



NJDOE News

Contact: Richard Vespucci
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Commissioner Hesper Proposes Regulations to Guide Programs Supporting Student Development

The State Board of Education today heard proposed regulations that will guide New Jersey schools in developing and implementing non-academic programs to support student achievement. In addition, the regulations will update existing rules to conform to changes required by the Core Curriculum Content Standards and by recently enacted state laws in a new chapter of regulations to be known as Programs to Support Student Development.

"These regulations are designed to address the concerns of school districts that are sometimes faced with difficult decisions when they try to carry out their responsibilities to create a safe and healthy learning environment for students," said Commissioner of Education David Hesper. "The new rules will provide better guidance to school boards, educators and the public regarding the responsibilities schools must exercise to facilitate the healthy growth and development of students."

The Department of Education solicited public input before developing the proposed regulations. The department also incorporated the results of its experience with 16 equivalency and waiver requests decided in areas such as school health services and alternative education. The equivalencies provided options to school districts while the administrative code was being reviewed and served as an evaluation tool for the Commissioner and the State Board in revising existing rules and adopting a new chapter.

Adoption of the academic standards for comprehensive health and physical education as part of the Core Curriculum Content Standards necessitate the repeal of older regulations on instruction in HIV prevention, family life education and substance abuse prevention. In addition, new state laws have invalidated existing rules in areas such as school employee physical examinations and the administration of medication. The proposed regulations make these necessary changes.

Reflected in the proposed regulations is recognition of a dramatic increase in the proportion of student with chronic health problems has underscored the need for professional oversight of school health services. The new rules would expand the scope of school health services, including the following requirements:

- Parental notification of the importance of obtaining a student medical examination at three developmental points corresponding to early childhood, pre-adolescence and adolescence, as recommended by the American Academy of Pediatrics
- A medical examination of students prior to participation in interscholastic sports
- Do not resuscitate orders to meet the needs of critically ill students
- Self-administration of medication for asthma or life-threatening allergic reactions
- Designation of a staff member other than the certified school nurse to administer emergency epinephrine

The new rules propose remedies for appropriate home instruction or out-of-school instruction and alternative education for those students who are not eligible for special education and related services, such as students enrolled in a residential drug and alcohol treatment program, or court-ordered to an alternate instructional arrangement.

Although school safety issues under New Jersey's Zero Tolerance for Guns Act are addressed in the proposed new chapter, these issues also touch on broader issues to student discipline and behavior, and local efforts to set codes for student conduct and penalties for violations of those codes.

As a result of comments received about expulsion and student discipline, Commissioner Hesper announced that the Department of Education will convene an internal workgroup to explore the following areas:

- Definitions for expulsion, suspension and removal of students
- Development and use of a student code of conduct

- School staff and student responsibilities
- Graduated disciplinary responses relative to the severity of the offense
- Due process rights and responsibilities.

The workgroup will solicit input from the field on these and other topics and will issue a discussion paper in the spring.