



STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION

Programs to Support Student Development *N.J.A.C. 6A:16*

Proposed new rules and amendments to

N.J.A.C. 6A:16-1.3, 2.1, 2.2, 2.3, 2.5, 5.2, 10.1, 10.2 and 11.1

First Discussion, December 3, 2014

Purpose of *N.J.A.C. 6A:16*

The rules provide minimum standards for programs and practices to support the health, safety and social-emotional needs of students.

Purpose of Proposed Rulemaking

- Implement recently enacted Statutory requirements for school health and school safety and security;
- Specify the school district's responsibilities in providing school health services to eligible nonpublic school students;
- Clarify the provisions of home or out-of-school instruction;
- Amend or add new definitions, as necessary, to be consistent with Statute; and
- Provide minor revisions for further refinement, grammar, and style.

- New: automated external defibrillator (AED) for consistency with the definition in Janet’s law at N.J.S.A. 18A:40-41a;
- New: NJ FamilyCare to clarify that it is a Federal- and State-funded health insurance program created to help qualified New Jersey residents of any age access to affordable health insurance; and
- Amendments: “harassment, intimidation, or bullying,” “Do Not Resuscitate order” and “code of student conduct” – stylistic and accurate citations.

Janet's Law (*N.J.S.A. 18A:40-4.b*)

- Requires the establishment and implementation of an emergency action plan for responding to a sudden cardiac event, including the use of an AED [2.1(a)4vi].

Scholastic Student-Athlete Safety Act (N.J.S.A. 18A:40-41.6)

- The use of a new Preparticipation Physical Evaluation (PPE) form [2.2(h)1ii];
- The licensed physician, advanced practice nurse or physician assistant who completes the PPE form must complete the Student-Athlete Cardiac Screening professional development module (PD module) [2.2(h)1ii(1)]; and
- The student-athlete's parent may obtain a physical examination from a physician who can certify completion of the PD module or to request the school physician provides the examination if the PPE is submitted without the signed certification statement [2.2(h)1ii(1)(A)].



Scholastic Student-Athlete Safety Act **(N.J.S.A. 18A:40-41.6) (continued)**

- A contract between the school district and school physician must include a statement of assurance that the school physician completed the PD module [2.3(a)3]; and
- The school nurse is required to review the Health History Update Questionnaire form and share it with the school athletic trainer, if applicable. [2.3(b)3xvi].



Sudden Cardiac Arrest Prevention Act (N.J.S.A. 18A:40-41)

- School districts and nonpublic schools must distribute the sudden cardiac arrest pamphlet to the student-athlete and his or her parent or guardian [2.2h(1)vi]; and
- The Commissioner must update the pamphlet, as necessary, and distribute it to school districts and nonpublic schools, at no charge [2.2(h)1vi(2) and (3)].

General Provisions for School Health Services

- The Department proposes an amendment to delete the language signifying that a parent may identify the school as the medical home for the purpose of the sports physical examination [2.3(a)4iii].

School health services to nonpublic schools

- Add the requirement that school districts make every attempt to provide nursing services for nonpublic school students beginning at the start of the school year to ensure nonpublic students have access to medical care every day school is in session.
- Allow districts to include in policies the provision of nursing services in an emergency to preschool students enrolled in a nonpublic school to comply with new statute N.J.S.A. 18A:40-24.



School health services to nonpublic schools

- Add the new requirement that a public or private agency that provides nursing services to nonpublic schools must be approved through the Commissioner's approval process to ensure it has the appropriate professional credentials, to comply with N.J.S.A. 18A:40-28.
- Add the new requirement that districts consult with nonpublic school representatives, including parents, before any change in the provision of nursing services, to comply with recently enacted law, P.L. 2014, c.67 (N.J.S.A. 18A:40-28).

School health services to nonpublic schools (continued)

- Clarify that the 6% administrative cost restriction relates to the district's costs and not the provider's by providing a non-comprehensive list of allowable administrative costs.

School health services to nonpublic schools

- Add additional purposes for the annual conference between the district and nonpublic school
 - To help increase understanding of the needs of the nonpublic school students: 1) discuss the criteria to be used in the school district's selection of a nursing service provider and 2) assess the nonpublic school's satisfaction with the current nursing service provider
 - To comply with N.J.S.A. 18A:40-34: make accessible to nonpublic students information regarding the NJ FamilyCare program

Violence Awareness (N.J.A.C. 6A:16-5.2)

- Renamed “Violence Awareness Week” section as “Violence Awareness.”
- District boards of education are required to disseminate to parents or guardians an informational pamphlet on limiting child’s exposure to violent content in electronic media, pursuant to N.J.S.A. 18A:40-44.

Home or out-of-school instruction due to a temporary or chronic health condition (*N.J.A.C. 6A:16-10*)

- A new rule is proposed to require the parent, or other adult who has been designated by the parent, to be present during home instruction delivered in a student's home [10.1(d)].

Reporting Potentially Missing, Abused or Neglected Children and Attempted or Contemplated Suicide (*N.J.A.C. 6A:16-11*)

- Renamed “Potentially Missing, Abused, or Neglected Children” as “Reporting Potentially Missing, Abused or Neglected Children and Attempted or Contemplated Suicide.”