



POLICY ALERT

Board Member Travel Expenses (Revised)
Teaching Staff Members Travel Expenses (Revised)
Support Staff Members Travel Expenses (Revised)
No Child Left Behind Complaints (New Policy & Regulation)
Health Services Personnel (New Policy)
Health Services To Nonpublic Schools (New Policy &
Regulation
Nursing Services Plan (New Policy)
Pupil Health Records (New Policy & Regulation)
Health Services (New Policy & Regulation)
Do Not Resuscitate Orders (New Policy)
Treatment of Asthma (New Policy)

This POLICY ALERT replaces and/or adds Policy and/or Regulation Guides in the following sections: 0000, 2000, 3000, 4000, 5000.

Please note the comments below are organized as follows:

0000 NAME OF POLICY

This paragraph describes a development at the State or Federal level.

This paragraph describes the effect of the development on local Board policy. Local policy is **MANDATED** by law or monitoring standards, (these policies will be designated with a small **M** in the upper right hand corner), **RECOMMENDED** by sound management practices, or merely **SUGGESTED** as may be appropriate to meet your district needs.

These policy and regulation guides should be used to update the Policy and Regulation Manuals of the school district. If your district manual(s) contain any of the policies or regulations contained in this Policy Alert they must be updated for your district manual(s) to remain current and in compliance with law. It does not matter whether or not the policy or regulation is **MANDATED**, all policies and regulations in district manuals contained in this alert should be updated.



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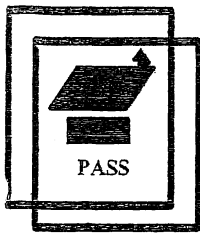
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NEW JERSEY POLICY ALERT

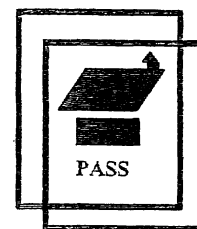
Policy Alert and Support System

Subscribers to Education Law Access for New Jersey (ELAN) receive new and revised policies and regulations in paper copy and electronically either through email, download from ELANOnline, or on computer disk. The computer disk requires File Maker Pro installed on your computer and will run on either IBM, Apple Macintosh, or compatibles. For your convenience, the revised policies and regulations have changes indicated, by ~~strike-throughs~~ to denote deletions and **bolded text** to indicate new material. On the electronic versions, these indicators should be changed to regular print in Courier or Courier (WL) 12 font and ~~strike-throughs~~ should be deleted when the policy or regulation is prepared for your print manual. Also, all policy and regulation guides are double sided as a cost containment and paper conservation measure.

- 0147 - Board Member Travel Expenses (Revised)
- 3440 - Teaching Staff Members Travel Expenses (Revised)
- 4440 - Support Staff Members Travel Expenses (Revised)

Assembly Bill A5, P.L. 2007, c. 53 was signed on March 15, 2007. Many sections of this new law became effective on March 15, 2007 including new travel expense requirements for Non-Abbott districts. Many of the outstanding issues in the previous travel requirements have been clarified in this new law. As a result, new Policy Guides 0147, 3440, and 4440 have been developed to replace the existing Policy Guides. In addition, the existing corresponding Regulations for these Policy Guides have been revised. The requirements of the new law have been incorporated into these new Policy Guides and revised Regulation Guides. These Policy and Regulation Guides should replace existing Guides. Prior approval is still required for travel expenses; however, a district may no longer approve expenses that are in excess of the guidelines as "unavoidable and necessary". A report upon return from travel is also required. The requirement that excludes prior approval for travel that is covered in an employee's contract and establishing a threshold for an employee's "regular business travel" must be included in the Board's Policy. The required changes have been incorporated into these new Policies and Regulations. In addition, the Board Resolution and corresponding spreadsheet previously provided by Strauss Esmay Associates for districts to use

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is no longer required as the information that was included in the Resolution is included in these new Policies or is no longer applicable. A district should develop a Board agenda attachment for travel approval.

Policy Guides 0147, 3440 & 4440 are **MANDATED**
Appendix Guide 0147 A is **MANDATED**
Regulation Guides 3440 & 4440 are **MANDATED**

2415.20 - No Child Left Behind Complaints (New)

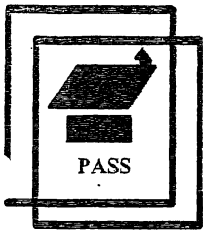
School districts received a New Jersey Department of Education (NJDOE) Memorandum dated January 26, 2007 indicating a No Child Left Behind (NCLB) Complaint Policy and Procedure is mandated. Using the policy and procedure guidance provided in the Memorandum, Strauss Esmay has developed Policy and Regulation Guides 2415.20. These Guides have been available for download through www.straussesmay.com for the past several weeks. We have enclosed copies in this Policy Alert for districts that have not yet downloaded the new Guides. There are two distinct complaint procedures outlined in the Policy and Regulation Guides. One procedure is for an allegation a school, school district, or other agency authorized by a school district or the NJDOE has violated the law and the other procedure is for an allegation the NJDOE has violated the law.

Policy Guide 2415.20 is **MANDATED**
Regulation Guide 2415.20 is **MANDATED**

5305 - Health Services Personnel (New)

The New Jersey State Board of Education recently adopted revisions to N.J.A.C. 6A:16, Programs to Support Student Development. N.J.A.C. 6A:16-2.1, Health Services Personnel, has been revised and re-codified to 6A:16-2.3. The new Code makes few changes to the responsibilities of the school physician and certified school nurse, but provides greater detail to the responsibilities that may be assigned to a non-certified school nurse. A new Policy Guide 5305 has been developed to specifically list the administrative code responsibilities assigned to the school physician, the certified school nurse, and the non-certified school nurse.

Policy Guide 5305 is **RECOMMENDED**



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5306 - Health Services To Nonpublic Schools (New)

The New Jersey State Board of Education recently adopted revisions to N.J.A.C. 6A:16, Programs to Support Student Development. N.J.A.C. 6A:16-2.4, Nursing Services To Nonpublic School Students has been slightly revised and re-codified to N.J.A.C. 6A:16-2.5, School Health Services To Nonpublic Schools. Strauss Esmay's existing Policy Guide 5310 - Health Services indicated a district would provide services to nonpublic school pupils "pursuant to N.J.A.C. 6A:16-2.4 et seq." However, the N.J.A.C. 6A:16-1.4(a)9 mandates the Board "develop and adopt written policies, procedures, mechanisms, or programs governing..." nursing services to non-public schools. A new Policy Guide 5306 has been developed that incorporates the district's policy and procedures for health services to nonpublic schools within the school district boundaries in accordance with N.J.A.C. 6A:16-2.5.

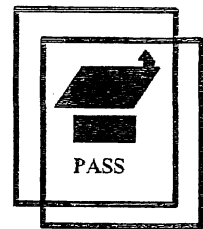
Policy Guide 5306 is **MANDATED**
Regulation Guide 5306 is **MANDATED**

5307 - Nursing Services Plan (New)

The New Jersey State Board of Education recently adopted revisions to N.J.A.C. 6A:16, Programs to Support Student Development. N.J.A.C. 6A:16-2.1(f) has been revised and re-codified to N.J.A.C. 6A:16-2.1(b). Strauss Esmay's existing Policy Guide 5310 - Health Services indicated the Superintendent would develop and the Board would approve a Nursing Services Plan. However, N.J.A.C. 6A:16-1.4(a)5 mandates the Board "develop and adopt written policies, procedures, mechanisms, or programs governing..." the annual Nursing Services Plan pursuant to N.J.A.C. 6A:16-2.1(b). A new Policy Guide 5307 has been developed that incorporates the district's policy and procedures for a Nursing Services Plan in accordance with N.J.A.C. 6A:16-2.5.

Policy Guide 5307 is **MANDATED**

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5308 - Pupil Health Records (New)

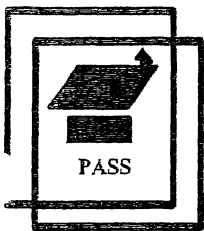
The New Jersey State Board of Education recently adopted revisions to N.J.A.C. 6A:16, Programs to Support Student Development. N.J.A.C. 6A:16-1.5 has been revised and re-codified to a new Code section, N.J.A.C. 6A:16-2.4, Required Student Health Records. Strauss Esmay's existing Policy and Regulation Guides 5310 - Health Services, included a district's requirements for pupil health records. However, N.J.A.C. 6A:16-2.4 has been expanded to include requirements for the transfer of health records. A new Policy and Regulation has been developed that delineates a school district's pupil health record responsibilities in accordance with N.J.A.C. 6A:16-2.4.

Policy Guide 5308 is **RECOMMENDED**
Regulation Guide 5308 is **RECOMMENDED**

5310 - Health Services (Revised)

The New Jersey State Board of Education recently adopted revisions to N.J.A.C. 6A:16, Programs to Support Student Development. Code sections N.J.A.C. 6A:16-2.1 through 2.4 have been revised, expanded, and/or re-codified to N.J.A.C. 6A:16-2.1 through 2.5. The additional details in the new Code sections have warranted several new policies and regulations that are provided in this Policy Alert. As a result, new Policy and Regulation Guides 5310 have been developed to replace the existing Policy and Regulation Guide 5310. The new Policy Guide 5310 lists a school district's mandated policy and procedure/regulation health service requirements of N.J.A.C. 6A:16-1.4, 6A:16-2.1, and 6A:16-2.2. Regulation Guide 5310 provides the Administrative Code procedural requirements for medical examinations and health screenings. The detailed screening procedures in the old Regulation Guide 5310 are replaced with a reference that all screening procedures will be in accordance with New Jersey Department of Education Health Service Guidelines. Therefore, the new Regulation Guide 5310 will not need to be revised if each time the screening procedures in the Health Service Guidelines are revised. In addition, required health policies are indicated in parenthesis in Policy Guide 5310. A district should make sure their Board has adopted all the required health policies referenced in the new Policy Guide 5310. The new Policy and Regulation Guides 5310 should replace the existing Policy and Regulation Guides 5310.

Policy Guide 5310 is **MANDATED**
Regulation Guide 5310 is **MANDATED**



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5332 - Do Not Resuscitate Orders (New)

The New Jersey State Board of Education recently adopted revisions to N.J.A.C. 6A:16, Programs to Support Student Development. N.J.A.C. 6A:16-2.1(a)3 mandates a Board adopt "written policy, procedures, and mechanisms..." for the review of Do Not Resuscitate (DNR) Orders received from the pupil's parent(s) or legal guardian(s), or medical home. Policy Guide 5332 has been developed to be consistent with Administrative Code.

Policy Guide 5332 is **MANDATED**

5335 - Treatment of Asthma (New)

The New Jersey State Board of Education recently adopted revisions to N.J.A.C. 6A:16, Programs to Support Student Development. N.J.A.C. 6A:16-2.1(a)5 mandates a Board adopt "written policy, procedures, and mechanisms..." for the treatment of asthma in the schools. Policy Guide 5335 has been developed and incorporates the Administrative Code policy and procedure requirements of N.J.A.C. 6A:16-2.1(a)5.

Policy Guide 5335 is **MANDATED**

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Board Member Travel

0147 BOARD MEMBER TRAVEL EXPENSES

The Board of Education will reimburse Board members for travel expenses in accordance with applicable New Jersey Statutes.

For the purpose of this Policy:

1. Travel Expenditures - means those costs paid by the school district using local, State, or Federal funds, whether paid directly by the school district or by employee reimbursement, for travel by school district employees and/or Board of Education members to training and seminars, conventions and conferences, regular school district business, and retreats.
2. Training and Seminars - means all regularly scheduled, formal residential or non-residential training functions conducted at a hotel, motel, convention center, residential facility, or any educational institution or facility.
3. Conventions and Conferences - means general programs, sponsored by professional associations on a regular basis, which address subjects of particular interest to a school district or are convened to conduct association business. The primary purpose of employee attendance at conferences and conventions is the development of new skills and knowledge or the reinforcement of those skills and knowledge in a particular field related to school district operations. These are distinct from formal staff training and seminars although some training may take place at such events.
4. Regular School District Business - means all regular official business travel, including attendance at meetings, conferences, and any other gatherings which are not covered by the definitions for training and seminars and convention and conferences above.
5. Retreats - means meetings with school district employees and Board members held away from the normal work environment at which organizational goals and objectives are discussed. If available, school district facilities shall be utilized for this type of event.

School district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and from the travel event. School district travel expenditures include costs for all required training and travel authorized in existing school district employee contracts and school Board policies. This includes, but is not limited to, required professional development and other staff training,



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required training for new school Board members, and attendance at specific conferences authorized in existing employee contracts.

The school district shall not bear costs for car rentals, limousine services, and/or chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the travel event.

All travel by Board members shall be educationally necessary and fiscally prudent and all travel expenditures shall be directly related to and within the scope of the Board member's current responsibilities. All travel expenditures must be for travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district and is in compliance with State travel payment guidelines as established by the Department of the Treasury and with guidelines established by the Federal Office of Management and Budget; except that those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards.

A Board member shall submit to the Board Secretary within 30 calendar days of incurring the travel expense(s) a brief report that includes the primary purpose for the travel and the key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district.

The detailed documentation that demonstrates compliance with P.L. 2007 c.53 and this Policy including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate, shall be maintained in the Business office.

Travel for Board members may occur only upon prior approval by a majority of the full voting membership of the Board and the travel shall be in compliance with section 4 of P.L.1991, c.393 (C.18A:12-24) and section 5 of P.L.2001, c.178 (C.18A:12-24.1).

The Board may approve, at any time prior to the event, travel for multiple months as long as the Board approval, detailed in Board Meeting minutes, itemizes the approval by event, total cost, and number of employees and/or school Board members attending the event. General or blanket pre-approval for travel is not authorized. Approval shall be itemized by event, event total cost, and number of employees and school Board members attending the event.

Travel payments will be paid only upon compliance with P.L. 2007, c. 53 and this Policy's provisions and approval requirements.



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The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event. A Board member or organization shall not receive an amount for travel and/or travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq.

A Board member shall recuse himself/herself from voting on travel if the Board member, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his/her objectivity or independence of judgment. A Board member shall not act in his/her official capacity in any matter in which he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his/her independence of judgment in the execution of his/her official duties.

The Board shall exclude from the requirements of prior Board approval any travel caused by or subject to contractual provisions, other statutory requirements, or Federal regulatory requirements. The Board may not exclude such travel from the subsistence requirements and annual maximum travel expenditure pursuant to P.L. 2007 c. 53.

One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in the Department of the Treasury guidelines. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in the Department of the Treasury guidelines, except as otherwise superseded by the following provisions:

1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the Federal per diem rates as established in the Federal register for the current year;
2. Lodging expenses may exceed the Federal per diem rates if the hotel is the site of the convention, conference, seminar, or meeting and the going rate of the hotel is in excess of the Federal per diem rate. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
3. Receipts are required for hotel expenses;



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Meal expenses under the Federal per diem allowance limits do not require receipts;

4. In any case in which the total per diem reimbursement is greater than the Federal per diem rate, except as stated in 2. above, the costs will be considered to be excessive and shall not be paid by school district funds;
5. The school district shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
6. Payment or reimbursement is approved for the full cost of an official convention meal that a Board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

Annually in the pre-budget year, the Board shall establish by Board resolution, a maximum travel expenditure amount for the budget year, which the school district shall not exceed in that budget year. The Board resolution shall also include the maximum amount established for the pre-budget year and the amount spent to date. The maximum school district travel expenditure amount shall include all travel in accordance with P.L. 2007 c. 53 supported by local and State funds.

The Board may elect by Board resolution to exclude travel expenditures to be supported by Federal funds in the maximum travel expenditure amount. The Board resolution shall include the total amount of travel supported by Federal funds from the prior year, pre-budget year, and projected for the budget year.

The school district shall maintain separate accounting for school district travel expenditures as necessary to ensure compliance with the school district's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and P.L. 2007 c. 53, and shall provide auditable information.

Any Board of Education that violates its established maximum travel expenditure as set forth in P.L. 2007 c. 53, or that otherwise is not in compliance with the travel limitations set forth in P.L. 2007 c. 53 may be subject to sanctions by the Commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.



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A person who approves any travel in violation of the P.L. 2007 c. 53 or this Policy shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event. An employee or Board member who travels in violation of the Board's policy or P.L. 2007 c. 53 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

P.L. 2007 c. 53

Revised: 21 November 2005

Revised: 24 July 2006



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Board Member

Travel Expenses

0147 Appendix A BOARD MEMBER TRAVEL EXPENSES

A. Approval of Travel Expense Reimbursement

The following procedure shall be implemented for a Board member seeking to receive travel

1. A Request for Travel Expense Report must be submitted to the School Business Administrator/Board Secretary prior to the travel date(s) and at least 30 days before a Board meeting. The request shall include supporting documentation to include: the type of travel; location of the travel; occurrences of the travel; date(s) of travel; and all related costs including transportation expenses, parking, tolls, lodging, registration fees, meals, and other expenses.
2. The School Business Administrator/Board Secretary shall review the Request for Travel Expense Report to determine if the expenses as outlined in the supporting documentation are in compliance with State travel payment guidelines established by the Department of the Treasury and with guidelines established by the Federal Office of Management and Budget.
 - a. If the requested travel expenses are in compliance with the guidelines the School Business Administrator/Board Secretary will include the travel expense information on the Board of Education Approval of Travel.
 - b. If any travel expenses are not in compliance with the guidelines the Board member will be informed the Board will only pay those expenses that are in compliance with the guidelines. In the event the Board member decides to pursue the travel, the Board member shall assume the financial responsibility for those travel expenses not in compliance with the guidelines. The School Business Administrator/Board Secretary will include a summary of this documentation on the Board of Education Approval of Travel Expense Form.
 - c. The Board of Education Approval of Travel Expense Form shall be presented to the Board of Education. Approval by a majority of the full voting membership of the Board at a Board meeting is required for approval.



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Board Member

Travel Expenses

B. Reimbursement of Travel Expenses

All travel expenses that receive prior approval of the Board shall be reimbursed by the Board of Education in accordance with the following procedures:

1. The Board member, within 30 calendar days after incurring the approved travel expenses, shall be required to submit to the School Business Administrator/Board Secretary receipts documenting all prior Board approved travel expenses paid and/or incurred by the Board member during the travel. Reimbursement to the Board member will be made in accordance with the district's payment procedures. Travel payments will be paid only upon compliance with P.L. 2007 c. 53 and Policy 0147 provisions and approval requirements.
2. Receipts for the approved expenses to be paid directly to a vendor(s) accepting the school district purchase order will be obtained directly from the vendor by the Business office. Payments directly to a vendor will be made in accordance with the district's payment procedures.

Adopted:



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No Child Left Behind Complaints

2415.20 NO CHILD LEFT BEHIND COMPLAINTS

Pursuant to 20 USC 7844, Sec 9304 (a)(3)(C), of the No Child Left Behind Act of 2001 (NCLB), a Board of Education shall adopt a policy and written procedures that offer parent(s) or legal guardian(s), public agencies, other individuals, or organizations a method for receipt and resolution of complaints alleging violations in the administration of the NCLB programs as identified by the New Jersey Department of Education (NJDOE).

Policy and Regulation 2415.20 set forth the requirements for resolving complaints presented by any individual or organization that:

1. A school, school district, other agency authorized by the school district, or by the NJDOE violated the administration of education programs required by the Elementary and Secondary Education Act as amended by NCLB; and/or
2. The NJDOE violated the administration of education programs required by the Elementary and Secondary Education Act as amended by NCLB.

A Complaint shall be a written allegation that shall identify the alleged NCLB violation, the facts supporting the alleged violation, and any supporting documentation.

A Complaint alleging a school in the district, school district, or other agency authorized by the school district, or the NJDOE violated the administration of a program must be submitted to the NCLB Director. The NCLB Director shall be responsible to coordinate the investigation of the Complaint. The NCLB Director shall submit a written report regarding the outcome of the investigation to the complainant. If the complainant is not satisfied with the outcome of the investigation, the complainant may initiate a Complaint by submitting a written Complaint to the NJDOE to the attention of the County Superintendent. The County Superintendent will coordinate the investigation of a Complaint. When the investigation is complete, the County Superintendent will notify the complainant in writing regarding the outcome of the investigation. If it is determined a violation has occurred, the Assistant Commissioner assigned to oversee the matter shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint. If the complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary.

A Complaint alleging the NJDOE violated the administration of a program must be submitted to the New Jersey Department of Education



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No Child Left Behind Complaints

Chief of Staff or the United States Department of Education Secretary. The NJDOE requests the complainant first contact the New Jersey Department of Education Chief of Staff to resolve the issue. The NJDOE Office of Strategic Initiatives and Accountability will coordinate the investigation of a Complaint. When the investigation is complete, the Chief of Staff will notify the complainant in writing regarding the outcome of the investigation. If it is determined a violation has occurred, the Chief of Staff shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint. If a complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary.

New Jersey Department of Education 1/26/07 Memorandum - No
Child Left Behind Complaint Policy and Procedure

Adopted:



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No Child Left Behind Complaints

R 2415.20 NO CHILD LEFT BEHIND COMPLAINTS

Pursuant to 20 USC 7844, Sec 9304 (a)(3)(C), of the No Child Left Behind Act of 2001 (NCLB), a Board of Education shall adopt a policy and written procedures that offer parent(s) or legal guardian(s), public agencies, other individuals, or organizations a method for receipt and resolution of complaints alleging violations in the administration of the NCLB programs.

A. Complaint Procedure Alleging A Violation By A School, School District, Or Other Agency Authorized By The School District Or The New Jersey Department Of Education (NJDOE)

1. A Complaint is a written allegation that a school, school district, other agency authorized by the school district, or the NJDOE has violated the law in the administration of education programs required by the NCLB Act.
2. A Complaint shall identify:
 - a. The alleged NCLB violation;
 - b. The facts supporting the alleged violation; and
 - c. Any supporting documentation.
3. A Complaint may be submitted in writing or electronically. If a Complaint is submitted electronically, a hard copy should also be sent to the NJDOE via regular mail at the address indicated below.
4. A Complaint shall be submitted to the NCLB Director. The Complaint shall be in writing and shall be mailed, hand-delivered, or electronically submitted to the NCLB Director.
5. The NCLB shall be responsible to coordinate the investigation of the allegations in the Complaint.
 - a. The NCLB Director shall acknowledge receipt of the Complaint to the complainant within ten business days of receipt of the Complaint.
 - b. The NCLB Director may meet with building and district administrative staff, teaching staff, support staff, pupils, and/or the complainant(s) to determine if a violation of the administration of a NCLB program has occurred.



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No Child Left Behind Complaints

- c. The NCLB Director may request additional information from the complainant regarding the Complaint.
 - d. The NCLB Director shall submit a written report regarding the outcome of the investigation to the complainant.
 - e. If the outcome of the investigation concludes a violation has occurred, the NCLB Director shall identify and impose the appropriate consequences or corrective action to resolve the Complaint.
 - f. The outcome of the investigation may conclude the Complaint alleges a violation in the administration of a program by the NJDOE and the complainant shall be informed of the NJDOE Complaint Policy and Procedures as outlined in B. below.
6. If the complainant is not satisfied with the outcome of the investigation, the complainant may initiate a Complaint by submitting a written Complaint to the NJDOE to the attention of the County Superintendent. A list of the County Offices of Education and County Superintendents can be found at <http://www.state.nj.us/njded/regions/> or by calling (609) 292-4469.
7. When a written Complaint is received by the County Superintendent, the appropriate NJDOE personnel will issue a Letter of Acknowledgement to the complainant within ten business days of receipt of the Complaint. This letter shall contain the following information:
- a. The date the Complaint was received;
 - b. A brief statement of the manner in which the NJDOE will investigate the Complaint;
 - c. If necessary, request for additional information regarding the Complaint;
 - d. The name and phone number of a contact person for status updates; and
 - e. A tentative resolution date that is sixty days from the date the written Complaint was received by the County Office.



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No Child Left Behind Complaints

(1) Based on the facts of the alleged violation, an extension of time may be required to resolve the Complaint. If an extension is required, the appropriate NJDOE personnel will issue a follow-up letter prior to the initial resolution date informing the complainant of the revised timeframe.

8. The County Superintendent will coordinate the investigation of a Complaint. When the investigation is complete, the County Superintendent will notify the complainant in writing regarding the outcome of the investigation.
9. If a violation has occurred, the Assistant Commissioner assigned to oversee the matter shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint.
10. If the complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary at:

Office of Hearings & Appeals
400 Maryland Avenue, SW
Washington, DC 20202-4611
(202) 619-9700

or at their website at:

<http://www.ed-oha.org/index.html>

B. Complaint Procedure Alleging A Violation By The New Jersey Department Of Education (NJDOE)

1. A Complaint is a written allegation the NJDOE has violated the law in the administration of education programs required by the NCLB.
2. A Complaint shall identify:
 - a. The alleged NCLB violation;
 - b. The facts supporting the alleged violation; and
 - c. Any supporting documentation.
3. To initiate a Complaint alleging the NJDOE has violated the administration of a NCLB program, a complainant must



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No Child Left Behind Complaints

submit a written Complaint to the New Jersey Department of Education Chief of Staff or the United States Department of Education Secretary at the address indicated below. The NJDOE requests the complainant first contact the New Jersey Department of Education Chief of Staff to resolve the issue.

New Jersey Department of Education
Office of the Chief of Staff
P.O. Box 500
Trenton, New Jersey 08625-0500
(609) 292-4442

U.S. Department of Education
Office of Hearings & Appeals
400 Maryland Avenue, SW
Washington, DC 20202-4611
(202) 619-9700
<http://www.ed-oha.org/index.html>

4. When a written Complaint is received by the NJDOE, the Chief of Staff will assign the investigation of this Complaint to the Office of Strategic Initiatives and Accountability or other designated office. This Office will issue a Letter of Acknowledgement to the complainant within ten business days of receipt of the Complaint. This letter shall contain the following information:
 - a. The date the Complaint was received;
 - b. A brief statement of the manner in which the Department of Education will investigate the Complaint;
 - c. If necessary, request for additional information regarding the Complaint;
 - d. The name and phone number of a contact person for status updates; and
 - e. A tentative resolution date that is sixty days from the date that the written Complaint was received.
 - (1) Based on the facts of the alleged violation, an extension of time may be required to resolve the Complaint. If an extension is required, the appropriate NJDOE personnel will issue a follow-up letter prior to the



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NUTLEY SCHOOL DISTRICT

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No Child Left Behind Complaints

initial resolution date informing the
complainant of the revised timeframe.

5. The NJDOE Office of Strategic Initiatives and Accountability will coordinate the investigation of a Complaint concerning an alleged violation by the NJDOE. When the investigation is complete, the Chief of Staff will notify the complainant in writing regarding the outcome of the investigation.
6. If it is determined a violation by the NJDOE has occurred, the Chief of Staff shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint.
7. If a complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary at the address above.

New Jersey Department of Education 1/26/07 Memorandum - No
Child Left Behind Complaint Policy and Procedure

Adopted:



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BOARD OF EDUCATION

Teaching Staff Members

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Travel Expenses

3440 TRAVEL EXPENSES

The Board of Education will reimburse teaching staff members for travel expenses in accordance with applicable New Jersey Statutes.

For the purpose of this Policy:

1. Travel Expenditures - means those costs paid by the school district using local, State, or Federal funds, whether paid directly by the school district or by employee reimbursement, for travel by school district employees and/or Board of Education members to training and seminars, conventions and conferences, regular school district business, and retreats.
2. Training and Seminars - means all regularly scheduled, formal residential or non-residential training functions conducted at a hotel, motel, convention center, residential facility, or any educational institution or facility.
3. Conventions and Conferences - means general programs, sponsored by professional associations on a regular basis, which address subjects of particular interest to a school district or are convened to conduct association business. The primary purpose of employee attendance at conferences and conventions is the development of new skills and knowledge or the reinforcement of those skills and knowledge in a particular field related to school district operations. These are distinct from formal staff training and seminars although some training may take place at such events.
4. Regular School District Business - means all regular official business travel, including attendance at meetings, conferences, and any other gatherings which are not covered by the definitions for training and seminars and convention and conferences above.
5. Retreats - means meetings with school district employees and Board members held away from the normal work environment at which organizational goals and objectives are discussed. If available, school district facilities shall be utilized for this type of event.

School district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and from the travel event. School district travel expenditures include costs for all required training and all travel authorized in existing school district employee contracts and school Board policies. This includes, but is not limited to, required professional development and other staff training, required training for new school Board members, and attendance at specific conferences authorized in existing employee contracts.



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Travel Expenses

The school district shall not bear costs for car rentals, limousine services, and/or chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the travel event.

All travel by district teaching staff members shall be educationally necessary and fiscally prudent and all travel expenditures shall be directly related to and within the scope of the teaching staff member's current responsibilities and the school district's professional development plan. All travel expenditures must be for travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district and is in compliance with State travel payment guidelines as established by the Department of the Treasury and with guidelines established by the Federal Office of Management and Budget; except that those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards.

A teaching staff member shall submit to Superintendent within 10 calendar days of incurring the travel expense(s) a brief report that includes the primary purpose for the travel and the key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district.

The detailed documentation that demonstrates compliance with the school Board's travel policy including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate, shall be maintained in the Business office.

Travel for teaching staff members may occur only upon prior written approval of the Superintendent of Schools and prior approval by a majority of the full voting membership of the Board.

For regular school district business travel only, the Board authorizes an annual maximum amount per employee for regular business travel in the amount of \$200.00 for which Board approval is not required.

The Board may approve, at any time prior to the event, travel for multiple months as long as the Board approval, detailed in Board Meeting minutes, itemizes the approval by event, total cost, and number of employees and/or school Board members attending the event. General or blanket pre-approval for travel is not authorized. Approval shall be itemized by event, event total cost, and number of employees and school Board members attending the event.

Travel payments will be paid only upon compliance with P.L. 2007, c. 53 and this Policy's provisions and approval requirements.



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Travel Expenses

The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event. An employee or organization shall not receive an amount for travel and/or travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq.

A Board member shall recuse himself/herself from voting on travel if the Board member, a member of his immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his/her objectivity or independence of judgment. A Board member shall not act in his/her official capacity in any matter in which he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his/her independence of judgment in the execution of his/her official duties.

The Board shall exclude from the requirements of prior Board approval any travel caused by or subject to contractual provisions, other statutory requirements, or Federal regulatory requirements. The Board may not exclude such travel from the subsistence requirements and annual maximum travel expenditure pursuant to P.L. 2007 c. 53.

One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in the Department of the Treasury guidelines. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the following provisions:

1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the Federal per diem rates as established in the Federal register for the current year;
2. Lodging expenses may exceed the Federal per diem rates if the hotel is the site of the convention, conference, seminar, or meeting and the going rate of the hotel is in excess of the Federal per diem rate. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
3. Receipts are required for hotel expenses;

Meal expenses under the Federal per diem allowance limits do not require receipts;

4. In any case in which the total per diem reimbursement is greater than the Federal per diem rate, except as stated in 2. above, the



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costs will be considered to be excessive and shall not be paid by school district funds;

5. The school district shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
6. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or school Board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

Annually in the prebudget year, the Board shall establish by Board resolution, a maximum travel expenditure amount for the budget year, which the school district shall not exceed in that budget year. The Board resolution shall also include the maximum amount established for the prebudget year and the amount spent to date. The maximum school district travel expenditure amount shall include all travel in accordance with P.L. 2007 c. 53 supported by local and State funds.

The Board may elect by Board resolution to exclude travel expenditures to be supported by Federal funds in the maximum travel expenditure amount. The Board resolution shall include the total amount of travel supported by Federal funds from the prior year, prebudget year, and projected for the budget year.

The school district shall maintain separate accounting for school district travel expenditures as necessary to ensure compliance with the school district's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and P.L. 2007 c. 53, and shall provide auditable information.

Any Board of Education that violates its established maximum travel expenditure as set forth in P.L. 2007 c. 53, or that otherwise is not in compliance with the travel limitations set forth in P.L. 2007 c. 53 may be subject to sanctions by the Commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.



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Travel Expenses

A person who approves any travel in violation of the P.L. 2007 c. 53 or this Policy shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event. An employee or Board member who travels in violation of the Board's policy or P.L. 2007 c. 53 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

P.L. 2007 c. 53

Adopted: 3 May 2004



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SCHOOL DISTRICT

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Travel Expenses

R 3440 TRAVEL EXPENSES

A. Approval of Travel Expense Reimbursement

The following procedure shall be implemented for a teaching staff member seeking to receive travel:

1. A Request for Travel Expense Report must be submitted to the Superintendent of Schools prior to the travel date(s) and at least 20 days before a Board meeting. The request shall include supporting documentation to include: the type of travel; location of the travel; occurrences of the travel; date(s) of travel; and all related costs including transportation expenses, parking, tolls, lodging, registration fees, meals, and other expenses.
2. The Superintendent of Schools shall review and may approve or deny each request for travel. The Superintendent's signature designating approval is required on the request for travel expenses.
3. All requests for travel expenses approved by the Superintendent of Schools shall be forwarded to the Business Administrator or designee, to determine if the expenses as outlined in the request are in compliance with State travel payment guidelines established by the Department of the Treasury and with guidelines established by the Federal Office of Management and Budget
 - a. If the requested travel expenses are in compliance with the guidelines the School Business Administrator/Board Secretary, will include the travel expense information on the Board of Education Approval of Travel Expense Form for submission to the Board of Education for approval.
 - b. If any travel expenses are not in compliance with the guidelines the Business Administrator, or designee, will return the request to the Superintendent of Schools. The Superintendent may deny the returned request or approve the request conditioned upon the teaching staff member assuming the financial responsibility for those travel expenses not in compliance with the guidelines. The School Business Administrator/Board Secretary, will include a summary of this documentation on the Board of Education Approval of Travel Expense Form.



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4. The Board of Education Approval of Travel Expense Form shall be presented to the Board of Education for approval. Approval by a majority of the full voting membership of the Board at a Board meeting is required.

B. Reimbursement of Travel Expenses

All travel expenses that receive prior written approval of the Superintendent of Schools and prior approval of the Board shall be reimbursed by the Board of Education in accordance with the following procedures:

1. The teaching staff member, within 10 calendar days after incurring the approved travel expenses, shall be required to submit to the School Business Administrator/Board Secretary, receipts documenting all prior Board approved travel expenses paid by the teaching staff member during the travel. Reimbursement to the teaching staff member will be made in accordance with the district's payment procedures. Travel payments will be paid only upon compliance with P.L. 2007 c. 53 and Policy 3440 provisions and approval requirements.
2. Receipts for the approved expenses to be paid directly to a vendor(s) accepting the school district's purchase order will be obtained directly from the vendor by the Business office. Payment directly to the vendor will be made in accordance with the district's payment procedures.

Adopted: 24 July 2006



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Support Staff Members

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Travel Expenses

4440 TRAVEL EXPENSES

The Board of Education will reimburse support staff members for travel expenses in accordance with applicable New Jersey Statutes.

For the purpose of this Policy:

1. Travel Expenditures - means those costs paid by the school district using local, State, or Federal funds, whether paid directly by the school district or by employee reimbursement, for travel by school district employees and/or Board of Education members to training and seminars, conventions and conferences, regular school district business, and retreats.
2. Training and Seminars - means all regularly scheduled, formal residential or non-residential training functions conducted at a hotel, motel, convention center, residential facility, or any educational institution or facility.
3. Conventions and Conferences - means general programs, sponsored by professional associations on a regular basis, which address subjects of particular interest to a school district or are convened to conduct association business. The primary purpose of employee attendance at conferences and conventions is the development of new skills and knowledge or the reinforcement of those skills and knowledge in a particular field related to school district operations. These are distinct from formal staff training and seminars although some training may take place at such events.
4. Regular School District Business - means all regular official business travel, including attendance at meetings, conferences, and any other gatherings which are not covered by the definitions for training and seminars and convention and conferences above.
5. Retreats - means meetings with school district employees and Board members held away from the normal work environment at which organizational goals and objectives are discussed. If available, school district facilities shall be utilized for this type of event.

School district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and from the travel event. School district travel expenditures include costs for all required training and travel authorized in existing school district employee contracts and school Board policies. This includes, but is not limited to, required professional development and other staff training, required training for new school Board members, and attendance at specific conferences authorized in existing employee contracts.



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Travel Expenses

The school district shall not bear costs for car rentals, limousine services, and/or chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the travel event.

All travel by district support staff members shall be educationally necessary and fiscally prudent and all travel expenditures shall be directly related to and within the scope of the support staff member's current responsibilities and the school district's professional development plan. All travel expenditures must be for travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district and is in compliance with State travel payment guidelines as established by the Department of the Treasury and with guidelines established by the Federal Office of Management and Budget; except that those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards.

A support staff member shall submit to Superintendent within 10 calendar days of incurring the travel expense(s) a brief report that includes the primary purpose for the travel and the key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district.

The detailed documentation that demonstrates compliance with the school Board's travel policy including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate, shall be maintained in the Business office.

Travel for support staff members may occur only upon prior written approval of the Superintendent of Schools and prior approval by a majority of the full voting membership of the Board.

For regular school district business travel only, the Board authorizes an annual maximum amount per employee for regular business travel in the amount of \$200.00 for which Board approval is not required.

The Board may approve, at any time prior to the event, travel for multiple months as long as the Board approval, detailed in Board Meeting minutes, itemizes the approval by event, total cost, and number of employees and/or school Board members attending the event. General or blanket pre-approval for travel is not authorized. Approval shall be itemized by event, event total cost, and number of employees and school Board members attending the event.



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Travel Expenses

Travel payments will be paid only upon compliance with P.L. 2007, c. 53 and this Policy's provisions and approval requirements.

The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event. An employee or organization shall not receive an amount for travel and/or travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq.

A Board member shall recuse himself/herself from voting on travel if the Board member, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his/her objectivity or independence of judgment. A Board member shall not act in his/her official capacity in any matter in which he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his/her independence of judgment in the execution of his/her official duties.

The Board shall exclude from the requirements of prior Board approval any travel caused by or subject to contractual provisions, other statutory requirements, or Federal regulatory requirements. The Board may not exclude such travel from the subsistence requirements and annual maximum travel expenditure pursuant to P.L. 2007 c. 53.

One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in the Department of the Treasury guidelines. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the following provisions:

1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the Federal per diem rates as established in the Federal register for the current year;
2. Lodging expenses may exceed the Federal per diem rates if the hotel is the site of the convention, conference, seminar, or meeting and the going rate of the hotel is in excess of the Federal per diem rate. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
3. Receipts are required for hotel expenses;



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Meal expenses under the Federal per diem allowance limits do not require receipts;

4. In any case in which the total per diem reimbursement is greater than the Federal per diem rate, except as stated in 2. above, the costs will be considered to be excessive and shall not be paid by school district funds;
5. The school district shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
6. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or school Board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

Annually in the prebudget year, the Board shall establish by Board resolution, a maximum travel expenditure amount for the budget year, which the school district shall not exceed in that budget year. The Board resolution shall also include the maximum amount established for the prebudget year and the amount spent to date. The maximum school district travel expenditure amount shall include all travel in accordance with P.L. 2007 c. 53 supported by local and State funds.

The Board may elect by Board resolution to exclude travel expenditures to be supported by Federal funds in the maximum travel expenditure amount. The Board resolution shall include the total amount of travel supported by Federal funds from the prior year, prebudget year, and projected for the budget year.

The school district shall maintain separate accounting for school district travel expenditures as necessary to ensure compliance with the school district's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and P.L. 2007 c. 53, and shall provide auditable information.

Any Board of Education that violates its established maximum travel expenditure as set forth in P.L. 2007 c. 53, or that otherwise is not in compliance with the travel limitations set forth in P.L. 2007 c. 53 may be subject to sanctions by the Commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.



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Travel Expenses

A person who approves any travel in violation of the P.L. 2007 c. 53 or this Policy shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event. An employee or Board member who travels in violation of the Board's policy or P.L. 2007 c. 53 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

P.L. 2007 c. 53

Revised: 21 November 2005



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Support Staff Members

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Travel Expenses

R 4440 TRAVEL EXPENSES

A. Approval of Travel Expense Reimbursement

The following procedure shall be implemented for a support staff member seeking to receive travel expense reimbursement:

1. A Request for Travel Expense Report must be submitted to the Superintendent of Schools prior to the travel date(s) and at least 20 days before a Board meeting. The request shall include supporting documentation to include: the type of travel; location of the travel; occurrences of the travel; date(s) of travel; and all related costs including transportation expenses, parking, tolls, lodging, registration fees, meals, and other expenses.
2. The Superintendent of Schools shall review and may approve or deny each request for travel. The Superintendent's signature designating approval is required on the request for travel expenses.
3. All requests for travel expenses approved by the Superintendent of Schools shall be forwarded to the Business Administrator, or designee, to determine if the expenses as outlined in the request are in compliance with State travel payment guidelines established by the Department of the Treasury and with guidelines established by the Federal office of Management and Budget.
 - a. If the requested travel expenses are in compliance with the guidelines the School Business Administrator/Board Secretary, will include the travel expense information on the Board of Education Approval of Travel Expense Form for submission to the Board of Education for approval.
 - b. If any travel expenses are not in compliance with the guidelines the Business Administrator, or designee, will return the request to the Superintendent of Schools. The Superintendent may deny the returned request or approve the request conditioned upon the support staff member assuming the financial responsibility for those travel expenses not in compliance with the guidelines. If the Superintendent of Schools approves the request the School Business Administrator/Board Secretary, will include a summary of this documentation on the Board of Education Approval of Travel Expense Form.



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Travel Expenses

4. The Board of Education Approval of Travel Expense Form shall be presented to the Board of Education for approval. Approval by a majority of the full voting membership of the Board at a Board meeting is required.

B. Reimbursement of Travel

All travel expenses that receive prior written approval of the Superintendent of Schools and prior approval of the Board shall be reimbursed by the Board of Education in accordance with the following procedures:

1. The support staff member, within 10 calendar days after incurring the approved travel expenses, shall be required to submit to the School Business Administrator/Board Secretary, receipts documenting all prior Board approved travel expenses paid by the support staff member during the travel. Reimbursement to the support staff member will be made in accordance with the district's payment procedures. Travel payments will be paid only upon compliance with P.L. 2007 c. 53 and Policy 4440 provisions and approval requirements.
2. Receipts for the approved expenses to be paid directly to a vendor(s) accepting the school district's purchase order will be obtained directly from the vendor by the Business office. Payment directly to the vendor will be made in accordance with the district's payment procedures.

Adopted: 24 July 2006



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Health Services Personnel

5305 HEALTH SERVICES PERSONNEL

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

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

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



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Health Services Personnel

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

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

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

The certified school nurse shall receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards including, but not limited to, those



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Health Services Personnel

of the National Institutes of Health and the American Academy of Allergy, Asthma, and Immunology.

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

1. Carrying out written orders of the medical home and standing orders of the school physician;
2. Conducting health screenings which include height, weight, blood pressure, hearing, vision, and scoliosis pursuant to N.J.A.C. 6A:16-2.2 and monitoring vital signs and general health status for emergent issues for pupils suspected of being under the influence of alcohol and controlled dangerous substances pursuant to N.J.S.A. 18A:40-4;
3. Maintaining pupil health records, pursuant to N.J.S.A. 18A:40-4 and N.J.A.C. 6A:16-2.4;
4. Recommending to the school Principal those pupils who shall not be admitted to or retained in the school building based on a parent's failure to provide evidence of the child's immunization according to the schedules specified in N.J.A.C. 8:57-4;
5. Annually reviewing pupil immunization records to confirm with the medical home that the medical condition for the exemption from immunization continues to be applicable, pursuant to N.J.A.C. 8:57-4.3;
6. Recommending to the school Principal exclusion of pupils who show evidence of communicable disease, pursuant to N.J.S.A. 18A:40-7 and 8;
7. Directing and supervising the emergency administration of epinephrine and training school staff designated to serve as delegates, pursuant to N.J.S.A. 18A:40-12.6;
8. Administering asthma medication through use of a nebulizer;
9. Directing and supervising the health services activities of any school staff to whom the certified school nurse has delegated a nursing task;
10. Classroom instruction in areas related to health pursuant to N.J.A.C. 6A:9-13.3;



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Health Services Personnel

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

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

The Board may appoint a non-certified nurse under the supervision of a certified school nurse to supplement the services of a certified school nurse as outlined in N.J.S.A. 18A:40-3.3. The non-certified nurse shall be assigned to the same school building or complex as the certified school nurse pursuant to N.J.S.A. 18A:40-3.3.

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



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Health Services Personnel

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

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

N.J.A.C. 6A:16-2.3 et seq.

Adopted:



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Health Services To Nonpublic School

5306 HEALTH SERVICES TO NONPUBLIC SCHOOLS

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

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

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

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

The Board shall consider the provision of health services to nonpublic schools based upon the considerations outlined in N.J.A.C. 6A:16-2.5(h)1 - 3. The Superintendent or designee shall confer annually with the administrator of the nonpublic school to advise the nonpublic school of the amount of funds allocated to the nonpublic school by the Department of Education; to agree on the basic health services to be provided and additional medical services which may be provided as set forth in N.J.S.A. 18A:40-23 et seq.; to assure the nonpublic school the County Office of Education shall provide assistance in the event an agreement cannot be reached regarding the health services and additional medical services to be provided to the nonpublic school; to assure the nonpublic school receiving services receives a copy of N.J.S.A. 18A:40-23 to 31 and N.J.A.C. 6A:16-2.5; and to assure a description of the provision of nursing services is reflected in the school district's Nursing Services Plan.



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Health Services To Nonpublic School

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

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

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

Adopted:



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Health Services To Nonpublic

R 5306 HEALTH SERVICES TO NONPUBLIC SCHOOLS

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

- A. Nursing services shall be provided to pupils enrolled in a nonpublic school as follows pursuant to N.J.S.A. 18A:40-23 et seq.:
1. Who are full-time based upon the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year;
 2. The provision of services shall be only to pupils of a nonpublic school that provided to the Board of Education a report of the type and number of services provided during the previous school year;
 3. The provision of nursing services as follows:
 - a. Assistance with medical examinations including dental screening;
 - b. Screening of hearing;
 - c. The maintenance of pupil health records and notification of local or county health officials of any pupil who has not been properly immunized.
 4. Scoliosis examinations of pupils between the ages of ten and eighteen.
- B. The Board of Education shall provide for the extension of emergency care provided to public school pupils to those pupils who are enrolled full-time in the nonpublic school who are injured or become ill at school or during participation on a school team or squad pursuant to N.J.A.C. 6A:16-1.4 and 2.1(a)4.
- C. The Board of Education may provide additional services to those required under A. above under the following conditions:
1. Such additional medical services may only be provided when all basic nursing services required under A. and B. above have been provided or will be provided;



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2. Such additional medical services may include the necessary equipment, materials, and services for immunizing pupils who are enrolled full-time in the nonpublic school from diseases as required by N.J.A.C. 8:57-4, Immunization of Pupils in School;
 3. Equipment comparable to that in use in the school district may be purchased by the school district to loan without charge to the nonpublic school for the purpose of providing services under this section. However, such equipment shall remain the property of the district Board of Education; and
 4. Costs of supplies comparable to that in use in the school district and transportation costs may be charged to the funds allocated for each participating nonpublic school provided that they are directly related to the provision of the required basic nursing services and additional medical services which may be provided.
- D. Health services shall be provided by a registered nurse licensed in the State of New Jersey who is an employee of the school district, an employee of a third-party contractor, or an independent contractor.
- E. The health services provided to a nonpublic school pupil shall not include instructional services.
- F. A nonpublic school may decline nursing services required under N.J.A.C. 6A:16-2.5 by submitting notification to the Board of Education signed by the Chief School Administrator of the nonpublic school pursuant to N.J.S.A. 18A:40-29.
- G. A pupil who is enrolled in a nonpublic school and whose parent(s) or legal guardian(s) objects to the pupil receiving any services provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the services except for a physical or medical examination to determine whether the pupil is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.
- H. The Board of Education shall consider the provision of health services based upon the following:



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1. The funding for services shall be based upon the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year;
 2. The provision of services shall be only to a pupil of a nonpublic school that provided to the Board of Education a report of the type and number of services provided during the previous school year; and
 3. The funds expended by the Board of Education for administrative costs shall be limited to the actual costs or six percent of the funds allocated for each participating nonpublic school, whichever is less.
- I. The Superintendent or designee shall confer annually with the administrator of the nonpublic school for the following purposes:
1. To advise the nonpublic school of the amount of funds allocated to the nonpublic school by the Department of Education or otherwise made available by the school district for the provision of health services for the full-time pupils enrolled in the nonpublic schools;
 2. To agree on the basic health services to be provided and additional medical services which may be provided as set forth in N.J.S.A. 18A:40-23 et seq.;
 3. To assure that in the event the Superintendent or designee and the nonpublic school administrator cannot reach agreement regarding the health services and additional medical services to be provided, the County Office of Education shall provide assistance;
 4. To assure that each nonpublic school which receives nursing services has a copy of N.J.S.A. 18A:40-23 to 31 and N.J.A.C. 6A:16-2.5; and
 5. To assure a description of the provision of nursing services is reflected in the school district's Nursing Services Plan.
- J. For the purposes of monitoring and record keeping, the Board of Education providing health services to nonpublic schools shall annually submit the following information to the County Superintendent of Education on or before October 1 and shall



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provide a copy to the Chief School Administrator of the nonpublic schools within school district boundaries:

1. A written statement verifying that the required conference was held with the nonpublic school.
2. A copy of the contract with another agency to provide the services, if applicable, and approved minutes of the Board of Education meeting approving the contract, which describes the methods by which the health services to nonpublic school pupils will be provided for the ensuing year, including a rationale for the distribution of funds; and
3. A description of the type and number of services that were provided during the previous school year on a form approved by the Commissioner of Education.

Adopted:



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Nursing Services Plan

5307 NURSING SERVICES PLAN

The Board of Education shall annually adopt the school district's Nursing Services Plan at a regular meeting and submit it to the County Superintendent of Education for review and approval.

The Superintendent, or designee, shall develop the Nursing Services Plan in consultation with the school physician and certified school nurse.

The Nursing Services Plan shall include a description of the basic nursing services to be provided to all pupils and a summary of the specific medical needs of individual pupils, if any, and the nursing services required to address those needs. The Nursing Services Plan shall also include a description of how nursing services will be provided in emergency situations, detailed nursing assignments sufficient to provide the services to pupils in all of its school buildings as outlined in N.J.A.C. 6A:16-2.3(b) through (d), and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

The Board, in its determination of the number of certified school nurses and non-certified nurses needed to perform all of the required services as outlined in N.J.A.C. 6A:16 et seq. shall consider: the geographic size including the number and location of school buildings; the general and special education enrollment; the number of children with medical involvement and extent of nursing services required; the requirement that non-certified nurses be assigned to the same school building or school complex as the supervising certified school nurse to ensure that the certified school nurse can provide required supervision pursuant to N.J.A.C. 6A:16-2.3(b) and (d) and N.J.S.A. 18A:40-3.3; and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

N.J.A.C. 6A:16-2.1(b)

Adopted:



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Pupil Health Records

5308 PUPIL HEALTH RECORDS

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

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

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

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

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



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Pupil Health Records

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

Nothing in N.J.A.C. 6A:16-2.5 or in Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing information contained in the pupil's health record to pupils or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of a pupil or other persons pursuant to N.J.A.C. 6A:32-7.4.

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

Adopted:



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Pupil Health Records

R 5308 PUPIL HEALTH RECORDS

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

A. Mandated Pupil Health Records

1. The following mandated pupil health records shall be maintained:
 - a. Findings of health histories, medical examinations, and health screenings pursuant to N.J.A.C. 6A:16-2.2 and 4.3; and
 - b. Documentation of immunizations against communicable diseases or exemption from these immunizations pursuant to N.J.A.C. 8:57-4.
2. The district will document the findings of pupil health histories, health screenings, and required medical examinations that are relevant to school participation on the pupil's health record using a form approved by the Commissioner of Education.

B. Maintenance of Pupil Health Records

1. The school district shall maintain pupil health records in accordance with N.J.A.C. 6A:32-7.4 as follows:
 - a. Pupil health records shall be maintained separately from other pupil records in a secure location;
 - b. Pupil health records kept in electronic form shall be both accessible and secure according to N.J.A.C. 6A:32-7.4(d);
 - c. Pupil health records shall be located in the school building or complex to which a pupil is assigned;



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- d. Pupil health records shall be accessible to authorized personnel while school is in session; and
- e. The health and immunization record shall be removed from the pupil's health record and placed in the pupil's mandated record until such time as graduation or termination and kept according to the schedule set forth in N.J.A.C. 6A:32-7.8.

C. Transferring Pupil Health Records

- 1. The school district shall ensure the following when transferring pupil health records:
 - a. Original mandated pupil health records that school districts are directed to compile pursuant to New Jersey statute, rule, or authorized administrative directive shall be forwarded to the Chief School Administrator, or designee, of the school district to which the pupil has transferred within ten days of receipt of a written request and verification by the school district;
 - b. Duplicate mandated pupil health records which school districts have been directed to compile pursuant to New Jersey statute, rule, or authorized administrative directive shall be forwarded to the Chief School Administrator, or designee, of the nonpublic school to which the pupil has transferred within ten days of receipt of a written request and verification by the school district;
 - c. Duplicate mandated pupil health records which school districts have been directed to compile pursuant to New Jersey statute, rule, or authorized administrative directive shall be forwarded to the Chief School Administrator or designee of the out-of-State school district to which the pupil has transferred within ten days of receipt of a written request and verification by the school district;



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Pupil Health Records

- d. Records that are transferred in duplicate form shall have their original maintained at the location of the sending school district; and
- e. The Chief School Administrator or designee shall request all pupil health records in writing from the school district of last attendance within two weeks from the date that the pupil enrolls in the new school district.

D. Restrictions for Sharing Pupil Health Information

- 1. Any Board of Education employee with knowledge of, or access to, the following health information shall comply with restrictions for sharing that information as required by Federal and State statutes and regulations.
 - a. Information that identifies a pupil as having HIV infection or AIDS shall be shared only with prior written informed consent of the pupil age twelve or greater, or of the pupil's parent(s) or legal guardian(s) as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the pupil.
 - b. Information obtained by the school's alcohol and other drug program which would identify the pupil as an alcohol or other drug user may be disclosed only for those purposes and under those conditions permitted by 42 CFR Part 2.
 - c. Information provided by a secondary school pupil while participating in a school-based alcohol or other drug counseling program that indicates a parent, guardian, or other person residing in the pupil's household is dependent upon or illegally using a substance shall be shared only for those purposes and conditions permitted by N.J.S.A. 18A:40A-7.1.



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Pupil Health Records

E. Access to Pupil Health Records

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

Nothing in N.J.A.C. 6A:16-2.5 or in Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing information contained in the pupil's health record to pupils or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the pupil or other persons

Adopted:



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Health Services

5310 HEALTH SERVICES

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

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



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

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

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



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N.J.A.C. 8:61-2.1, Attendance at School by Pupils or Adults with HIV Infection (Policy and Regulation 8451 and Policy 8453);

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

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

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

1. The review of immunization records for completeness pursuant to N.J.A.C. 8:57-4.1 through 4.20 (Policy and Regulation 5320);



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2. The administration of medication to pupils in the school setting in accordance with N.J.A.C. 6A:16-2.1(a)2 (Policy and Regulation 5330).
3. The review of Do Not Resuscitate (DNR) Orders received from the pupil's parent(s) or legal guardian(s) or medical home (Policy 5332);
4. The provision of health services in emergency situations including:
 - a. The emergency administration of epinephrine via epipen pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);
 - b. The care of any pupil who becomes injured or ill while at school or during participation in school-sponsored functions (Policy and Regulation 8441);
 - c. The transportation and supervision of any pupil determined to be in need of immediate care (Policy and Regulation 8441);
 - d. The notification to parent(s) or legal guardian(s) of any pupil determined to be in need of immediate medical care (Policy and Regulation 8441); and
 - e. The administration of medication for pupils requiring epinephrine (Policy and Regulation 5330).
5. The treatment of asthma in the school setting in accordance with N.J.A.C. 6A:16-2.1(a)5 (Policy 5335).
6. The administration of pupil medical examinations, pursuant to N.J.S.A. 18A:40-4, N.J.S.A. 18A:35-4.8, and N.J.A.C. 6A:16-2.2 (Policy and Regulation 5310);
7. Procedures for sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 8:61-1.1(f) and in compliance with the Centers for Disease Control and Prevention's guidelines which advise that schools implement universal precautions titled Universal Precaution for Prevention of Transmission of HIV and Other Blood borne Infections (1987, updated 1996), incorporated herein by reference, as amended and supplemented, which is available from the Centers for Disease Control and Prevention, Division of Healthcare



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Quality Promotion, 1600 Clifton Road, Atlanta, GA 30333
(Policy and Regulation 7420); and

8. Provision of nursing services to nonpublic schools located in the school district as required by N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5 (Policy and Regulation 5306).

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

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



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- a. For the purpose of the physical examination required prior to participation on a school-sponsored interscholastic athletic team or squad for pupils enrolled in any of the grades six to twelve in accordance with N.J.A.C. 6A:16-2.2(h)1, the pupil's parent(s) or legal guardian(s) may choose either the school physician or their own private physician.
 - b. A full report of the examination shall be maintained as part of the pupil's health record.
7. The findings of medical examinations as required under 8. below shall be documented on a form that is approved by the Commissioner of Education and shall include the following components:
- a. Immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.16;
 - b. Medical history including allergies, past serious illnesses, injuries and operations, medications, and current health problems;
 - c. Health screenings including height, weight, hearing, blood pressure, and vision; and
 - d. Physical examinations.
8. The school district shall ensure that pupils receive medical examinations:
- a. Prior to participation on a school-sponsored interscholastic athletic team or squad for pupils enrolled in any of the grades six to twelve in accordance with N.J.A.C. 6A:16-2.2(h)1;
 - b. Upon enrollment into school in accordance with N.J.A.C. 6A:16-2.2(h)2;
 - c. When applying for working papers in accordance with N.J.A.C. 6A:16-2.2(h)3;



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



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- f. The school district shall provide for the notification of the parent(s) or legal guardian(s) of any pupil suspected of deviation from the recommended standard.
- 12. The School Nurse shall screen to ensure hearing aids worn by pupils who are deaf and/or hard of hearing are functioning properly. The Principal will ensure any FM hearing aid systems in classrooms or any school equipment in the school building used to assist pupils hear are functioning properly.

N.J.S.A. 18A:40-4 et seq.

N.J.A.C. 6A:16-1.4 et seq.; 6A:16-2.2 et seq.

Adopted: 3 May 2004



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R 5310 HEALTH SERVICES

A. Definitions - N.J.A.C. 6A:16-1.3

1. Advanced practice nurse - means a person who holds current certification as nurse practitioner/clinical nurse specialist from the State Board of Nursing.
2. Certified School Nurse - means a person who holds a current license as a registered professional nurse from the State Board of Nursing and an Educational Services Endorsement, school nurse or school nurse/non-instructional from the Department of Education pursuant to N.J.A.C. 6A:9-13.3 and 13.4.
3. Medical Examination - means the assessment of an individual's health status.
4. Medical Home - means a health care provider and that provider's practice site chosen by the pupil's parent or legal guardian for the provision of health care.
5. Noncertified Nurse - means a person who holds a current license as a registered professional nurse from the State Board of Nursing and is employed by a district Board of Education or nonpublic school, and who is not certified as a school nurse by the Department of Education.
6. Physical Examination - means the examination of the body by a professional licensed to practice medicine or osteopathy or an advanced practice nurse. The term includes very specific procedures required by statute as stated in N.J.A.C. 6A:16-2.2.
7. School Physician - means a physician with a current license to practice medicine or osteopathy from the New Jersey Board of Examiners who works under a contract or as an employee of the school district. The physician is also referred to as the medical inspector as per N.J.S.A. 18A:40-1.

B. Medical Examinations - General Conditions



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Each pupil medical examination shall be conducted at the medical home of the pupil. If a pupil does not have a medical home, the school district shall provide this examination at the school physician's office or other comparably equipped facility. For the purpose of the physical examination required for pupils prior to participation on a school-sponsored interscholastic or intramural athletic team or squad for pupils enrolled in grades six to twelve, the pupil's parent(s) or legal guardian(s) may choose either the school physician or their own private physician. A full report of the examination shall be maintained as part of the pupil's health record.

The findings of required examinations under C. through G. below shall be documented on a form that is approved by the Commissioner of Education and shall include the following components:

1. Immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.16;
2. Medical history including allergies, past serious illnesses, injuries and operations, medications, and current health problems;
3. Health screenings including height, weight, hearing, blood pressure, and vision; and
4. Physical examinations.

The district Board of Education shall make accessible information regarding the NJ FamilyCare Program for pupils who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.

Pursuant to N.J.S.A. 18A:40-4.4, a pupil who presents a statement signed by his/her parent(s) or legal guardian(s) that required examinations interfere with the free exercise of his/her religious beliefs shall be examined only to the extent necessary to determine whether the pupil is ill or infected with a communicable disease or under the influence of alcohol or drugs or is disabled or is fit to participate in any health, safety, or physical education course required by law.

Information concerning a pupil's HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq.



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C. Medical Examinations - Prior To Participation On A School-Sponsored Interscholastic Or Intramural Athletic Team Or Squad For Pupils Enrolled In Grades Six To Twelve

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

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



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physician's assistant which includes, at a minimum, the following normalities:

- (1) Measurement of weight, height, and blood pressure;
- (2) Examination of the skin to determine the presence of infection, scars from previous surgery or trauma, jaundice and purpura;
- (3) Examination of the eyes to determine visual acuity, use of eyeglasses or contact lenses, and examination of the sclera for the presence of jaundice;
- (4) Examination of the ears to determine the presence of acute or chronic infection, perforation of the eardrum and gross hearing loss;
- (5) Examination of the nose to assess the presence of deformity, which may affect endurance;
- (6) Assessment of the neck, back, and spine to determine range of motion, the presence of pain associated with such motion, and abnormal curvature of the spine;
- (7) Examination of chest contour;
- (8) Auscultation and percussion of the lungs;
- (9) Assessment of the heart with attention to the presence of murmurs, noting rhythm and rate;
- (10) Assessment of the abdomen with attention to the possible presence of hepatomegaly, splenomegaly, or abnormal masses;
- (11) Examination of upper and lower extremities to determine abnormal mobility or immobility, deformity, instability, muscle weakness or atrophy, surgical scars and varicosities;



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- (12) Examination of the testes to determine the presence and descent of testes, abnormal masses, or configurations, or hernia;
 - (13) Assessment of physiological maturation; and
 - (14) Neurological examination to assess balance and coordination.
- c. The medical report shall indicate whether a pupil is allowed or disallowed to participate in the required sports categories and must be completed and signed by the original examining physician, advanced practice nurse, or physician's assistant. A form that is incomplete shall be returned to the pupil's medical home for completion.
3. Each pupil whose medical examination was completed more than sixty days prior to the first practice session shall provide a health history update of medical problems experienced since the last medical examination. This shall be completed and signed by the parent(s) or legal guardian(s). The health history update shall include the following information:
- a. Hospitalization/operations;
 - b. Illnesses;
 - c. Injuries;
 - d. Care administered by a physician of medicine or osteopathy, advanced practice nurse, or physician's assistant; and
 - e. Medications.
4. Each school district shall provide written notification signed by the school physician to the parent(s) or legal guardian(s) stating approval of the pupil's participation in athletics based upon the medical report or the reasons for the school physician's disapproval of the pupil's participation.



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5. A pupil that does not have a completed Athletic Preparticipation Physical Examination Form shall not be permitted to participate.

D. Medical Examinations - Upon Enrollment Into School

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

E. Medical Examinations - When Pupils Apply for Working Papers

1. The school district shall ensure that a pupil receives medical examinations when applying for working papers. Pursuant to N.J.S.A. 34:2-21.7 and 21.8, the school district is responsible for the administration of medical examinations for a pupil pursuing a certificate of employment.
2. A statement of physical fitness shall be signed by the school physician unless the parent(s) or legal guardian(s) elects to obtain the examination at the pupil's medical home.
3. The school district shall not be held responsible for the costs incurred by the parent(s) or legal guardian(s) who



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elects to obtain the examination at the pupil's medical home.

F. Medical Examinations - For The Purposes Of The Comprehensive Child Study Team Evaluation Pursuant To N.J.A.C. 6A:14-3.4

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

G. Medical Examinations - When A Pupil Is Suspected Of Being Under The Influence Of Alcohol Or Controlled Dangerous Substances pursuant to N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3

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

H. Health Screenings

Each district Board of Education shall ensure that pupils receive health screenings.

1. Screening for height, weight, and blood pressure shall be conducted annually for each pupil in Kindergarten through grade twelve.
2. Screening for visual acuity shall be conducted biennially for pupils in Kindergarten through grade ten.
3. Screening for auditory acuity shall be conducted annually for pupils in Kindergarten through grade three and in grades seven and eleven pursuant to N.J.S.A. 18A:40-4.



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4. Screening for scoliosis shall be conducted biennially for pupils between the ages of ten and eighteen pursuant to N.J.S.A. 18A:40-4.3.
5. Screenings shall be conducted by a school physician, school nurse, physical education instructor, or other school personnel properly trained.
6. The school district shall provide for the notification of the parent(s) or legal guardian(s) of any pupil suspected of deviation from the recommended standard.

Adopted: 3 May 2004



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Do Not Resuscitate Orders

5332 DO NOT RESUSCITATE ORDERS

Federal and State legislation entitles every pupil to a free, appropriate public education in the least restrictive environment. Due to the high risk of medically fragile pupils and pupils with chronic illnesses, who in the past would not have survived to be able to attend school, families, professionals, and school personnel are challenged with new issues in caring for these pupils in the school setting. Some families may wish not to pursue life-saving medical protocols for their child due to the lack of benefit to the pupil's condition or quality of life that is likely to result from following these protocols. In accordance with N.J.A.C. 6A:16-2.1(a)3, all Do Not Resuscitate (DNR) orders received for a pupil will be thoroughly and carefully reviewed.

"Do Not Resuscitate order" or "DNR order" means a written directive signed by the parent or legal guardian of a pupil who, after consultation with the pupil's pediatrician and other advisors, declines emergency administration of cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) to the pupil. "Written order" means a directive and protocol written by the pupil's medical home to address a healthcare need or provide a medical service for a specific pupil. "Medical home" means a health care provider and that provider's practice site chosen by the pupil's parent or legal guardian for the provision of health care.

A family desiring to pursue a DNR order must submit a written order, which should be developed after a meeting with the parent(s) or legal guardian(s), the pupil, if appropriate, the school physician, the school nurse, the pupil's family healthcare provider, and the local emergency medical services provider. The written order shall include specific written emergency orders and shall specifically meet the goals for the pupil. Community emergency medical services protocols must be clearly defined in the written order.

The school nurse is responsible for providing an appropriate response to DNR orders. The school nurse will coordinate the school district's review of the written order with the Building Principal or designee, the school physician, and the Superintendent of Schools or designee. The Superintendent of Schools or designee will review the written order with the Board of Education and the school Board Attorney. The school physician shall be responsible for instructing school staff in DNR orders.



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Do Not Resuscitate Orders

The existence of a DNR written order and plan shall be referenced on the pupil's health form that is approved for use by the Commissioner of Education. A copy of the DNR written order shall be placed with the pupil's individualized health record and a copy should be kept with the local emergency medical services provider. The DNR written order shall be reviewed whenever a change occurs in the pupil's condition and at least once every six months.

N.J.A.C. 6A:16-1.3; 6A:16-2.1(a)3

New Jersey Department of Education - School Health Services
Guidelines, July 2001

Adopted:



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Treatment of Asthma

5335 TREATMENT OF ASTHMA

The Board of Education recognizes the primary goal for children with asthma is to allow the child to live as normal a life as possible. The child should be able to participate in normal childhood activities, experience exercise tolerance similar to peers, and attend school to grow intellectually and develop socially. In accordance with N.J.A.C. 6A:16-2.1(a)5, the Board adopts this Policy that includes procedures for the treatment of asthma in the school setting.

Every school in the district shall have and maintain for the use of pupils at least one nebulizer in the office of the school nurse or a similar location. Each school nurse in the district shall receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards including, but not limited to, those of the National Institutes of Health and the American Academy of Allergy, Asthma and Immunology pursuant to N.J.S.A 18A:40-12.8(a). The school nurse, upon receiving this training, is authorized to administer asthma medication through the use of a nebulizer pursuant to N.J.S.A.18A:40-12.8(a).

Each pupil authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 and Policy 5330 or a nebulizer shall have an Asthma Action Plan (AAP) prepared by the pupil's medical home and submitted to the certified school nurse. The AAP shall identify, at a minimum, asthma triggers and information to be included in the individualized healthcare plan and individualized emergency healthcare plan, pursuant to N.J.A.C. 6A:16-2.3(b) for meeting the medical needs of the pupil while attending school or a school-sponsored function.

N.J.S.A. 18A:40-12.3; 18A:40-12.7

N.J.A.C. 6A:16-2.1(a)5

Adopted:

