the abused child.

The Superintendent shall develop regulations for the reporting of child abuse and for cooperation with the DYFS in child abuse investigations.

N.J.S.A. 9:6-8 et seq.
N.J.S.A. 18A:25-6
N.J.A.C. 6:3-5

Date Adopted: 11/27/89
Date Revised: 12/19/94

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CHILD ABUSE

A. Definition

"Child abuse" means the infliction of harm, physical, mental, or emotions, on a child under the age of eighteen by a person who has control over the child, even temporarily, and an opportunity to repeat the abusive acts. Child abuse includes negligence and the failure to respond to a child's basic needs as well as deliberate, willfully abusive acts. (N.J.S.A. 9:6-8.9) An abused or neglected child is one who has been subjected to

1. Serious physical injury;
2. The creation of risk of serious physical injury;
3. Sexual abuse;
4. The impairment or threat of impairment of the child's physical, mental, or emotional condition by the failure to provide food, clothing, shelter, education, or medical care or by the infliction of harm, including corporal punishment; or
5. Willful abandonment.

B. Indications of child abuse

1. All district school personnel, including teaching staff members, support staff members, and unpaid volunteers, are charged by law with the responsibility for reporting suspected cases of child abuse. The suspicion of child abuse may be based on the complaints of the child or on the direct observations of the employee over a period of time or both. A person should suspect child abuse whenever:
 - a. There is evidence of physical injury to a pupil not likely to have been caused by an accident, regardless of the pupil's explanation of the injury;

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- b. A pupil complains of having been injured or having been sexually molested, with or without external signs of physical injury;
 - c. A pupil appears to be malnourished;
 - d. A pupil's general condition indicates a persistent want of care, such as clothing inadequate for the weather, inadequate hygiene, lack of sleep, decayed and broken teeth, and the like;
 - e. A pupil complains of or indicates by other means that he or she has been subjected to threats or emotional abuse;
 - f. A pupil is excessively apprehensive, fearful, withdrawn, or aggressive; or
 - g. A parent or the caretaker of a child admits having abused the child.
2. The employee should not wait to assemble corroborating evidence of child abuse; the observations and/or complaints of the pupil that gave rise to the reasonable belief that child abuse may have occurred are sufficient to warrant reporting the incident or incidents to the Division of Youth and Family Services (DYFS) for investigation and remediation by that agency.

C. Reporting child abuse

1. Whenever an employee has reason to believe that a pupil of this district has been subjected to child abuse or acts of child abuse, regardless of the identity of the suspected abuser, the employee shall immediately report that information to the DYFS by telephone call to the Essex County Suburban office of the agency. In the event the report is made after working hours, on a weekend, or on a holiday, the employee shall call DYFS at 800-792-8610. (N.J.S.A. 9:6-8.10; N.J.A.C. 6:3-5.2(A)1) The employee shall offer the following information (N.J.A.C. 6:3-5.2(a)11)

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- a. The child's name, age, grade, and gender;
 - b. The name and address of the child's parent or guardian or other person having custody and control (such as a foster parent);
 - c. A description of the child's condition, including any available information concerning current or previous injuries, abuse, or maltreatment and including evidence of previous injuries;
 - d. The nature and possible extent of the child's injuries, abuse or maltreatment; and
 - e. Any other pertinent information that the employee believes may be relevant with respect to the child abuse and/or to the identity of the alleged perpetrator.
2. The person who has reported a case of possible child abuse to the DYFS shall promptly so inform the principal of the school in which the child is enrolled, unless the employee has reason to believe that such disclosure to the principal would be likely to
 - a. Endanger the employee or the child,
 - b. Result in retaliation against the child, or
 - c. Result in discrimination against the employee with respect to his or her employment.
(N.J.A.C. 6:3-5.2(a)1)
 3. A pupil whose injuries or physical condition require immediate medical attention shall be reported promptly to the school nurse.

D. Cooperation with DYFS

1. All district employees with information relevant to a case of suspected child abuse will cooperate fully with agents of the DYFS in the investigation of the matter.
(N.J.A.C. 6:3-5.2(a)4i)

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2. The DYFS investigator will be permitted to interview the child in the presence of the principal or person designated by the principal. If the child is intimidated by the principal or his or her designee, the child may be accompanied during the interview by a staff member whom he or she feels will be supportive. The accompanying staff member will give comfort to the child but will not participate in the investigation.
(N.J.A.C. 6:3-5.2(a)7i)
3. The Nutley Public Schools will cooperate with DYFS in scheduling interviews with school personnel who may have information relevant to the investigation.
(N.J.A.C. 6:3-5.2(a)7ii)
4. The custodian of pupil records will release, pursuant to N.J.A.C. 6:3-2, the records of investigated children that are deemed to be relevant to the assessment and/or treatment of child abuse.
(N.J.A.C. 6:3-5.2(a)7iii)
5. School employees shall regard as confidential all information about a child abuse investigation and remediation.
(N.J.A.C. 6:3-5.2(a)7iv)
6. School principals will permit agents of the DYFS to remove pupils from school during the school day when removal is necessary to protect the child or to take the child to a service provider, on presentation of appropriate authorization.
(N.J.A.C. 6:3-5.2(a)4iii, 6:3-5.2(a)7v)
7. School principals will cooperate with the DYFS when that agency deems that it is necessary to remove the child from his or her home for proper care and protection and when such removal results in the transfer of the child to a school other than the one in which he or she was enrolled.
(N.J.A.C. 6:3-5.2(a)4iv, 6:3-5.2(a)7vi)

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8. The district liaison officer will receive the DYFS findings at each stage of the investigation into suspected child abuse and will recommend to the Superintendent such action as may be necessary and appropriate with regard to affected children and staff members.
(N.J.A.C. 6:3-5.2(a)4ii)

9. A school employee alleged to have committed an act of child abuse may be temporarily reassigned or suspended if there is reasonable cause to believe that the life or health of the allegedly abused child or other children is in eminent danger due to continued contact between the employee and a child.
(N.J.S.A. 18A:25-6; N.J.A.C. 6:3-5.2(a)7vii)

E. Employee protection

An employee who alleges that he or she has been reassigned or suspended or disciplined or otherwise discriminated against in employment as a result of having reported child abuse in compliance with law may appeal that action in accordance with established grievance procedures.

(N.J.A.C. 6:3-5.2(a)7vii)

Date Adopted: 11/27/89
Date Revised: 12/19/94