

# POLICY GUIDE

TEACHING STAFF MEMBERS

3160/page 1 of 3

Physical Examination

June 24

M

[See POLICY ALERT Nos. 211 and 233]

## 3160 PHYSICAL EXAMINATION

The Board of Education **shall** requires **any each** candidate for employment who **has received receives** a conditional offer of employment to undergo a physical examination(s) **pursuant to N.J.S.A. 18A:16-2.a.** to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA), **pursuant to N.J.A.C. 6A:32-6.3.**

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accommodation job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent of Schools, if the Board has not yet approved the appointment, or by the Board, if the Board had approved the appointment at a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

**In accordance with N.J.A.C. 6A:32-6.2(a), the Board will develop the requirements for tThe physical examination and provide for notification to candidates for employment regarding the requirements for the physical examination which shall include, but not be is-not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include, but not be limited to, a health screening to include, but not be limited to: height and weight; blood pressure; pulse and respiratory rate; vision screening; and hearing screening.**

### ~~Optional~~

~~Candidates for employment who have received a conditional offer of employment will also be required to undergo a comprehensive fitness for duty examination in addition to the physical examination required pursuant to N.J.S.A. 18A:16-2.a. This examination shall not be used to determine a candidate's disabilities and shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions pursuant to ADA. Comprehensive fitness for duty examinations, if required by the Board,~~



# POLICY GUIDE

~~will be required for all \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_  
candidates for employment who receive a conditional offer of employment.}~~

TEACHING STAFF MEMBERS

3160/page 2 of 3

Physical Examination

## **Optional**

~~{Candidates for employment who have received a conditional offer of employment will be required to undergo psychological assessment in accordance with district procedures. Psychological assessments, if required by the Board, will be required for all \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ candidates for employment who have received a conditional offer of employment.}~~

## **Optional**

~~{Candidates for employment who have received a conditional offer of employment will be required to be tested for the usage of controlled dangerous substances (CDS) as they are defined in N.J.S.A. 2C:35-2. This testing will be completed in accordance with New Jersey Department of Health and Department of Education guidelines. Testing for the usage of CDS controlled or dangerous substances, if required by the Board, will be required for all \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ candidates for employment who have received a conditional offer of employment.}~~

Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of physical examinations required by this Policy performed by a physician or institution designated by the Board. However, the candidate shall bear the cost if the examination is performed by a physician or institution designated by the candidate with approval of the Board. In the event the Board approves the physician or institution designated by the candidate to complete an examination required by this Policy, the candidate will be provided with the detailed requirements of the examination.

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



# POLICY GUIDE

The Board will follow the current New Jersey Department of Health Guidance for Tuberculosis (TB) Testing in New Jersey Schools. ~~A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the district, and contractors or volunteers who have contact with students.~~

TEACHING STAFF MEMBERS  
3160/page 3 of 3  
Physical Examination

**Health records of candidates for employment and current teaching staff members** ~~All staff members' medical and health records~~, including computerized records, ~~shall will~~ be secured, stored, and maintained separately from other personnel files **pursuant to N.J.A.C. 6A:32-6.3(d)**. The information contained in medical records ~~shall will~~ be kept confidential. Only the **teaching** staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual **teaching staff member** ~~employee~~. Health records **shall be the property of the Board and** may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5 **and N.J.A.C. 6A:32-6.3(d)**.

**Pursuant to N.J.A.C. 6A:32-6.3(c)**, ~~an individual~~ **The teaching** staff member may provide health-status information, including medications that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, ~~a the~~ **teaching** staff member may also choose to share with the ~~staff member's Building~~ Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

**Pursuant to N.J.S.A. 18A:16-2**, ~~the Board may require~~ **Additional individual** ~~psychiatric or physical or psychiatric~~ examinations of **a teaching** ~~any~~ staff member ~~may be required by the Board~~ whenever, in the **Board's** judgment ~~of the Board~~, a **teaching** staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3**(b)**. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy 3161 – **Examination for Cause** or disability in accordance with Policies 3425 – **Work Related Disability Pay** and 3435 – **Anticipated Disability**.



# POLICY GUIDE

42 U.S.C.A. 12101

N.J.S.A. 18A:16-2; **18A:16-3**; **18A:16-5**

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

Adopted:



# POLICY GUIDE

SUPPORT STAFF MEMBERS

4160/page 1 of 3

Physical Examination

June 24

M

[See POLICY ALERT Nos. 211 and 233]

## 4160 PHYSICAL EXAMINATION

The Board of Education **shall** requires **any each** candidate for employment who **has received** ~~receives~~ a conditional offer of employment to undergo a physical examination(s) **pursuant to N.J.S.A. 18A:16-2.a.** to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA), **pursuant to N.J.A.C. 6A:32-6.3.**

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### **Optional**

~~Candidates for employment who have received a conditional offer of employment will also be required to undergo a comprehensive fitness for duty examination in addition to the physical examination required pursuant to N.J.S.A. 18A:16-2.a. This examination shall not be used to determine a candidate's disabilities and shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions pursuant to ADA. Comprehensive fitness for duty examinations, if required by the Board,~~



# POLICY GUIDE

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SUPPORT STAFF MEMBERS

4160/page 2 of 3

Physical Examination

## Optional

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## Optional

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



# POLICY GUIDE

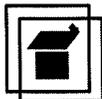
The Board will follow the current New Jersey Department of Health Guidance for Tuberculosis (TB) Testing in New Jersey Schools. ~~A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the district, and contractors or volunteers who have contact with students.~~

SUPPORT STAFF MEMBERS  
4160/page 3 of 3  
Physical Examination

**Health records of candidates for employment and current support staff members** ~~All staff members' medical and health records~~, including computerized records, ~~shall will~~ be secured, stored, and maintained separately from other personnel files **pursuant to N.J.A.C. 6A:32-6.3(d)**. The information contained in medical records ~~shall will~~ be kept confidential. Only the **support** staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual **support staff member** ~~employee~~. Health records **shall be the property of the Board and** may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5 **and N.J.A.C. 6A:32-6.3(d)**.

**Pursuant to N.J.A.C. 6A:32-6.3(c)**, ~~an individual~~ **The support** staff member may provide health-status information, including medications that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, ~~a the~~ **support** staff member may also choose to share with the ~~staff member's Building~~ Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

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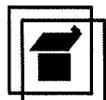
# POLICY GUIDE

42 U.S.C.A. 12101

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Adopted:



# POLICY GUIDE

STUDENTS  
5337/page 1 of 6  
Service Animals  
June 24

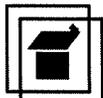
[See **POLICY ALERT Nos. 207, 217, and 233**]

## 5337 SERVICE ANIMALS

In compliance with Title II of the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008, it is the Policy of the Board of **Education** to permit use of a service animal by an individual with a disability in all areas of the district where the public is normally permitted: in district buildings; on district property; and on vehicles owned, leased, or controlled by the district **in accordance with** ~~—(28 CFR §35.136.)~~

### A. Definitions

1. “Act” means the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008.
2. “Designated administrator” means Principal or person designated by the Principal to coordinate these activities.
3. “District” means this school district.
4. “Handler” means the animal’s owner who is an individual with a disability or a person, such as a trainer, assisting the owner with control of the service animal.
5. “Service animal” means a dog individually trained to do work or perform a specific job or task for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability **in accordance with** ~~—(28 CFR §36.104.)~~
  - a. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.
  - b. The work or tasks performed by a service animal must be directly related to the individual’s disability (e.g. navigation, alerting physical support and assistance,



# POLICY GUIDE

preventing or interrupting impulsive or destructive behaviors).

STUDENTS  
5337/page 2 of 6  
Service Animals

- c. Work or tasks for the purposes of this definition do not include the provision of emotional support, well-being, comfort, therapy, companionship, or crime deterrence.

## B. Generally Rules

1. The district shall permit the use of a service animal by an individual with a disability unless:
  - a. The animal is out of control and the animal's handler does not take effective action to control it;
  - b. The animal is not housebroken.
2. **A student with a disability, including autism, shall be permitted access for a service animal in school buildings, including the classroom, on school buses, and on school grounds.**
32. **The service animal shall be under a handler's control at all times by use of a leash, tether, voice control, signal, or other suitable means in accordance with N.J.S.A. 18A:46-13.3 and** ~~A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g. voice control, signals, or other effective means). (28 CFR §35.136(d).)~~
43. If an animal is properly excluded, the district shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises **in accordance with**  ~~(28 CFR §35.136(b).)~~



# POLICY GUIDE

54. If there are places in the district where it is determined to be unsafe for a handler and service animal, reasonable accommodations will be provided to assure the individual with a disability has equal access to the activity.

STUDENTS  
5337/page 3 of 6  
Service Animals

65. **A school official may inquire as to whether the service animal is required due to a disability and what task or work the service animal has been trained to perform, unless the student's disability and the work or task that the service animal will perform are readily apparent in accordance with N.J.S.A. 18A:46-13.3. ~~Unless the need for a service animal is readily apparent, the individual with a disability or his/her parent will be required to provide the district with information that:~~**

- a. ~~The service animal is required because of a disability; and~~  
b. ~~What work or task the animal has been trained to perform.~~

76. The district may not require documentation, including proof that the animal has been certified, trained, or licensed as a service animal; nor that the dog demonstrates its ability to perform the work or task **in accordance with** ~~-(28 CFR §35.136(f).)~~

87. Individuals with a disability who have service animals are not exempt from local animal control or public health requirements.

98. **A school official may require:** ~~Service animals must be licensed and registered in accordance with State and local laws.~~

- a. **Certification from a veterinarian that the service animal is properly vaccinated and does not have a contagious disease that may harm students or staff; and**
- b. **Documentation that any license required by the municipality in which the student resides has been obtained for the service animal.**



# POLICY GUIDE

## C. Delegation of Responsibility

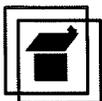
1. **The school shall not be responsible or liable for the care or supervision of the service animal.** ~~The district is not responsible for the care or supervision of a service animal, in accordance with 28 CFR §35.136(e).~~

STUDENTS  
5337/page 4 of 6  
Service Animals

- a. The district is not responsible to pay for or provide a handler to aid the individual with a disability in the control of the service animal.
  - b. **The school shall provide reasonable accommodations to allow the handler to provide for the care and feeding of the service animal while on school grounds or at a school function.** ~~The district is responsible to provide assistance to an individual with a disability in performing the tasks required of the individual for the care and maintenance of the service animal.~~
2. If the district normally charges individuals for damage they cause, an individual with a disability may be charged for damage caused by **their** ~~his or her~~ service animal: **in accordance with** (28 CFR §35.136(h).)
  3. The district will designate relief areas for the service animal which will be included in mobility training and orientation of students and animals new to the school.

## D. Notification and Responsibilities

1. In the event a service animal will be introduced as part of the school community, the designated administrator will develop a comprehensive implementation plan prior to introduction of the service animal into the school to include:

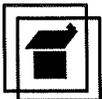


# POLICY GUIDE

- a. Notification to parents of students who may be in contact with the service animal;
- b. Appropriate accommodations:
  - (1) For students who are allergic to the service animal; and/or
  - (2) For students who have fears regarding the service animal.

STUDENTS  
5337/page 5 of 6  
Service Animals

- c. Appropriate etiquette regarding service animals to include:
  - (1) Never pet a service animal while it is working;
  - (2) Never feed a working service animal;
  - (3) Do not deliberately startle, tease, or taunt a service animal; and
  - (4) Do not hesitate to ask the handler if ~~they he or she~~ would like assistance regarding directions for navigating the facility.
2. The use of a service animal introduced as part of the school community will require inclusion into the student's Individualized Education Plan (IEP) or the student's Section 504 Accommodation Plan.
3. The district may request, but cannot require, the owner of a service animal introduced as part of the school community and, as included in the student's IEP or Section 504 Accommodation Plan, maintain liability insurance for the service animal. The School Business Administrator/Board Secretary will ensure the school district has appropriate insurance in the event a service animal is introduced as part of the school community.



# POLICY GUIDE

## E. Miniature Horses

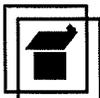
1. Miniature horses, although not included in the Act under the definition of “service animal,” may only be permitted if individually trained to do work or perform tasks for the benefit of the individual with a disability and if they meet the assessment factors outlined in 3. below: **in accordance with** (28 CFR §35.136(i).)
2. Ponies and full size horses are not considered miniature horses.
3. Assessment factors to determine whether the district can reasonably modify its policies, practices, and procedures to allow for the use of miniature horses on its property, facilities, or vehicles include:
  - a. Type, size, and weight of the miniature horse and whether the facility can accommodate those features;
  - b. Whether the handler has sufficient control of the miniature horse;
  - c. Whether the miniature horse is housebroken; and
  - d. Whether the miniature horse’s presence compromises legitimate safety requirements necessary for safe operation.
4. All requirements for the use of service animals also apply to the use of miniature horses.

STUDENTS  
5337/page 6 of 6  
Service Animals

**N.J.S.A. 18A:46-13.3**

28 CFR §35.136

28 CFR §36.104



# POLICY GUIDE

Adopted:



# POLICY GUIDE

OPERATIONS  
8420/page 1 of 6  
Emergency and Crisis Situations  
June 24  
M

[See POLICY ALERT Nos. 189, 191, 221, 224, 227, and 233]

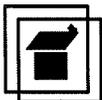
## 8420 EMERGENCY AND CRISIS SITUATIONS

The Board of Education recognizes its responsibility to provide for the safety and security in each school building in the district. The district ~~shall will~~ develop and implement comprehensive ~~written~~ plans, procedures, and mechanisms ~~that to~~ provide for **safety and security in the district's public elementary and secondary schools. Plans and procedures, which shall be in written form, and mechanisms shall provide for, at a minimum:** the protection of the health, safety, security, and welfare of the school population; the prevention of, intervention in, response to, and recovery from emergency and crisis situations; the establishment and maintenance of a climate of civility; and support services for staff, students, and their families, **in accordance with N.J.A.C. 6A:16-5.1(a).**

**Pursuant to N.J.S.A. 18A:41-6,** "School security drill" means an exercise, other than a fire drill, to practice procedures that respond to an emergency situation including, but not limited to, a bomb threat, non-fire evacuation, lockdown, or active shooter situation and that is similar in duration to a fire drill.

The Superintendent of Schools or designee shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners, and school and **other** community resources, as appropriate, in the development of the ~~school~~ district's plans, procedures, and mechanisms for school safety and security **in accordance with N.J.A.C. 6A:16-5.1(b).** The plans, procedures, and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A:9-64 et seq., and the Commissioner of Education. **The plans, procedures, and mechanisms** shall be reviewed annually; and updated as appropriate.

**Pursuant to N.J.S.A. 18A:41-15,** in developing its districtwide school safety and security plan, the district shall: **demonstrate that it has considered the individual needs of each student with a disability, as enumerated in the students' individualized education programs (IEP), individualized health care plans, 504 plans, or, in the case of students with disabilities enrolled in**



# POLICY GUIDE

nonpublic schools, service plans pursuant to N.J.S.A. 18A:46-2.15; and incorporate protocols into the districtwide school safety and security plan for

OPERATIONS

8420/page 2 of 6

Emergency and Crisis Situations

**communicating the individual needs of each student with a disability, when appropriate and in compliance with the “Family Educational Rights and Privacy Act of 1974,” (20 USC §1232g), to third parties including, but not limited to, first responders and emergency management agencies.**

A copy of the ~~school district’s~~ school safety and security plan shall be disseminated to all ~~school district~~ employees pursuant to N.J.A.C. 6A:16-5.1(c). New employees shall receive a copy of the school ~~district’s~~ safety and security plan, as appropriate, within sixty days of the effective date of their employment. All employees shall be notified in writing, as appropriate, regarding updates and changes to the school safety and security plan.

The ~~school~~ district shall develop and provide an in-service training program for all ~~school district~~ employees to enable them to recognize and appropriately respond to safety and security concerns, including emergencies and crises, consistent with the ~~school~~ district’s plans, procedures, and mechanisms for school safety and security and the provisions of N.J.A.C. 6A:16-5.1. New employees shall receive ~~the this~~ in-service training, ~~as appropriate~~, within sixty days of the effective date of their employment. ~~The This~~ in-service training program **for all employees** shall be reviewed annually and updated, as appropriate.

The Board shall ensure individuals employed in the district in a substitute capacity are provided with information and training on the district’s practices and procedures on school safety and security including instruction on school security drills, evacuation procedures, and emergency response protocols in the district and the school building where the individuals are employed in accordance with the provisions of N.J.S.A. 18A:41-7.b. **In the event an individual is employed in a substitute capacity in the district at the time the school safety and security training is being provided to full-time employees pursuant to N.J.S.A. 18A:41-7.a., the district shall include the individual in the training.**

**Any information or training provided pursuant to N.J.S.A. 18A:41-7 shall address the unique needs of students with disabilities in the event of a fire drill, school security drill, or actual emergency situation. All full-time**



# POLICY GUIDE

employees and individuals employed in the district in a substitute capacity shall be made aware of any anticipated mobility, sensory, medical, social, communication, emotional, regulatory, and decision-making support needs of students in the care of the employee and any supports, modifications,

OPERATIONS

8420/page 3 of 6

Emergency and Crisis Situations

accommodations, and services to be provided to students, as enumerated in their IEPs, individualized health care plans, 504 plans, or service plans pursuant to N.J.S.A. 18A:46-2.15.

The district shall ensure a student's unique mobility, sensory, medical, social, communication, emotional, regulatory, and decision-making needs in the event of a fire drill, school security drill, or an actual emergency situation that may occur on school grounds is maintained in the student record. The documentation maintained in the student record shall indicate whether or not the student is able to safely and fully participate in fire drills or school security drills without the use of supplementary supports, modifications, accommodations, or services, or if any accommodations are needed, including determining areas of refuge during an emergency, in accordance with N.J.S.A. 18A:46-2.15.a.

If it is determined a student requires supplementary supports, modifications, accommodations, or services in order to safely and fully participate in a fire drill or school security drill, a written plan shall be maintained in the student record, pursuant to N.J.S.A. 18A:46-2.15.b. The written plan shall: describe the anticipated mobility, sensory, medical, social, communication, emotional, regulatory, and decision-making support needs of the student during a fire drill or school security drill and during an actual emergency situation; describe the supports, modifications, accommodations, and services to be provided to the student during a fire drill or school security drill and during an actual emergency situation; and describe the role of school employees in supporting the student during a fire drill or school security drill and during an actual emergency situation, including the need for any specific training of school employees. The district shall on a regular basis, but not less than once annually, perform a review of any determinations made pursuant to N.J.S.A. 18A:46-2.15 to evaluate the school security needs of a student.



# POLICY GUIDE

Every Principal of a school of two or more rooms, or of a school of one room; when located above the first story of a building, shall have at least one fire drill and one school security drill each month within the school hours, including any summer months during which the school is open for instructional programs, ~~and shall require all teachers of all schools;~~ **Employees of the district**, whether occupying buildings of one or more stories, ~~shall to keep all exterior doors and exits of their respective rooms and buildings unlocked during the school hours;~~ **except locked at all times except when necessary to comply with the**

OPERATIONS

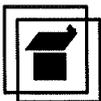
8420/page 4 of 6

Emergency and Crisis Situations

**requirements set forth in the Uniform Fire Code, including applicable requirements** during an emergency lockdown or an emergency lockdown drill. **All students and staff shall fully participate in each drill conducted to the greatest extent practicable and, when appropriate, utilize procedures for assisting in the rescue of persons unable to use the general means of egress to ensure that participation does not pose a safety risk.** Where school buildings have been provided with fire escapes, they shall be used by a part or all of the students performing every fire drill. An actual ~~fire or~~ school security emergency that occurs at a school during the month ~~and~~ that includes activities which are the equivalent of a drill shall be considered a **school security** drill for the purposes of meeting the requirements of N.J.S.A. 18A:41-1.

Every school in the district shall conduct a school security drill within the first fifteen days of the beginning of the school year. **In accordance with N.J.S.A. 18A:41-7a., n**otwithstanding any other provision of law to the contrary, the ~~school~~ district shall ensure that a school security drill that occurs when students are present:

1. Includes clear, developmentally and age-appropriate messaging to students and staff at the conclusion of the drill that the event is a drill and that no current danger exists;
2. Does not expose students to content or imaging that is not developmentally or age-appropriate;
3. Is paired with trauma-informed approaches to address any student inquiries or concerns which may arise as a result of a school security drill;



# POLICY GUIDE

4. Does not include the use of fake blood, real or prop firearms, or the simulations of gun shots, explosions, or other sounds or visuals that may induce panic or a traumatic response from a student or school district employee;
5. Does not require a student to role play as a victim, but may include first aid training in which students participate; and

## OPERATIONS

8420/page 5 of 6

Emergency and Crisis Situations

6. Is accessible to students with disabilities and mental health conditions, and provides all necessary accommodations for these students.

The Principal or designee shall provide written notification to the parent of a student enrolled in the school following completion of a school security drill, which notice shall be provided to the parent by no later than the end of the school day on which the school security drill is conducted.

The Principal or designee will provide local law enforcement or other emergency responders, as appropriate, with a friendly notification at least forty-eight hours prior to holding a school security drill. A law enforcement officer shall be present at a minimum of one school security drill in each school year in order to make recommendations on any improvements or changes to school security drill procedures that the officer may deem advisable in accordance with N.J.S.A. 18A:41-1. The ~~school~~ district may permit emergency personnel access to the buildings and grounds of its schools for school security drills that are scheduled outside of school hours and during such times as students are not present, pursuant to N.J.S.A. 18A:41-7a.c.

The ~~school~~ district shall review and update its school security drill procedures using a process that coincides with the review of the school safety and security plan developed pursuant to N.J.A.C. 6A:16-5.1 and collects input from emergency personnel; parents of students enrolled in the ~~school~~ district; teachers and staff employed in the district; mental health professionals; and student



# POLICY GUIDE

government representatives from multiple grade levels, **pursuant to N.J.S.A. 18A:41-7a.d.**

The ~~school~~ district shall annually track data on such measures and information as required by the Commissioner of Education, and shall report the data to the Commissioner, **pursuant to N.J.S.A. 18A:41-7a.e.**

Such drills and in-service training programs shall be conducted in accordance with a building security drill guide and training materials that educate school employees on proper evacuation and lockdown procedures in a variety of emergency situations on school grounds in accordance with N.J.A.C. 6A:16-5.1.

## OPERATIONS

8420/page 6 of 6

Emergency and Crisis Situations

The ~~school~~ district will be required to annually submit a security drill statement of assurance **attesting to the completion of monthly school security drills** to the New Jersey Department of Education/**County Office of Education** by June 30 of each school year, **in accordance with N.J.A.C. 6A:30 App.A.** Each school in the district will be required to complete **and retain** a security drill record form as required by the New Jersey Department of Education.

N.J.S.A. 2C:33-3

**N.J.S.A. App.A.:9-86**

N.J.S.A. 18A:41-1; 18A:41-2; 18A:41-6; 18A:41-7; 18A:41-7a.;

**18A:41-15; 18A:46-2.15**

N.J.A.C. 6A:16-5.1; **6A:30 App.A.**



# POLICY GUIDE

Adopted:

