

BACKUP FOR #2POL
FOR PUBLIC AGENDA OF MAY 18, 2020
(Second Reading and Adoption)

2POL THEREFORE BE IT RESOLVED, that the Fort Lee Board of Education, upon recommendation of the Superintendent, approves the **second reading and adoption of the following policy/regulation updates** listed below: [Click here for 2020-05-18 #2POL Back-up](#)

Policy/Reg No.	Topic
P1581	Domestic Violence (M) (Revised)
R1581	Domestic Violence (M) (New)
P2422	Health and Physical Education (M) (Revised)
P3421.13	Postnatal Accommodations (New)
P4421.13	Postnatal Accommodations (New)
P5330	Administration of Medication (M) (Revised)
R5330	Administration of Medication(M) (Revised)
P7243	Supervision of Construction (M) (Revised)
P8210	School Year (Revised)
P8220	School Day (M) (Revised)
R8220	School Closings (Revised)
P8462	Reporting Potentially Missing or Abused Children (M) (Revised)

1581 DOMESTIC VIOLENCE (M)

The Fort Lee Board of Education is committed to ensuring that all staff are supported in the event that they experience domestic violence as defined by law (N.J.S.A. 2C:25-19). Victims of domestic violence can suffer devastating physical, emotional and psychological effects and economic disruption. The board encourages employees who are victims of domestic violence to contact the Director of Human Resources at 201-585-4612. Employees disclosing their experiences with domestic violence shall be supported in the work environment to an extent that is feasible and practical for the employee to maintain and perform their job and for the effective operation of the educational program.

Reporting Domestic Violence

Any disclosure of domestic violence by an employee shall be taken seriously and according to the following guidelines:

- A. Employees are encouraged to meet with the Director of Human Resources in person. Requests to meet may be made by cell phone or telephone. Email may not be confidential and should not be used when private information is being discussed or disclosed unless this is the only safe method of communication available;
- B. The Director of Human Resources shall ensure that an employee's disclosure of domestic violence be kept confidential unless there exists an emergent danger to the employee or other staff;
- C. The Director of Human Resources shall ensure that such conversations are held in a room or office that can be closed off from the hearing range of other staff members to the extent possible;
- D. The Director of Human Resources shall ensure that any sharing of confidential information is only done with the written authorization of the employee. This excludes reported incidents of violence or abuse against children;
- E. The Director of Human Resources shall ensure that any records pertaining to domestic violence be kept separate from the personnel record and in strict confidentiality. Only the employee, the Director of Human Resources and the



chief school administrator shall have access to an employee's confidential file;
and

- F. The Director of Human Resources will assemble a list of resources available to victims of domestic violence. These resources shall include but may not be limited to information on domestic violence (books, web resources, etc.), legal resources available such as advocacy and law enforcement options, medical and psychological treatment and counseling referral sources, food and housing options and local support groups.

Work Support

In order to help prevent occupational disruption, loss of employment and financial hardship that may occur when an employee experiences domestic violence the Director of Human Resources may investigate the following options to support the employee's continued performance of their job responsibilities, including but not limited to:

- A. Adjusting work assignments;
- B. Temporary or permanent job restructuring;
- C. Temporary adjustment to the employee's work schedule;
- D. Work from home options;
- E. Flexible approval of paid sick leave, personal time and vacation time;
- F. Other reasonable options.

The employee shall work with the Director of Human Resources and the supervisor when requesting employment changes that affect the normal schedule. The chief school administrator or, as necessary and required by law, the board shall approve such support measures. Notice to the appropriate collective bargaining unit covering the employee may be necessary where required by the contract or State law. Approval may be granted when reasonable and practical. Approval shall not be granted when such request places a hardship on the board and/or the educational program. Approval of requested employment modifications shall include the following considerations:



- A. The overall size of the school district's program with respect to the number of employees, number and type of facilities and the size of the budget;
- B. The type of employment responsibilities and the effect on the educational program; and
- C. The nature and expected duration of the request and cost to the district.

Teaching staff members shall not be granted schedule changes that frequently interfere with their assigned class schedule. All changes in employment responsibilities and schedule shall be consistent with the appropriate collective bargaining agreement.

Leave

In accordance with the New Jersey Security and Financial Empowerment Act (SAFE Act) an employee of this district shall be entitled to up to 20 days of unpaid leave in a 12-month period when the employee or his or her child, parent, spouse, domestic or civil union partner has been the victim of a domestic violence incident or a sexually violent offense. This entitlement applies to any employee that has been employed by the district for at least 12 months and has worked 1,000 hours during the 12 month period immediately preceding the leave.

Leave may be taken under the SAFE Act to:

- A. Seek medical attention or recover from physical or psychological injuries resulting from a domestic violence or a sexually violent offense for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- B. Obtain services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- C. Obtain psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- D. Participate in safety planning, relocating or other actions to increase the safety of the employee or to ensure economic security of the employee or the employee's child, parent, spouse, domestic partner or civil union partner;



- E. Seek legal assistance or remedies to ensure the health and safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or
- F. Attend, participate in or prepare for a civil or criminal court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, was a victim.

Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave. The employee must provide the district written notice as far in advance as reasonable and practicable under the circumstances.

The district may require the employee to provide documentation of the domestic violence or sexually violent offense that is the basis for the leave. Documentation may include a restraining order, a letter from the prosecutor's office, documentation regarding the conviction of the abuser, medical documentation, a certification from a domestic violence specialist or rape crisis center, or documentation from a religious or social services professional who has assisted the employee or the employee's family member.

Any documentation required by the district and provided by the employee shall be maintained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation.

The SAFE Act prohibits the district from discharging, harassing or otherwise discriminating or retaliating or threatening to discharge, harass or otherwise discriminate against an employee with respect to the compensation, terms, conditions or privileges of employment on the basis that the employee took or requested any leave that the employee was entitled to under the NJ SAFE Act, or on the basis that the employee refused to authorize the release of information deemed confidential under the NJ SAFE Act.

Employees may take leave under the SAFE Act for each incident of domestic violence or sexually violent offense, so long as the employee has not exhausted the



maximum permissible leave time of 20 days within the 12-month period. Leave may be taken in blocks of time or intermittently in minimum intervals of one day.

If the employee requests leave for a reason covered by both the NJ SAFE Act and the Family Leave Act, N.J.S.A. 34:11B-1 et seq., or the federal Family and Medical Leave Act, 20 U.S.C. 2601 et seq., the leave shall count simultaneously against the employee's entitlement under each respective law.

Violations of the SAFE Act

Any employee alleging a violation of the NJ SAFE Act must file a private cause of action in the Superior Court within one year of the date of the alleged violation (N.J.S.A. 34:11C-1 et seq.).

Adopted: 1 April 2019

DRAFT: 18 May 2020

**2 Attachments: Appendix – Resources And Advocacy Information
NJCEDV Guide To Services For Victims Of Domestic Violence**



STATE OF NEW JERSEY
DOMESTIC VIOLENCE POLICY FOR PUBLIC EMPLOYERS

APPENDIX

I. RESOURCES AND ADVOCACY INFORMATION

Statewide Domestic Violence Hotline 1-800-572-SAFE (7233).

Guide to Services for Victims of Domestic Violence

NJ Division on Women

Department of Community Affairs
101 South Broad Street
PO Box 801
Trenton, NJ 08625-0801
Phone: (609) 292-8840
Fax: (609) 633-6821
TTY: (609) 777-0799

Web: <https://www.nj.gov/dcf/women/>

New Jersey Coalition to End Domestic Violence

1670 Whitehorse-Hamilton Square Road • Trenton, New Jersey 08690-3541
24HR Helpline: 800-572-7233 / DV Legal Helpline: 844-403-2111 / VP: 609-434-3838
info@njcedv.org Training Institute <https://www.njcedv.org/>

The New Jersey Coalition to End Domestic Violence (NJCEDV) is a statewide coalition of domestic violence service programs and concerned individuals whose purpose and mission is to end domestic violence in New Jersey. NJCEDV performs its work through advocacy for survivors of domestic violence; collaboration with state agencies and its member programs; education and training; and technical assistance for its members and the community.

Futures Without Violence

FUTURES has been providing groundbreaking programs, policies, and campaigns that empower individuals and organizations working to end violence against women and children around the world. <https://www.futureswithoutviolence.org/>

Washington, DC Office
1320 19th St. NW
Suite 401

Washington, D.C. 20036
Phone: (202) 595-7382
Fax: (202) 499-6757

II. LAWS PROTECTING VICTIMS OF DOMESTIC VIOLENCE

The State of New Jersey Policy on Discrimination in the Workplace. Under this policy, forms of employment discrimination or harassment based upon the following protected categories are prohibited and will not be tolerated: race, creed, color, national origin, nationality, ancestry, age, sex/gender (including pregnancy), marital status, civil union status, domestic partnership status, familial status, religion, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for service in the Armed Forces of the United States, or disability.

<https://www.state.nj.us/csc/about/divisions/eoo/laws.html>

The New Jersey Law Against Discrimination (N.J.S.A. 10:5-12) (LAD) makes it unlawful to subject people to differential treatment based on race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy), familial status, marital status, domestic partnership or civil union status, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability, perceived disability, and AIDS and HIV status. The LAD prohibits unlawful discrimination in employment, housing, places of public accommodation, credit and business contracts. Not all of the foregoing prohibited bases for discrimination are protected in all of these areas of activity. For example, familial status is only protected with respect to housing. The Division has promulgated regulations that explain that a place of public accommodation must make reasonable modifications to its policies, practices or procedures to ensure that people with disabilities have access to public places. The regulations also explain that under the LAD, these reasonable accommodations may include actions such as providing auxiliary aides and making physical changes to ensure paths of travel.

The Application of Title VII and the ADA to Applicants or Employees Who Experience Domestic or Dating Violence, Sexual Assault, or Stalking: Questions and Answers

https://www.eeoc.gov//eeoc/publications/qa_domestic_violence.cfm

New Jersey SAFE Act

The New Jersey Security and Financial Empowerment Act (“NJ SAFE Act”), P.L. 2013, c.82, provides that certain employees are eligible to receive an unpaid leave of absence, for a period not to exceed 20 days in a 12-month period, to address circumstances resulting from domestic violence or a sexually violent offense. To be eligible, the employee must have worked at least 1,000 hours during the immediately preceding 12-month period. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working

day during each of 20 or more calendar workweeks in the then-current or immediately preceding calendar year.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19, or a victim of a sexually violent offense, as that term is defined in N.J.S.A. 30:4-27.6. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities as they relate to an incident of domestic violence or a sexually violent offense:

- (1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's child, parent, spouse, domestic partner or civil union partner
- (2) Obtaining services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner
- (3) Obtaining psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner or civil union partner
- (4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety from future domestic violence or sexual violence or to ensure the economic security of the employee or the employee's child, parent, spouse, domestic partner or civil union partner
- (5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or
- (6) Attending, participating in or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, was a victim.

Leave under the NJ SAFE Act must be used in the 12-month period immediately following an instance of domestic violence or a sexually violent offense. The unpaid leave may be taken intermittently in intervals of no less than one day. The unpaid leave shall run concurrently with any paid vacation leave, personal leave, or medical or sick leave that the employee elects to use or which the employer requires the employee to use during any part of the 20-day period of unpaid leave. If the employee requests leave for a reason covered by both the NJ SAFE Act and the Family Leave Act, N.J.S.A. 34:11B-1 et seq., or the federal Family and Medical Leave Act, 20 U.S.C. 2601 et seq., the leave shall count simultaneously against the employee's entitlement under each respective law.

Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave. The employee must provide the employer with written notice as far in advance as reasonable and practicable under the circumstances. The employer has the right to require the employee to provide the employer with documentation of the domestic violence or sexually violent offense that is the basis for the leave. The employer must retain any documentation provided to it in this manner in

the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation.

The NJ SAFE Act also prohibits an employer from discharging, harassing or otherwise discriminating or retaliating or threatening to discharge, harass or otherwise discriminate against an employee with respect to the compensation, terms, conditions or privileges of employment on the basis that the employee took or requested any leave that the employee was entitled to under the NJ SAFE Act, or on the basis that the employee refused to authorize the release of information deemed confidential under the NJ SAFE Act.

To obtain relief for a violation of the NJ SAFE Act, an aggrieved person must file a private cause of action in the Superior Court within one year of the date of the alleged violation.

<https://nj.gov/labor/>

AD-289 (9/13)

III. RESOURCES

The Department of Children and Families Office of Domestic Violence Services (ODVS) funds 23 domestic violence programs and the New Jersey Coalition to End Domestic Violence. There is at least one DCF-funded domestic violence program in each of New Jersey's 21 counties.

The [Office of Domestic Violence Services](#) funds domestic violence services that serve the needs of victims in every county. Services for survivors, victims, and their families include emergency shelters, 24-hour hotlines, counseling, children's services, and financial, housing and legal advocacy.

The [Office of the Prevention of Violence Against Women](#) funds services that serve the needs of sexual assault victims and sexual violence prevention programs in every county. Services include a 24-hour hotline, crisis counseling, accompaniments by a confidential sexual violence advocate, and financial, housing and legal advocacy.

Through displaced homemaker programs, the [Office of Support, Employment, and Training](#) helps individuals gain or upgrade their skills for today's work force and become economically self-sufficient. Individuals can attend short term educational or training programs.

DOW Services

- Funds, monitors, and evaluates programs for the advancement of women
- Develops new programs to serve women
- Refers women to direct service providers
- Provides information on women's issue to the public
- Provides technical assistance to agencies representing women
- Represents women on boards, commissions, councils, committees, and task forces and provides input and recommendations on issues pertaining to the Division's Mission

The Family and Community Partnerships/Division on Women Community Program Directory

<https://www.nj.gov/dcf/families/dfcp/DFCPDirectory.pdf>

This FCP/DOW Community Program Directory represents an ongoing commitment by DCF to increase access to resources that are designed to strengthen families, prevent child abuse or neglect, and empower survivors of domestic and sexual violence. The services identified in this Directory are funded by DCF's Family and Community Partnerships, a grant-making and best practices team committed to strengthening New Jersey's families. The directory receives continuous updates online as additional resources for families become available or as changes occur.

Other Programs in New Jersey through the Division on Women Office of Domestic Violence Services :

To find domestic violence resources by county, click on the related link to view [DFCP/DOW's Community Program Directory](#).

For more information, contact DOW at DOW@dcf.state.nj.us or at 609-888-7164.
<http://www.nj.gov/dcf/women/domestic/>

Legal Services

Legal Services of New Jersey and Central Jersey Legal Services

New Jersey Legal Services assists victims who cannot afford legal advice and/or representation. Assistance includes referral, advice, brief assistance, preparation of a letter or routine legal document, extended representation, and technical assistance. The program also offers training to domestic violence legal advocates, programs, attorneys and others.

Legal Services of New Jersey Domestic Violence Representation Project:

(888) LSNJ-LAW (888) 576-5529

Central Jersey Legal Services (908) 354-4340

Website: www.LSNJLawHotline.org

Culturally Specific Services

Bolo Behen (Speak Sister)

Bolo Behen works with different faith-based leaders throughout Hudson County, collaborating with leaders of temples, mosques, Islamic centers, Gurudwaras, and more. Bolo Behen facilitates groups called Community Chai where women can come and express their problems and concerns openly, comfortably, and without fear. People listen to each other's story and offer support. Services are based on a holistic approach that addresses the large range of client needs.

Using culturally and linguistically appropriate methods, Bolo Behen builds trust with clients and creates an environment where South Asian women feel safe, respected, and understood.
24/7 Bilingual Hotline: (201) 795-5757

Project S.A.R.A.H (Stop Abusive Relationships at Home)

Project S.A.R.A.H. is a program that works to overcome cultural, legal, and religious barriers confronting victims of domestic violence and sexual abuse. Project S.A.R.A.H. operates within an environment that is sensitive to a victim's cultural and religious needs, serving as a bridge between abuse victims in the Orthodox community and support systems and resources. Project S.A.R.A.H. works closely with rabbis and rebbetzins, kallah teachers and mikvah attendants, camp directors and school administrators, parents, and the general public to keep the community safe for everyone. The program provides therapeutic interventions that enable victims to process the often unspeakable trauma they experienced and restore them toward fully functional and productive lives. Project S.A.R.A.H. connects victims and survivors with a broad array of services, including pro bono legal consultations, evaluations, individual and group therapy, psychiatric services, as well as emotional, financial and vocational support.
Confidential Hotline: (973) 777-7638.

Special Initiatives

Address Confidentiality Program

The New Jersey Address Confidentiality Program (ACP) assists individuals who, as a result of domestic violence, have relocated for their safety. This program limits the access to personal information that would reveal the new location of an ACP participant. ACP provides eligible victims of domestic violence with a substitute address that has no connection to their actual location. This substitute mailing address may be used when creating a new record with state or local government agencies.

New Jersey Address Confidentiality Program (ACP) Hotline 1 (877) 218-9133 Toll Free-Non-Emergency

The New Jersey Address Confidentiality Program Hotline provides services including – but not limited to – access to domestic violence information and referral services, including application procedures, and advocacy.

State of New Jersey

Department of Law and Public Safety

Office of the Attorney General

NJ State Police Victim Services Unit:

The Victim Services Unit will coordinate with State, County, and Municipal agencies to develop and implement domestic violence and sexual violence training programs, and continue to effectively work with road troopers to enhance training on the proper handling of these types of crimes.

<https://www.njsp.org/division/operations/domestic-violence-info.shtml>



Guide To Services



For Victims of Domestic Violence

NEW JERSEY COALITION TO END DOMESTIC VIOLENCE

1670 Whitehorse-Hamilton Square Road • Trenton, New Jersey 08690-3541

Phone: 609-584-8107* • Fax: 609-584-9750 • VP: 609-434-3838

info@njcedv.org • www.njcedv.org

*TTY Users: please dial 711

2018

The NJ Coalition to End Domestic Violence provides this directory as a guide to Domestic Violence Programs in New Jersey. It has been prepared from information provided by the listed organizations. The NJ Coalition to End Domestic Violence is not responsible for evaluating or licensing these programs.

ATLANTIC COUNTY

THE WOMEN'S CENTER

Violence Intervention Program (VIP)
1201 New Rd. #240 Linwood, NJ 08221
Emergency Shelter

Toll free: 1-800-286-4184

Deaf & Hard of Hearing Text Line: 609-569-5437

Office: 609-601-9925

Fax: 609-601-2975

Email: webinfo@acwc.org

Web: www.acwc.org

Displaced Homemakers Services

Home To Work

Ph: 609-601-9925

Fax: 609-601-2975

Unified Child Care Services

Child Care Network

Ph: 609-601-9925

Fax: 609-601-2975

Sexual Assault

24 Hr. Hotline: 609-646-6767

Toll free: 1-800-286-4184

Batterers Services

Alternatives to Violence (ATV)

24 Hr. Hotline: 1-800-286-4184

Phone: 609-646-6767

Fax: 609-645-8877



BURLINGTON COUNTY

PROVIDENCE HOUSE DOMESTIC VIOLENCE SERVICES OF CATHOLIC CHARITIES

595 Rancocas Rd., Westampton, NJ 08060

Emergency Shelter

24 Hr. Hotline: 609-871-7551

Office: 856-824-0599

Fax/Office: 856-824-9340

Fax/Shelter: 609-871-0360

Web: www.catholiccharitiestrenton.org/domestic-violence-services/

Outreach

595 Rancocas Rd., Westampton, NJ 08060

Phone: 856-824-0599

Fax: 856-824-9340

PALS

Phone: 856-824-0599 EXT. 8617



BERGEN COUNTY

CENTER FOR HOPE AND SAFETY (formerly Shelter Our Sisters)

Administrative Offices: 12 Overlook Ave

Rochelle Park, NJ 07662

Emergency Shelter

24 Hr. Hotline: 201-944-9600

Shelter: 201-836-1075

Fax/Shelter: 201-836-7029

Office: 201-498-9247

Fax/Office: 201-498-9256

Email: info@hopeandsafetynj.org

Web: www.hopeandsafetynj.org

PALS Project Child

Phone: 201-300-6666 Ext. 21

TRANSITIONAL HOUSING AVAILABLE

ALTERNATIVES TO DOMESTIC VIOLENCE

Bergen County Department of Human Services

One Bergen County Plaza, 2nd Floor, Hackensack, NJ 07601

Non-Residential Services/Outreach

24 Hr. Hotline: 201-336-7575

Fax: 201-336-7555

Web: www.co.bergen.nj.us/ADV

Email: adv@co.bergen.nj.us

Batterers Services: Alternatives To Domestic Violence

24 Hr. Hotline: 201-336-7575

Fax: 201-336-7555

CAMDEN COUNTY

CAMDEN COUNTY WOMEN'S CENTER

P.O. Box 1459, Blackwood, NJ 08012

Emergency Shelter

24 Hr. Hotline: 856-227-1234

Office: 856-227-1800

Fax: 856-227-1261

Web: www.njaconline.org/13.html

VOLUNTEERS OF AMERICA DELAWARE VALLEY

235 White Horse Pike, Collingswood, NJ 08107

Office: 856-854-4660

Fax: 856-854-0651

Email: lengstrom@voadv.org

Web: www.voadv.org



CAPE MAY COUNTY

CARA, INC. (Coalition Against Rape & Abuse, Inc.)

P.O. Box 774, Cape May Court House, NJ 08210-0774

Emergency Shelter

24 Hr. Hotline: 609-522-6489

Toll free: 1-877-294-2272 (CARA)

Office: 609-522-6489

Fax: 609-463-0967

Email: carasafe1@cara-inc.net

Web: www.cara-cmc.org

Women's Support Group: Buddy System

Men's Non Violence Group Services

MEND (Men Explore New Directions)

24 Hr. Hotline: 609-522-6489

Toll free: 1-877-294-2272 (CARA)

TRANSITIONAL HOUSING AVAILABLE



CUMBERLAND COUNTY

SERVICES EMPOWERING THE RIGHTS OF VICTIMS CUMBERLAND COUNTY DOMESTIC VIOLENCE SERVICES

24-hour toll-free hotline: 1-800-225-0196

Office: 856-696-2032

Fax: 856-696-7336

Email: serv@centerffs.org

Website: www.centerffs.org

ESSEX COUNTY

ACCESS FAMILY SERVICES, INC.

One Gateway Center, Suite 2600
Newark, NJ 07102

24 Hour Hotline: 862-444-3126

Email: info@afsnj.org

Web: www.afsnj.org

ESSEX COUNTY FAMILY JUSTICE CENTER

Leroy F. Smith Jr. Public Safety Building
60 Nelson Place, 2nd Floor
Newark, NJ 07102

973-230-7229 (T)

Fax: 973-732-3391

Email: info@essexcountyfjc.org

Website: www.essexcountyfjc.org

WALK-IN WELCOME – NO APPT NECESSARY:

THE SAFE HOUSE

P.O. Box 1887, Bloomfield, NJ 07003

Emergency Shelter

24 Hr. Hotline: 973-759-2154

Office: 973-759-2378

Fax: 973-844-4950

Email: safehouse@rwjbh.org

THE RACHEL COALITION c/o JEWISH FAMILY SERVICE

570 West Mt. Pleasant Avenue, Suite 106, Livingston, NJ 07039

24 Hr. Emergency Paging Service: 973-740-1233

Outreach

Office: 973-740-1233

Fax: 973-740-1590

Email: rachel@rachelcoalition.org

Website: www.rachelcoalition.org

TRANSITIONAL HOUSING (one unit)

FAMILY CONNECTIONS

PALS

FAMILYConnections (DREAMS)

Counseling Services

7 Glenwood Avenue, Suite 101, East Orange, NJ 07018

Phone: 973-323-3560

Fax: 973-676-1640

OUTREACH OFFICES provide services for women who chose not to stay in a shelter facility. Outreach offices provide non-residential services in a location separate from a shelter. Services provided include but are not limited to: legal advocacy, individual and group counseling, information and referral, and advocacy services.

GLOUCESTER COUNTY

SERVICES EMPOWERING RIGHTS OF VICTIMS (SERV)

P.O. Box 566, Glassboro, NJ 08028

24 Hr. Hotline: 856-881-3335

Toll free: 1-866-295-7378

Office: 856-881-4034

Fax: 856-881-4054

Email: serv@centerffs.org

Web: www.centerffs.org



HUDSON COUNTY

WOMENRISING, INC.

270 Fairmount Avenue, Jersey City, NJ 07306

Emergency Shelter

24 Hr. Hotline: 201-333-5700

Fax: 201-333-9305

Email: womenrising@aol.com

Web: www.womenrising.org



Outreach

270 Fairmount Avenue, Jersey City, NJ 07306

Phone: 201-333-5700

HUNTERDON COUNTY

SAFE IN HUNTERDON

47 E. Main Street, Flemington, NJ 08822

Emergency Shelter

24 Hr. Hotline: 908-788-4044

Toll free: 1-888-988-4033

Residential

Office: 908-806-4098

Fax: 908-806-0073

TTY: Texting Hotline 908-455-2927

Email: agency@safeinhunterdon.org

Web: www.safeinhunterdon.org

Outreach

Phone: 908-788-7666

Fax: 908-806-4725

TTY:

Child and Adolescent

Phone: 908-788-7666

Sexual Assault/Rape/Incest

Phone: 908-788-7666

EMERGENCY SHELTERS provide 24 hour emergency shelter, hotline, legal advocacy, individual and group counseling, information and referral, advocacy and other services.

MERCER COUNTY

WOMANSPACE, INC.

1530 Brunswick Avenue, Lawrenceville, NJ 08648

Emergency Shelter

Domestic Violence and Sexual Assault 24 Hr. Hotline: 609-394-9000

Statewide Domestic Violence Hotline: 1-800-572-SAFE (7233)

Deaf & Hard of Hearing Text Line: 609-619-1888

Office: 609-394-0136

Fax: 609-396-1093

Email: info@womanspace.org

Web: www.womanspace.org

Counseling and Support Services

1530 Brunswick Avenue, Lawrenceville, NJ 08648

Phone: 609-394-2532

Fax: 609-394-5417

TRANSITIONAL HOUSING AVAILABLE

Batterers Services in Mercer County:

Family Growth Program

39 N. Clinton Avenue

Trenton, NJ 08609

Office: 609-394-5157

MIDDLESEX COUNTY

WOMEN AWARE, INC.

250 Livingston Avenue, New Brunswick, NJ 08901

Emergency Shelter

24 Hr. Hotline: 732-249-4504

Services include: emergency shelter, legal advocacy, support groups, children's trauma therapy (the PALS program, and permanent supportive housing.

Deaf & Hard of Hearing Text Line: 1-876-658-7713

Office: 732-249-4900

Fax: 732-249-4901

Shelter Fax: 732-249-0010

Web: www.womenaware.net

MANAVI, INC.

P.O. Box 3101

New Brunswick, NJ 08903-3103

Office: 732-435-1414

Fax: 732-435-1411

Email: manavi@manavi.org

Web: www.manavi.org

Office Hours: 9:30am — 5:30pm

TRANSITIONAL HOUSING AVAILABLE

RAPE CRISIS SERVICES are provided by some domestic Violence programs.

MONMOUTH COUNTY

180 TURNING LIVES AROUND

One Bethany Road, Bldg. 3, Suite 42, Hazlet, NJ 07730

24 Hr. Hotline: 732-264-4111

Toll free: 1-888-843-9262

Deaf & Hard of Hearing Text Line: 732-977-2832/977-2766

Office: 732-264-4360

Fax: 732-264-8655

Web: www.180nj.org

Asbury/Neptune Outreach: Shore Regional Outreach Program

Phone: 732-988-0390 or 732-988-3194

PALS (Amanda's Easel) Phone: 732-787-6503

Sexual Violence Program

24 Hr. Hotline: 732-264-7273, Toll free: 1-888-264-RAPE

Fax: 732-264-8655

Fax: 732-671-8383

MORRIS COUNTY

JERSEY BATTERED WOMEN'S SERVICE, INC. (JBWS)

P.O. Box 1437, Morristown, NJ 07962-1437

Emergency Shelter

24 Hr. Hotline: 973-267-4763

Administrative: (973) 267-7520

24-Hour Help line: 1-877-R-U-ABUSED/ (973) 267-4763

Deaf/Hard of Hearing Text Line (973) 314-4192

Office: 973-267-7520

Fax: 973-605-5898

Email: info@jbws.org

Web: www.jbws.org



MORRIS FAMILY JUSTICE CENTER (MFJC)

Administration and Records Building

10 Court Street, 4th floor

Morristown, NJ 07962

Phone: (973) 829-4050

Assistance outside of office hours: Domestic Abuse: 1-877-R-U-ABUSED

Sexual Assault: (973) 829-0587

Fax: (973) 206-1645

Email: info@morrisfjc.org

Web: www.morrisfjc.org

Mon-Fri walk-in hours: 8:30am-4:30pm. Tuesday and Wednesday evenings by appointment only.

Se Habla Español

JERSEY CENTER FOR NON VIOLENCE

PO Box 1437

Morristown, NJ 07902

Appointments and referrals: (973) 539-7801

Fax: (973) 539-4068

Email: jcnv@jbws.org (Jersey Center for Non-Violence)

Batterers Services: Jersey Center for Non-Violence

Services include: emergency shelter, victim counseling, batterer's services, children's services, transitional housing, and non-residential, legal advocacy and vocational.

TRANSITIONAL HOUSING AVAILABLE

OCEAN COUNTY

PROVIDENCE HOUSE DOMESTIC VIOLENCE SERVICES OF CATHOLIC CHARITIES

88 Schoolhouse Road, Whiting, NJ 08759

Emergency Shelter

24 Hr. Hotline: 732-244-8259

Toll free: 1-800-246-8910

Office: 732-350-2120

Fax: 732-350-2725

Shelter Fax: 732-244-3064

Web: www.catholiccharitiestrenton.org/domestic-violence-services/

Outreach -PALS Phone: 732-350-2120 x103



SALEM COUNTY

SALEM COUNTY WOMEN'S SERVICES

P.O. Box 125, Salem, NJ 08079-0125 Emergency Shelter

Shelter

24 Hr. Hotline: 856-935-6655

Toll free: 1-888-632-9511

Office: 856-935-8012

Fax: 856-935-6165

Email: scws125@comcast.net

Web: <https://salemcountywomensservices.org/>

Sexual Assault/Rape Crisis

24 Hr. Hotline: 856-935-6655

Toll free: 1-888-632-9511

Batterers Services: Alternatives To Violence 24

Hr. Hotline: 856-935-6655

Toll free: 1-888-632-9511



PASSAIC COUNTY

PASSAIC COUNTY WOMEN'S CENTER

Domestic Violence Program

P.O. Box 244, Paterson, NJ 07513

Emergency Shelter

24 Hr. Hotline: 973-881-1450

Office: 973-881-1450

Fax: 973-881-0617

Outreach

1027 Madison Avenue, Paterson, NJ 07513

Phone: 973-881-0725

Fax: 973-881-0938

Rape Crisis Program

1027 Madison Avenue, Paterson, NJ 07513

24 Hr. Hotline: 973-881-1450

Phone: 973-881-0725

Fax: 973-881-0938

PROJECT S.A.R.A.H.

925 Allwood Road, Clifton, NJ 07012

Helpline: 1-888-883-2323

Phone: 973-777-7638

Fax: 973-777-9311

Web: <http://jfsclifton.org/projectsarah/>

PALS PCWC with Jewish Family Services

Phone: 973-777-7638

WAFI HOUSE

PO Box 2102

Clifton, NJ 07015-2102

Toll free: 1-800-930-9232

Email: info@wafahouse.org

Web: [http://](http://www.wafahouse.org/new-page)

www.wafahouse.org/new-page

SOMERSET COUNTY

SAFE & SOUND SOMERSET (formerly RESOURCE CENTER OF SOMERSET)

427 Homestead Road, Hillsborough, NJ 08844

Emergency Shelter

24 Hr. Toll free and Text Hotline: 1-866-685-1122

Email: info@Safe-Sound.org

Web: www.safe-sound.org

Outreach

Office: 908-359-0003

Fax: 908-359-8881

Batterer's Referral Line

Call 24 Hr. Hotline or 908-359-0003 ext.438, for referrals

TRANSITIONAL HOUSING AVAILABLE

SUSSEX COUNTY

DASI: DOMESTIC ABUSE & SEXUAL ASSAULT INTERVENTION SERVICES

P.O. Box 805, Newton, NJ 07860

Emergency Shelter

24 Hr. Hotline:

(Collect Calls Accepted) 973-875-1211

Deaf & Hard of Hearing Text Line: 973-222-2593

Office: 973-579-2386

Fax: 973-579-3277

Email: info@dasi.org

Web: www.dasi.org

Outreach

Phone: 973-579-2386

Fax: 973-579-3277

Batterers Services: DECIDE Program

PO Box 805, Newton, NJ 07860

Phone: 973-271-0288

Fax: 973-579-3277

TRANSITIONAL HOUSING AVAILABLE



OUTREACH OFFICES provide services for women who chose not to stay in a shelter facility. Outreach offices provide non-residential services in a location separate from a shelter. Services provided include but are not limited to: legal advocacy, individual and group counseling, information and referral, and advocacy services.

UNION COUNTY

YWCA Union County

P.O. Box 242, Elizabeth, NJ 07201

Emergency Shelter

24 Hr. Hotline: 908-355-4357 (HELP)

Office: 908-355-1995

Fax: 908-355-2010

Email: info@ywcaunioncounty.org

Web: www.ywcaunioncounty.org

Outreach

Phone: 908-355-1500

PALS A Child's View

Phone: 908-518-9911

Fax: 908-518-9914

UNCHAINED AT LAST

208 Lenox Avenue #189

Westfield, NJ 07090

Office: 908-913-0804

Web: [http://](http://www.unchainedatlast.org/)

www.unchainedatlast.org/

WARREN COUNTY

DOMESTIC ABUSE & SEXUAL ASSAULT CRISIS CENTER

Emergency Shelter

24 Hr. Hotline: 908-453-4181

Toll free: 1-866-6BE-SAFE (1-866-623-7233)

Office: 908-453-4121

Fax: 908-453-3706

Web: www.besafewc.org

Outreach

29C Broad Street, Washington, NJ 07882

Phone: 908-453-4121

Batterers Services

Phone: 908-813-8820



*E-mail is **NOT** a safe or confidential way to talk to someone about danger or abuse in your life. If you are in danger, please use a public access computer.*

NJ Coalition To End Domestic Violence

1670 Whitehorse-Hamilton Square Road

Trenton, NJ 08690-3541

PH: 609-584-8107

Fax: 609-584-9750

Website: www.njcedv.org

Email: info@njcedv.org

NJ Association of Domestic Violence Professionals c/o

NJ Coalition To End Domestic Violence

1670 Whitehorse-Hamilton Square Road

Trenton, NJ 08690-3541

PH: 609-584-8107

Fax: 609-584-9750

Website: www.njcedv.org

E-mail: njadvp@njcedv.org

NJ Division on Women

Office on the Prevention of Violence Against Women

P.O. Box 717

Trenton, NJ 08625

PH: 609-292-8840

Fax: 609-633-6821

Web: <https://www.nj.gov/dcf/women/domestic/>

DOMESTIC VIOLENCE TOLL-FREE ASSISTANCE

Statewide Domestic Violence Hotline (Womanspace, Inc.)

24 Hour Hotline: 1-800-572-7233

TTY Line: 1-888-252-SAFE (7233)

National Domestic Violence Hotline

Phone: 1-800-799-7233

VP: 1-855-812-1001

TTY: 1-800-787-3224



R 1581 DOMESTIC VIOLENCE (M)

Policy and Regulation 1581 - Section A. sets forth the New Jersey Civil Service Commission's (Civil Service Commission) Uniform Domestic Violence Policy that all public employers shall adopt and distribute to all their employees in accordance with the provisions of N.J.S.A. 11A:2-6a. The purpose of the Uniform Domestic Violence Policy is to encourage public employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their public employer's human resources officer(s) and provide a standard for a public employer's human resources officer(s) to follow when responding to employees.

Policy and Regulation 1581 – Section B. provides employment protection for employees of those employers as defined in N.J.S.A. 34:11C-2, who are victims of domestic violence or sexual violence in accordance with the provisions of the New Jersey Security and Financial Empowerment Act (NJ SAFE Act) - N.J.S.A. 34:11C-1 et seq.

A. Uniform Domestic Violence Policy (N.J.S.A. 11A:2-6a)

1. Definitions

The following terms are defined solely for the purposes of N.J.S.A. 11A:2-6a and Policy and Regulation 1581:

“Domestic Violence” - Acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, household member, intimate partner, someone the perpetrator dated, or person with whom the perpetrator shares a child in common or anticipates having a child in common if one of the parties is pregnant. Domestic violence includes, but is not limited to the following: physical violence; injury; intimidation; sexual violence or abuse; emotional and/or psychological intimidation; verbal abuse; threats; harassment; cyber harassment; stalking; economic abuse or control; damaging property to intimidate or attempt to control the behavior of a person in a relationship with the perpetrator; strangulation; or abuse of animals or pets.

“Abuser/Perpetrator” - An individual who commits or threatens to commit an act of domestic violence, including unwarranted



violence against individuals and animals. Other abusive behaviors and forms of violence can include the following: bullying, humiliating, isolating, intimidating, harassing, stalking, or threatening the victim, disturbing someone's peace, or destroying someone's property.

“Human Resources Officer (HRO)” - An employee of a public employer with a human resources job title, or its equivalent, who is responsible for orienting, training, counseling, and appraising staff. Persons designated by the employer as the primary or secondary contact to assist employees in reporting domestic violence incidents.

“Intimate Partner” - Partners of any sexual orientation or preference who have been legally married or formerly married to one another, have a child or children in common, or anticipate having a child in common if one party is pregnant. Intimate partner also includes those who live together or have lived together, as well as persons who are dating or have dated in the past.

“Temporary Restraining Order (TRO)” - A civil court order issued by a judge to protect the life, health, or well-being of a victim. TROs can prohibit domestic violence offenders from having contact with victims, either in person or through any means of communication, including third parties. TROs also can prohibit offenders from a victim's home and workplace. A violation of a TRO may be a criminal offense. A TRO will last approximately ten business days, or until a court holds a hearing to determine if a Final Restraining Order (FRO) is needed. In New Jersey, there is no expiration of a FRO.

“Victim” - A person who is eighteen years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. A victim of domestic violence is also any person, regardless of age, who has been subjected to domestic violence by one of the following factors: a person with whom the victim has a child in common; a person with whom the victim anticipates



having a child in common, if one of the parties is pregnant; and a person with whom the victim has had a dating relationship.

“Workplace-Related Incidents” - Incidents of domestic violence, sexual violence, dating violence, and stalking, including acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property, that imperil the safety, well-being, or productivity of any person associated with a public employee in the State of New Jersey, regardless of whether the act occurred in or outside the organization’s physical workplace. An employee is considered to be in the workplace while in or using the resources of the employer. This includes, but is not limited to: facilities; work sites; equipment; vehicles; or while on work-related travel.

2. Persons Covered Under N.J.S.A. 11A:2-6a and Policy and Regulation 1581

All New Jersey public employees are covered under N.J.S.A. 11A:2-6a and Policy and Regulation 1581 – Section A. A State of New Jersey public employer is any State, county, municipality, school district, or other political subdivision thereof, and any agency, authority, or instrumentality of the foregoing. Casual/seasonal employees, interns, volunteers, and temporary employees of any public employer at any workplace location are also covered under N.J.S.A. 11A:2-6a and Regulation 1581 – Section A.

3. Responsibility of Employer to Designate a Human Resources Officer (HRO)

- a. All public employers shall designate an HRO to assist employees who are victims of domestic violence.
- b. The designated HRO must receive training on responding to and assisting employees who are domestic violence victims in accordance with Policy and Regulation 1581 – Section A. Should the HRO be unavailable at any time, the employer must designate a secondary HRO, who must also



be appropriately trained to respond and assist domestic violence victims pursuant to Policy and Regulation 1581.

- c. Managers and supervisors are often aware of circumstances involving an employee who is experiencing domestic violence. Managers and supervisors are required to refer any employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO. Managers and supervisors must maintain confidentiality, to the extent possible, and be sensitive, compassionate, and respectful to the needs of persons who are victims of domestic violence.

- (1) The name and contact information of the designated HRO must be provided to all employees.

- d. Policy and Regulation 1581 – Section A. does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report.

- (1) For example, if there is any indication a child may also be a victim, reporting is mandatory to the Department of Children and Families, Child Protection and Permanency, under N.J.S.A. 9:6-8.13.

4. Domestic Violence Reporting Procedure

- a. Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO.
- b. Employees who have information about or witness an act of domestic violence against an employee are encouraged to report that information to the designated HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the employee must report to



the appropriate authority in addition to reporting to the designated HRO.

- c. Nothing in Policy and Regulation 1581 – Section A. shall preclude an employee from contacting 911 in emergency situations. HROs shall remind employees to contact 911 if they feel they are in immediate danger.
- d. Each designated HRO shall:
 - (1) Immediately respond to an employee upon request and provide a safe and confidential location to allow the employee to discuss the circumstances surrounding the domestic violence incident and the request for assistance.
 - (2) Determine whether there is an imminent and emergent need to contact 911 and/or local law enforcement.
 - (3) Provide the employee with resource information and a confidential telephone line to make necessary calls for services for emergent intervention and supportive services, when appropriate. The HRO or the employee can contact the appropriate Employee Assistance Program to assist with securing resources and confidential services.
 - (4) Refer the employee to the provisions and protections of the New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), referenced in Regulation 1581 - Section B.
 - (5) In cases where domestic violence involved a sexual touching or sexual assault between State employees, the HRO is also required to report the incident to their agency's Equal Employment Opportunity (EEO) Officer or Title IX Officer, as appropriate.



- (6) If there is a report of sexual assault or abuse, the victim should be offered the services of the New Jersey State Sexual Assault Response Team.
- (7) Maintain the confidentiality of the employee and all parties involved, to the extent practical and appropriate under the circumstances, pursuant to A.5. below.
- (8) Upon the employee's consent, the employee may provide the HRO with copies of any TROs, FROs, and/or civil restraint agreements that pertain to restraints in the work place and ensure that security personnel are aware of the names of individuals who are prohibited from appearing at the work location while the employee who sought the restraining order is present. All copies of TROs and FROs must be kept in a separate confidential personnel file.

5. Confidentiality Policy

- a. In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law.
- b. No provision of Policy and Regulation 1581 – Section A. shall supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report.
- c. Policy 1581 and Regulation 1581 – Section A.5. shall not prevent disclosure where to do so would result in physical harm to any person or jeopardize safety within the workplace.
 - (1) When information must be disclosed to protect the safety of individuals in the workplace, the HRO



shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others and comply with the law.

- (2) The HRO shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere.
 - (3) The HRO shall also provide the employee with the name and title of the person to whom they intend to provide the employee's statement and shall explain the necessity and purpose regarding the disclosure.
 - (a) For example, if the substance of the disclosure presents a threat to employees, then law enforcement will be alerted immediately.
 - d. Policy 1581 and Regulation 1581 – Section A. does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines where mandatory reporting is required by the appointing authority or a specific class of employees.
6. Confidentiality of Employee Records
- a. To ensure confidentiality and accuracy of information Policy and Regulation 1581 – Section A.6. requires the HRO to keep all documents and reports of domestic violence in a confidential personnel file separate from the employee's other personnel records.
 - b. These records shall be considered personnel records and shall not be government records available for public access under the Open Public Records Act. See N.J.S.A. 47:1A-10.
7. Public Employer Domestic Violence Action Plan



- a. Public employers in the State of New Jersey shall develop an action plan to identify, respond to, and correct employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the following guidelines:
- (1) Designate an HRO with responsibilities pursuant to A.3. and A.4. above.
 - (2) Recognize that an employee may need an accommodation as the employee may experience temporary difficulty fulfilling job responsibilities.
 - (3) Provide reasonable accommodations to ensure the employee's safety. Reasonable accommodations may include, but are not limited to, the following: implementation of safety measures; transfer or reassignment; modified work schedule; change in work telephone number or work-station location; assistance in documenting the violence occurring in the workplace; an implemented safety procedure; or other accommodation approved by the employer.
 - (4) Advise the employee of information concerning the NJ SAFE Act; Family and Medical Leave Act (FMLA); or Family Leave Act (FLA); Temporary Disability Insurance (TDI); or Americans with Disabilities Act (ADA); or other reasonable flexible leave options when an employee, or his or her child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic violence.
 - (5) Commit to adherence of the provisions of the NJ SAFE Act, including that the employer will not retaliate against, terminate, or discipline any employee for reporting information about incidents of domestic violence, as defined in Policy and Regulation 1581 – Section A., if the victim provides



notice to their human resources office of the status or if the human resources office has reason to believe an employee is a victim of domestic violence.

- (6) Advise any employee, who believes he or she has been subjected to adverse action as a result of making a report pursuant to Policy and Regulation 1581 - Section B. of the civil right of action under the NJ SAFE Act.
 - (a) Advise any employee to contact their designated Labor Relations Officer, Conscientious Employees Protection Act (CEPA) Officer, and/or Equal Employment Opportunity Officer in the event they believe the adverse action is a violation of their collective bargaining agreement, the Conscientious Employees Protection Act, or the New Jersey Law Against Discrimination and corresponding policies.
- (7) Employers, their designated HRO, and employees should familiarize themselves with Policy and Regulation 1581. Policy and Regulation 1581 shall be provided to all employees upon Board approval and to all new employees upon hiring.
- (8) Information and resources about domestic violence are encouraged to be placed in visible areas, such as restrooms, cafeterias, breakrooms, and where other resource information is located.

8. Resources

Resources and program information will be readily available to assist victims of domestic violence. These resources should be provided by the designated HRO to any victim of domestic violence at the time of reporting.

9. Distribution of Policy



The Civil Service Commission and the Division of Local Government Services in the Department of Community Affairs shall distribute a Uniform Domestic Violence Policy, and any modifications thereto, to public employers. The Director of the Division of Local Government Services shall release Local Finance Notices setting forth any changes to the Uniform Domestic Violence Policy, as changes occur.

10. Other Applicable Requirements

In addition to Policy and Regulation 1581, the HRO and the public employer's appointing authority, if applicable, must follow all applicable laws, guidelines, standard operating procedures, internal affairs policies, and New Jersey Attorney General directives and guidelines that impose a duty to report. Additionally, to the extent that the procedures set forth in Policy and Regulation 1581 conflict with collective negotiated agreements or with the Family Educational Rights and Privacy Act (FERPA), the provisions of the negotiated agreements and the provisions of FERPA control.

11. Policy Modification and Review

- a. A public employer may seek to modify Policy and Regulation 1581 to create additional protocols to protect victims of domestic violence, but may not modify in a way that reduces or compromises the safeguards and processes set out in the Uniform Domestic Violence Policy.
- b. The Civil Service Commission will review and modify their Uniform Domestic Violence Policy periodically and as needed.

12. Policy Enforceability

The provisions of the Uniform Domestic Violence Policy are intended to be implemented by the Civil Service Commission. These provisions do not create any promises or rights that may be enforced by any persons or entities.

13. Policy Inquiries and Effective Date



Any questions concerning the interpretation or implementation of the Uniform Domestic Violence Policy shall be addressed to the Chair/Chief Executive Officer of the Civil Service Commission, or their designee. The Uniform Domestic Violence Policy and Policy and Regulation 1581 shall be enforceable upon the HRO's completion of training on the Uniform Domestic Violence Policy and Policy and Regulation 1581.

B. NJ SAFE Act – (N.J.S.A. 34:11C-1 et seq.)

1. The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1, et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence.
2. Definitions (N.J.S.A. 34:11C-2)

The following terms are defined solely for the purpose of N.J.S.A. 34:11C-1 et seq. - NJ SAFE Act:

“Employee” means a person who is employed for at least twelve months by an employer, with respect to whom benefits are sought under the NJ SAFE Act, for not less than 1,000 base hours during the immediately preceding twelve-month period. Any time, up to a maximum of ninety calendar days, during which a person is laid off or furloughed by an employer due to that employer curtailing operations because of a state of emergency declared after October 22, 2012, shall be regarded as time in which the person is employed for the purpose of determining eligibility for leave time under the NJ SAFE Act. In making the determination, the base hours per week during the layoff or furlough shall be deemed to be the same as the average number of hours worked per week during the rest of the twelve-month period.

“Employer” means a person or corporation, partnership, individual proprietorship, joint venture, firm or company, or other similar legal entity which engages the services of an employee and employs twenty-five or more employees for each working day during each of twenty or more calendar work weeks in the then current or immediately preceding calendar year. “Employer” includes the State, any political subdivision thereof, and all public offices, agencies, boards, or bodies.



“State of emergency” means a natural or man-made disaster or emergency for which a state of emergency has been declared by the President of the United States or the Governor, or for which a state of emergency has been declared by a municipal emergency management coordinator.

3. Regulations Relative to Unpaid Leave for Employees and Family Members Affected by Certain Offenses (N.J.S.A. 34:11C-3)

- a. Any employee of an employer in the State of New Jersey who was a victim of an incident of domestic violence as defined in N.J.S.A. 2C:25-19, or a sexually violent offense as defined in N.J.S.A. 30:4-27.26, or whose parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, was a victim shall be entitled to unpaid leave of no more than twenty days in one twelve-month period, to be used in the twelve-month period next following any incident of domestic violence or any sexually violent offense as provided in N.J.S.A. 34:11C-3.

For purposes of N.J.S.A. 34:11C-3 and Regulation 1581 - Section B.3., each incident of domestic violence or any sexually violent offense shall constitute a separate offense for which an employee is entitled to unpaid leave, provided that the employee has not exhausted the allotted twenty days for the twelve-month period.

The unpaid leave may be taken intermittently in intervals of no less than one day, as needed for the purpose of engaging in any of the following activities as they relate to the incident of domestic violence or sexually violent offense:

- (1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the



employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship;

- (2) Obtaining services from a victim services organization for the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship;
- (3) Obtaining psychological or other counseling for the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship;
- (4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, from future domestic or sexual violence or to ensure economic security;



- (5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or
 - (6) Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, was a victim.
- b. An eligible employee may elect to use any accrued paid vacation leave, personal leave, or medical or sick leave of the employee, or any family temporary disability leave benefits provided pursuant to N.J.S.A. 43:21-27 during any part of the twenty-day period of unpaid leave provided under N.J.S.A 34:11C-3 and Regulation 1581 - Section B.3.a.

In such case, any paid leave provided by the employer, and accrued pursuant to established policies of the employer, or family temporary disability leave benefits, shall run concurrently with the unpaid leave provided under N.J.S.A. 34:11C-3.a and Regulation 1581 - Section B.3.a. and, accordingly, the employee shall receive pay pursuant to the



employer's applicable paid leave policy, or family temporary disability leave benefits, during the period of otherwise unpaid leave. If an employee requests leave for a reason covered by both N.J.S.A. 34:11C-3.a and the "Family Leave Act," N.J.S.A. 34:11B-1 et seq. or the Federal "Family and Medical Leave Act of 1993," 29 U.S.C. § 2601 et seq., the leave shall count simultaneously against the employee's entitlement under each respective law.

Leave granted under N.J.S.A. 34:11C-3 and Regulation 1581 - Section B. shall not conflict with any rights pursuant to the "Family Leave Act," the "Temporary Disability Benefits Law," N.J.S.A. 43:21-25 et al, or the Federal "Family and Medical Leave Act of 1993."

- c. Prior to taking the leave provided for in N.J.S.A. 34:11C-3 and Regulation 1581 - Section B.3.a., an employee shall, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave, unless an emergency or other unforeseen circumstance precludes prior notice. The notice shall be provided to the employer as far in advance as is reasonable and practical under the circumstances.
- d. Nothing contained in the NJ SAFE Act (N.J.S.A. 34:11C-1 et seq.) and Regulation 1581 - Section B. shall be construed to prohibit an employer from requiring that a period of leave provided pursuant to N.J.S.A. 34:11C-3 and Regulation 1581 - Section B. be supported by the employee with documentation of the domestic violence or sexually violent offense which is the basis for the leave.

If the employer requires the documentation, the employee shall be regarded as having provided sufficient documentation if the employee provides one or more of the following:



- (1) A domestic violence restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;
- (2) A letter or other written documentation from the county or municipal prosecutor documenting the domestic violence or sexually violent offense;
- (3) Documentation of the conviction of a person for the domestic violence or sexually violent offense;
- (4) Medical documentation of the domestic violence or sexually violent offense;
- (5) Certification from a certified Domestic Violence Specialist or the director of a designated domestic violence agency or Rape Crisis Center, that the employee or employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, is a victim of domestic violence or a sexually violent offense; or
- (6) Other documentation or certification of the domestic violence or sexually violent offense provided by a social worker, member of the clergy, shelter worker, or other professional who has assisted the employee or employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, in dealing with the domestic violence or sexually violent offenses.



For the purpose of N.J.S.A. 34:11C-3.c and Regulation 1581 - Section B.3.d.:

- (1) “Certified Domestic Violence Specialist” means a person who has fulfilled the requirements of certification as a Domestic Violence Specialist established by the New Jersey Association of Domestic Violence Professionals;
 - (2) “Designated Domestic Violence Agency” means a county-wide organization with a primary purpose to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined by the Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the Division for the express purpose of providing the services.
 - (3) “Rape Crisis Center” means an office, institution, or center offering assistance to victims of sexual offenses through crisis intervention, medical and legal information, and follow-up counseling.
- e. An employer shall display conspicuous notice of its employees’ rights and obligations pursuant to the provisions of the NJ SAFE Act, in such form and manner as the Commissioner of Labor and Workforce Development shall prescribe, and use other appropriate means to keep its employees so informed.
- f. No provision of N.J.S.A. 34:11C-1 et seq. and Policy and Regulation 1581 – Section B. shall be construed as requiring or permitting an employer to reduce employment benefits provided by the employer or required by a collective bargaining agreement which are in excess of those required by the NJ SAFE Act. Nor shall any provision of N.J.S.A. 34:11C-1 et seq. and Policy and Regulation 1581 – Section B. be construed to prohibit the negotiation and provision through collective bargaining



agreements of leave policies or benefit programs which provide benefits in excess of those required by the NJ SAFE Act. N.J.S.A. 34:11C-3.e and Regulation 1581 – Section B.3.f. shall apply irrespective of the date that a collective bargaining agreement takes effect.

Nothing contained in N.J.S.A. 34:11C-1 et seq. and Policy and Regulation 1581 – Section B. shall be construed as permitting an employer to:

- (1) Rescind or reduce any employment benefit accrued prior to the date on which the leave taken pursuant to the NJ SAFE Act commenced; or
 - (2) Rescind or reduce any employment benefit, unless the rescission or reduction of the benefit is based on changes that would have occurred if an employee continued to work without taking the leave provided pursuant to Regulation 1581 – Section B.3.a.
- g. All information provided to an employer pursuant to N.J.S.A. 34:11C-3.c and Regulation 1581 – Section B.3.d. above and any information regarding a leave taken pursuant to N.J.S.A. 34:11C-3.c and any failure of an employee to return to work, shall be retained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is required by a Federal or State law, rule, or regulation.
4. Certain Actions by Employer Prohibited (N.J.S.A. 34:11C-4)

An employer shall not discharge, harass, or otherwise discriminate, retaliate, or threaten to discharge, harass, or otherwise discriminate or retaliate against an employee with respect to the compensation, terms, conditions, or privileges of employment on the basis that the employee took or requested any leave to which the employee was entitled pursuant to N.J.S.A. 34:11C-3 of the NJ SAFE Act and Regulation 1581 – Section B.3. or on the basis that the employee refused to authorize the release of information deemed confidential



pursuant to N.J.S.A. 34:11C-3.f and Regulation 1581 – Section B.3.g.

5. Violations; Penalties (N.J.S.A. 34:11C-5)
 - a. Upon a violation of any of the provisions of N.J.S.A. 34:11C-3 and Regulation 1581 - Section B.3., or N.J.S.A. 34:11C-4 and Regulation 1581 - Section B.4., an employee or former employee may institute a civil action in the Superior Court for relief. All remedies available in common law tort actions shall be available to a prevailing plaintiff. The Court may also order any or all of the following relief:
 - (1) An assessment of a civil fine of not less than \$1,000 and not more than \$2,000 for the first violation of any of the provisions of N.J.S.A. 34:11C-3 or N.J.S.A. 34:11C-4 and not more than \$5,000 for each subsequent violation;
 - (2) An injunction to restrain the continued violation of any of the provisions of N.J.S.A. 34:11C-3 or N.J.S.A. 34:11C-4;
 - (3) Reinstatement of the employee to the same position or to a position equivalent to that which the employee held prior to unlawful discharge or retaliatory action;
 - (4) Reinstatement of full fringe benefits and seniority rights;
 - (5) Compensation for any lost wages, benefits, and other remuneration;
 - (6) Payment of reasonable costs and attorney's fees.
 - b. An action brought under N.J.S.A. 34:11C-5 shall be commenced within one year of the date of the alleged violation.



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- c. A private cause of action provided for in N.J.S.A. 34:11C-5 shall be the sole remedy for a violation of N.J.S.A. 34:11C-1 et seq.

DRAFT: 18 May 2020



2422 HEALTH AND PHYSICAL EDUCATION (M)

The Board of Education requires all students to participate in a comprehensive, sequential, health and physical education program aligned with the New Jersey Student Learning Standards (NJSLS) that emphasizes the natural interdisciplinary connection between wellness and health and physical education. The primary focus of the NJSLS is the development of knowledge and skills that influence healthy behaviors within the context of self, family, school, and the local and global community.

The NJSLS incorporate New Jersey statutes related to health and well-being of students in New Jersey schools. The following statutes incorporated into the NJSLS include, but are not limited to, the following requirements:

1. Accident and Fire Prevention (N.J.S.A. 18A:6-2) requires regular courses of instruction in accident and fire prevention.
2. Breast Self-Examination (N.J.S.A. 18A:35-5.4) requires offering instruction on breast self-examination for students in grades seven through twelve.
3. Bullying Prevention Programs (N.J.S.A. 18A:37-17) requires the establishment of bullying prevention programs.
4. Cancer Awareness (N.J.S.A. 18A:40-33) requires the development of a school program on cancer awareness by the Commissioner of Education.
5. Dating Violence Education (N.J.S.A. 18A:35-4.23a) requires instruction regarding dating violence in grades seven through twelve.
6. Domestic Violence Education (N.J.S.A. 18A:35-4.23) allows instruction on problems related to domestic violence and child abuse.
7. Gang Violence Prevention (N.J.S.A. 18A:35-4.26) requires instruction in gang violence prevention for elementary school students.
8. Health, Safety, and Physical Education (N.J.S.A. 18A:35-5) requires that all students in grades one through twelve participate in at least



two and one-half hours of health, safety, and physical education each school week.

9. Drugs, Alcohol, Tobacco, Controlled Dangerous Substances, and Anabolic Steroids (N.J.S.A. 18A:40A-1) requires instructional programs on drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances and the development of curriculum guidelines for each grade Kindergarten through twelve.
10. Lyme Disease Prevention (N.J.S.A. 18A:35-5.1 through 5.3) requires the development of Lyme Disease curriculum guidelines and training to all teaching staff members who instruct students with Lyme Disease.
11. Organ Donation (N.J.S.A. 18A:7F-4.3) requires information relative to organ donation to be given to students in grades nine through twelve.
12. Sexual Assault Prevention (N.J.S.A. 18A:35-4.3) requires the development of a sexual assault prevention education program by the Commissioner of Education for utilization by school districts.
13. Stress Abstinence (N.J.S.A. 18A:35-4.19 through N.J.S.A. 18A:35-4.22), also known as the “AIDS Prevention Act of 1999,” requires sex education programs to stress abstinence.
14. Suicide Prevention (N.J.S.A. 18A:6-111 through 113) requires instruction in suicide prevention in public schools.
15. Cardiopulmonary Resuscitation (CPR)/Automated External Defibrillator (AED) (N.J.S.A. 18A:35-4.28 and 18A:35-4.29) requires public high schools and charter schools to provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator to each student prior to graduation.
16. Sexually Explicit Images through Electronic Means (N.J.S.A. 18A:35-4.32 and 4.33) requires instruction, once during middle school, on the social, emotional, and legal consequences of distributing and soliciting sexually explicit images through electronic means.



17. History of Disabled and LGBT Persons (N.J.S.A. 18A:35-4.35 and 4.36) requires instruction on the political, economic, and social contributions of persons with disabilities and lesbian, gay, bisexual, and transgender people for middle and high school students.
18. Financial Literacy (N.J.S.A. 18A:35-4.34) requires instruction with basic financial literacy necessary for sound financial decision-making in each of the grades six through eight.
19. Other Statutory or Administrative Codes. The Board will incorporate into its health and physical education curriculum any other requirements of the NJSLS in Comprehensive Health and Physical Education.

In accordance with the provisions of N.J.S.A. 18A:35-4.7, any student whose parent presents to the Principal a signed statement that any part of the instruction in health, family life education, or sex education is in conflict with his/her conscience or sincerely held moral or religious beliefs shall be excused from that portion of the course where such instruction is being given and no penalties as to credit or graduation shall result.

The Board of Education must provide two and one-half hours of health, safety, and physical education courses in each school week, or proportionately less when holidays fall within the week. Recess period(s) shall not be used to meet the requirements of N.J.S.A. 18A:35-5, 7, and 8.

In accordance with N.J.S.A. 18A:35-4.31, the Board of Education shall provide a daily recess period of at least twenty minutes for students in grades Kindergarten through five. A recess period is not required on a school day in which the day is substantially shortened due to a delayed opening or early dismissal. The recess period shall be outdoors, if feasible. A student shall not be denied recess for any reason, except as a consequence of a violation of the school district's Code of

Student Conduct, including a harassment, intimidation, or bullying (HIB) investigation pursuant to N.J.S.A. 18A:37-13 et seq. Students may not be denied recess more than twice per week for a violation of the Code of Student Conduct or HIB investigation and these students shall be provided restorative justice activities during the recess period. Restorative justice activities are defined as activities designed to improve the socioemotional and behavioral responses of students



through the use of more appropriate and less punitive interventions thereby establishing a more supportive and inclusive school culture. The student's recess period should be scheduled in a manner that does not interfere with the implementation of a student's Individualized Education Program (IEP). School staff may deny recess for a student on the advice of a medical professional, school nurse, or the provisions of a student's IEP and/or 504 Plan.

A copy of the NJSLS for Comprehensive Health and Physical Education and all related curriculum/course guides and instructional material shall be available for public inspection in each school.

N.J.S.A. 18A:35-4.31

Adopted: 23 August 2010

Revised: 6 June 2016

Revised: 1 April 2019

DRAFT: 18 May 2020



3421.13 POSTNATAL ACCOMMODATIONS

The Board of Education recognizes teaching staff members may be returning to work shortly after their child's birth and may need to express breast milk during the workday. The Patient Protection and Affordable Care Act (PPACA) amended Section 7 of the Federal Fair Labor Standards Act (FLSA) for nursing mothers to be permitted reasonable break times and a private location to express breast milk for their nursing child for one year after the child's birth.

Every employee position in the school district is designated as either "non-exempt" or "exempt" by the provisions of the FLSA. Generally, a teaching staff member entitled to overtime pay is designated as "non-exempt." A teaching staff member that performs duties that are executive, administrative, or professional in nature and not entitled to overtime pay is designated "exempt." The school district administration shall refer to the comprehensive definitions of "exempt" and "non-exempt" as outlined in 29 C.F.R. 541 et seq. in determining an employee's designation.

A Board of Education is required to provide reasonable break times to non-exempt teaching staff members to express breast milk for their nursing child. The non-exempt teaching staff member shall coordinate such breaks with their immediate supervisor. The non-exempt teaching staff member will not receive compensation during this break time unless the break time is during a non-exempt teaching staff member's compensated break time.

A Board of Education is not required under the FLSA to provide such breaks to exempt teaching staff members. However, exempt teaching staff members may take such breaks provided the breaks are coordinated with their immediate supervisor. If this break is taken during the exempt teaching staff member's duty free lunch period or duty free break period during the workday, the exempt teaching staff member will not be reduced in compensation.

The Principal or the nursing mother's immediate supervisor, in consultation with the school nurse, will designate a lactation room that is shielded from view and free from intrusion from co-workers and the public. The location must be functional as a space for expressing breast milk and shall include an electrical outlet, a chair, and nearby access to running water. If the space is not dedicated to



the nursing mother's use, it must be available when needed. A space temporarily converted into a lactation room or made available when needed by a nursing mother is sufficient; however, a bathroom, even if private, is not a permissible location under the FLSA.

All exempt and non-exempt teaching staff members are required to sign-out of work to begin the break to express breast milk and shall sign-in when they return to work after the break. The break shall be for a reasonable amount of time. For compensation purposes, the immediate supervisor shall forward all sign-in and sign-out information relative to break times for nursing mothers under the FLSA to the School Business Administrator/Board Secretary.

Fair Labor Standards Act – 29 U.S.C. 201 et seq.
Patient Protection and Affordable Care Act – P.L. 111-148
N.J.S.A. 26:4C-1 through 26:4C-3

Adopted:

DRAFT: 18 May 2020



4421.13 POSTNATAL ACCOMMODATIONS

The Board of Education recognizes support staff members may be returning to work shortly after their child's birth and may need to express breast milk during the workday. The Patient Protection and Affordable Care Act (PPACA) amended Section 7 of the Federal Fair Labor Standards Act (FLSA) for nursing mothers to be permitted reasonable break times and a private location to express breast milk for their nursing child for one year after the child's birth.

Every employee position in the school district is designated as either "non-exempt" or "exempt" by the provisions of the FLSA. Generally, a support staff member entitled to overtime pay is designated as "non-exempt." A support staff member that performs duties that are executive, administrative, or professional in nature and not entitled to overtime pay is designated "exempt." The school district administration shall refer to the comprehensive definitions of "exempt" and "non-exempt" as outlined in 29 C.F.R. 541 et seq. in determining an employee's designation.

A Board of Education is required to provide reasonable break times to non-exempt support staff members to express breast milk for their nursing child. The non-exempt support staff member shall coordinate such breaks with their immediate supervisor. The non-exempt support staff member will not receive compensation during this break time unless the break time is during a non-exempt support staff member's compensated break time.

A Board of Education is not required under the FLSA to provide such breaks to exempt support staff members. However, exempt support staff members may take such breaks provided the breaks are coordinated with their immediate supervisor. If this break is taken during the exempt support staff member's duty free lunch period or duty free break period during the workday, the exempt support staff member will not be reduced in compensation.

The Principal or the nursing mother's immediate supervisor, in consultation with the school nurse, will designate a lactation room that is shielded from view and free from intrusion from co-workers and the public. The location must be functional as a space for expressing breast milk and shall include an electrical outlet, a chair, and nearby access to running water. If the space is not dedicated to



the nursing mother's use, it must be available when needed. A space temporarily converted into a lactation room or made available when needed by a nursing mother is sufficient; however, a bathroom, even if private, is not a permissible location under the FLSA.

All exempt and non-exempt support staff members are required to sign-out of work to begin the break to express breast milk and shall sign-in when they return to work after the break. The break shall be for a reasonable amount of time. For compensation purposes, the immediate supervisor shall forward all sign-in and sign-out information relative to break times for nursing mothers under the FLSA to the School Business Administrator/Board Secretary.

Fair Labor Standards Act – 29 U.S.C. 201 et seq.
Patient Protection and Affordable Care Act – P.L. 111-148
N.J.S.A. 26:4C-1 through 26:4C-3

Adopted:

DRAFT: 18 May 2020



5330 ADMINISTRATION OF MEDICATION (M)

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of an illness of any student. However, in order for many students with chronic health conditions and disabilities to remain in school, medication may have to be administered during school hours. Parents are encouraged to administer medications to children at home whenever possible as medication should be administered in school only when necessary for the health and safety of students. The Board will permit the administration of medication in school in accordance with applicable law.

Medication will only be administered to students in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, the student's parent, a student who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and 12.4, and school employees who have been trained and designated by the certified school nurse to administer epinephrine, glucagon, and hydrocortisone sodium succinate in an emergency pursuant to N.J.S.A. 18A:40-12.5, 12.6, 12.11-21, 12.29, and 12.30. Self-administration of medication by a student for asthma or other potentially life-threatening illnesses, a life threatening allergic reaction, or adrenal insufficiency is permitted in accordance with the provisions of N.J.S.A. 18A:40-12.3.

The school nurse shall have the primary responsibility for the administration of epinephrine, glucagon, and hydrocortisone sodium succinate to the student. However, the school nurse may designate, in consultation with the Board or the Superintendent, additional employees of the district who volunteer to be trained in the administration of epinephrine via a pre-filled auto-injector mechanism, glucagon ~~via a syringe injection~~, and ~~the administration of~~ hydrocortisone sodium succinate **via a syringe injection** using standardized training protocols established by the New Jersey Department of Education (NJDOE) in consultation with the Department of Health when the school nurse is not physically present at the scene.

In accordance with the provisions of N.J.S.A. 18A:40-12.6.d, no school employee, including a school nurse or any other officer or agent of a Board of Education or a physician or an advanced practice nurse providing a prescription under a standing protocol for school epinephrine, pursuant to N.J.S.A. 18A:40-12.5, glucagon pursuant to N.J.S.A. 18A:40-12.11-21, and/or hydrocortisone sodium succinate pursuant to N.J.S.A. 18A:40-12.29, shall be held



liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5 and N.J.S.A. 18A:40-12.29, nor shall any action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.6.d and N.J.S.A. 18A:40-12.33. Good faith shall not include willful misconduct, gross negligence, or recklessness.

The school nurse or designee shall be promptly available on site at the school and at school-sponsored functions in the event of an allergic reaction, severe hypoglycemic episode, or an emergency requiring the administration of hydrocortisone sodium succinate. In addition, the parent must be informed that the school district, its employees and agents shall have no liability as a result of any injury arising from the administration of epinephrine, glucagon, or hydrocortisone sodium succinate to the student.

The parent of the student must sign a statement acknowledging their understanding the district shall have no liability as a result of any injury arising from the administration of the epinephrine via a pre-filled auto-injector mechanism, syringe injection for glucagon administration, or **syringe injection** for the administration of hydrocortisone sodium succinate to the student. In addition, the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism, syringe injection for glucagon administration, or **syringe injection** for the administration of hydrocortisone sodium succinate to the student.

The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to students for anaphylaxis, a syringe injection for glucagon administration for students with severe hypoglycemia, and/or the emergency administration of hydrocortisone sodium succinate **via a syringe injection** for adrenal insufficiency is effective for the school year it is granted and must be renewed for each subsequent school year.

A change in the dosage of any of these medications during the school year by the treating physician should be sent to the school nurse as soon as possible and approved by the Medical Director.

Each school in the district shall have and maintain for the use of students at least one nebulizer in the office of the school nurse or a similar accessible location. Each certified school nurse or other persons authorized to administer asthma medication will receive training in airway management and in the use of nebulizers and inhalers consistent with NJDOE regulations. Every student that is



authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 or a nebulizer must have an asthma treatment plan prepared by the student's physician which shall identify, at a minimum, asthma triggers, the treatment plan, and other such elements as required by the State Board of Education.

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

The school nurse shall document each instance of the administration of medication to a student. Students self-administering medication shall report each incident to a teacher, coach, or other individual designated by the school nurse who is supervising the student during the school activity when the student self-administers. These designated individuals shall report such incidents to the school nurse **as soon as possible within twenty-four hours of following** the self-administration of medication. **Parent and/or Guardian should be notified of this event as soon as possible as well.** The school nurse shall preserve records and documentation regarding the self-administration of medication in the student's health file.

N.J.S.A. 18A:6-1.1; 18A:40-3.1; 18A:40-6; 18A:40-7; 18A:40-12.3;
18A:40-12.4; 18A:40-12.5; 18A:40-12.6; 18A:40-12.7;
18A:40-12.8; 18A:40-12.29 through 12.33

N.J.S.A. 45:11-23

N.J.A.C. 6A:16-2.3(b)

Adopted: 23 August 2010
Revised: 22 February 2016
DRAFT: 18 May 2020



R 5330 ADMINISTRATION OF MEDICATION (M)

A. Definitions

1. “Medication” means any prescription drug or over-the-counter medicine or nutritional supplement and includes, but is not limited to, aspirin and cough drops.
2. “Administration” means the taking of any medication by ingestion, injection, or application to any part of the body or the giving of direct physical assistance to the person who is ingesting, injecting, or applying medication.
3. “Self-administration” means carrying and taking medication without the intervention of the school nurse, approved through the school district policy and restricted to students with asthma, other potentially life-threatening illnesses, life-threatening allergic reaction, or adrenal insufficiency.
4. “Life-threatening illness” means an illness or condition that requires an immediate response to specific symptoms or sequelae (an after effect of disease or injury) that if left untreated may lead to potential loss of life.
5. “A pre-filled auto-injector mechanism containing epinephrine” is a medical device used for the emergency administration of epinephrine to a student for anaphylaxis.
6. “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 the district, and who is not certified as a school nurse by the New Jersey Department of Education (NJDOE).
7. “Substitute school nurse” means a person who holds a current license as a registered professional nurse from the State Board of Nursing and who has been issued a county substitute certificate to serve as a substitute for a certified school nurse in accordance with N.J.A.C. 6A:9B-7.6.
8. “School physician” means a physician with a current license to practice medicine or osteopathy from the New Jersey Board of Medical Examiners who works under contract or as an employee



of the district. This physician is referred to as the medical inspector in N.J.S.A. 18A:40-4.1.

9. “Advanced practice nurse” means a person who holds a current license as nurse practitioner/clinical nurse specialist from the State Board of Nursing.
 10. “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 Certificate with a school nurse endorsement or school nurse/non-instructional from the Department of Education pursuant to N.J.A.C. 6A:9B-14.3 and 14.4.
- B. Permission for Administration by a School Nurse or Registered Nurse
1. Permission for the administration of medication in school or at school sponsored functions will be given only when it is necessary for the health and safety of the student.
 2. Medication will not be administered to a student who is physically unfit to attend school or has a contagious disease. Any such student should not be permitted to attend school and may be excluded in accordance with Policy 8451.
 3. Parent requests for the administration of medication in school must be made in writing and signed by the parent.
 4. The parent must submit a certified statement written and signed by the student’s physician. The statement must include:
 - a. The student’s name;
 - b. The name of the medication;
 - c. The purpose of its administration to the student for whom the medication is intended;
 - d. The proper timing and dosage of medication;



- e. Any possible side effects of the medication;
 - f. The time when the medication will be discontinued;
 - g. A statement that the student is physically fit to attend school and is free of contagious disease; and
 - h. A statement that the student would not be able to attend school if the medication is not administered during school hours.
5. The request for the administration of medication must be made to the Superintendent or designee prior to any administration of medication or delivery of the medication to the school. The Superintendent or designee may consult with the school nurse and the school physician in making his/her final determination to allow or deny the request.
- a. An approved request will be signed by the Superintendent or designee and given to the school nurse and the student's parent.
 - b. The parent will be informed of a reason for a denied request.
- C. Administration of Epinephrine to Students
1. In accordance with N.J.S.A. 18A:40-12.5, the parent may provide the Superintendent or designee authorization for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to a student for anaphylaxis provided:
- a. The parent provides the Superintendent or designee a written authorization for the administration of epinephrine;
 - b. The parent of the student provides the Superintendent or designee with written orders from the physician or an advanced practice nurse that the student requires the administration of epinephrine for anaphylaxis;



- c. The parent is informed in writing by the Board of Education or Superintendent or designee that the school district and its employees or agents shall have no liability as a result of any injury to a student arising from the administration of epinephrine via a pre-filled auto-injector mechanism;
- d. The parent signs a statement acknowledging their understanding the district shall incur no liability as a result of any injury arising from the administration of epinephrine via a pre-filled auto-injector mechanism to the student and the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of epinephrine via a pre-filled auto-injector mechanism to the student;
- e. The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism is effective for the school year it is granted and must be renewed for each subsequent school year upon the fulfillment of the requirements as outlined in a. through d. above;
- f. The Superintendent or designee requires:
 - (1) The placement of the student's prescribed epinephrine to be in a secure but unlocked location easily accessible by the school nurse and trained designees to ensure prompt availability in the event of an allergic emergency at school or at a school-sponsored function. The location of the epinephrine shall be indicated on the student's emergency care plan. Back-up epinephrine shall also be available at the school if needed;
 - (2) The school nurse or trained designee to be promptly available on site at the school and school-sponsored functions in the event of an allergic reaction; and
 - (3) The transportation of the student to a hospital emergency room by emergency services personnel



after the administration of epinephrine, even if the student's symptoms appear to have resolved.

- g. The Superintendent or designee shall also:
 - (1) Permit the school nurse or trained designee to administer epinephrine via a pre-filled auto-injector mechanism to any student without a known history of anaphylaxis or to any student whose parent has not met the requirements outlined in Regulation 5330 – Section C.1.a., b., and d. and has not received the notice required in Regulation 5330 – Section C.1.c. when the school nurse or trained designee in good faith believes the student is having an anaphylactic reaction; and
 - (2) Require each school in the district to maintain in a secure, but unlocked and easily accessible location, a supply of epinephrine auto-injectors prescribed under a standing order from a licensed physician or advanced practice nurse, and is accessible to the school nurse and trained designees for administration to a student having an anaphylactic reaction.
- 2. In accordance with N.J.S.A. 18A:40-12.6, the school nurse shall have the primary responsibility for the administration of the epinephrine. The school nurse shall designate, in consultation with the Board of Education, additional employees of the school district who volunteer to administer epinephrine via a pre-filled auto-injector mechanism to a student for anaphylaxis when the nurse is not physically present at the scene. In the event that a licensed athletic trainer volunteers to administer epinephrine, it shall not constitute a violation of the “Athletic Training Licensure Act,” P.L.1984, c.203 (C.45:9-37.35 et seq.).
 - a. The school nurse shall determine that:
 - (1) The designees have been properly trained in the administration of the epinephrine via a pre-filled



auto-injector mechanism using standardized training protocols established by the NJDOE in consultation with the Department of Health;

- (2) The parent of the student consented in writing to the administration of the epinephrine via a pre-filled auto-injector mechanism by the designees;
 - (3) The Board or Superintendent or designee has informed the parent of the student in writing that the district and its employees or agents shall have no liability as a result of any injury arising from the administration of the epinephrine to the student;
 - (4) The parent of the student signed a statement acknowledging their understanding the district shall have no liability as a result of any injury arising from the administration of the epinephrine via a pre-filled auto-injector mechanism to the student and the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism to the student; and
 - (5) The permission is effective for the school year for which it is granted and is renewed for each subsequent school year upon fulfillment of the requirements in subsections 2.a.(1) through 2.a.(4) above.
3. The NJDOE, in consultation with the Department of Health, shall require trained designees for students enrolled in a school who may require the emergency administration of epinephrine for anaphylaxis when the school nurse is not available.
 4. Nothing in N.J.S.A. 18A:40-12.6 and Regulation 5330 – Section C. shall be construed to prohibit the emergency administration of epinephrine via a pre-filled auto-injector mechanism to a student for anaphylaxis by the school nurse or other employees designated



pursuant to N.J.S.A. 18A:40-12.3(a)(1) when the student is authorized to self-administer epinephrine pursuant to N.J.S.A. 18A:40-12.3, or when there is a coexisting diagnosis of asthma, or when a prescription is received from a licensed health care professional for epinephrine coupled with another form of medication, or when the epinephrine is administered pursuant to N.J.S.A. 18A:40-12.5.f.

5. The certified school nurse, in consultation with the Superintendent or designee, shall recruit and train volunteer designees who are determined acceptable candidates by the school nurse within each school building as deemed necessary by the nursing services plan, in accordance with N.J.S.A. 18A:40-12.6c(b).
6. No school employee, including a school nurse, or any other officer or agent of a Board of Education, or a physician or an advanced practice nurse providing a prescription under a standing protocol for school epinephrine pursuant to N.J.S.A. 18A:40-12.5.f and Regulation 5330 – Section C.1.g., shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5 et seq., nor shall an action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.6. Good faith shall not include willful misconduct, gross negligence, or recklessness.

D. Administration of Hydrocortisone Sodium Succinate to Students

1. In accordance with the provisions of N.J.S.A. 18A:40-12.29, the Board will permit the emergency administration of hydrocortisone sodium succinate through appropriate delivery devices and equipment to a student for adrenal insufficiency provided that:
 - a. The parent of the student provides the Superintendent or designee a written authorization for the administration of hydrocortisone sodium succinate;
 - b. The parent of the student provides the Superintendent or designee written orders from the physician or an advanced practice nurse that the student requires the administration of hydrocortisone sodium succinate for adrenal insufficiency;



- c. The Superintendent or designee informs the parent of the student in writing that the school district and its employees or agents shall have no liability as a result of any injury arising from the administration of hydrocortisone sodium succinate;
 - d. The parent of the student signs a statement acknowledging their understanding that the district shall have no liability as a result of any injury arising from the administration of hydrocortisone sodium succinate to the student and that the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of hydrocortisone sodium succinate to the student; and
 - e. The permission for the administration of hydrocortisone sodium succinate is effective for the school year for which it is granted and must be renewed for each subsequent school year upon the fulfillment of the requirements as outlined in a. through d. above unless the dosage has been changed by the treating physician.
2. In accordance with the provisions of N.J.S.A. 18A:40-12.29.b:
 - a. The placement of the student's prescribed hydrocortisone sodium succinate shall be in a secure, but unlocked location easily accessible by the school nurse and trained designees to ensure prompt availability in the event of emergency situations at school or at a school-sponsored function. The location of the prescribed hydrocortisone sodium succinate shall be indicated on the student's emergency care plan. Back-up hydrocortisone sodium succinate, provided by the student's parent, shall also be available at the school if needed;
 - b. The school nurse or trained designee shall be promptly available on site at the school and school-sponsored functions in the event of an emergency; and



- c. The student shall be transported to a hospital emergency room by emergency services personnel after the administration of hydrocortisone sodium succinate, even if the student's symptoms appear to have resolved.
3. In accordance with N.J.S.A. 18A:40-12.30, the school nurse has the primary responsibility for the administration of hydrocortisone sodium succinate; **appropriate training will be required for the assigned nurse.**

The school nurse shall designate, in consultation with the Superintendent or designee, additional employees of the school district who volunteer to administer hydrocortisone sodium succinate to a student when the school nurse is not physically present at the scene.

In the event that a licensed athletic trainer volunteers to administer hydrocortisone sodium succinate, it shall not constitute a violation of the "Athletic Training Licensure Act" - N.J.S.A. 45:9-37.35 et seq.

The school nurse shall determine that:

- a. The designees have been properly trained in the administration of hydrocortisone sodium succinate using standardized training protocols established by the NJDOE in consultation with the Department of Health;
- b. The parent of the student consented in writing to the administration of hydrocortisone sodium succinate by the designee(s);
- c. The Superintendent or designee has informed the parent of the student in writing that the district and its employees or agents shall have no liability as a result of any injury arising from the administration of hydrocortisone sodium succinate to the student;
- d. The parent of the student signed a statement acknowledging their understanding that the district shall have no liability as a result of any injury arising from the administration of



hydrocortisone sodium succinate to the student and that the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of hydrocortisone sodium succinate to the student; and

- e. The permission is effective for the school year for which it is granted and is renewed for each subsequent school year upon fulfillment of the requirements in N.J.S.A. 18A:40-12.30 and D.3.a through d above.
4. Nothing in N.J.S.A. 18A:40-12.30 and D.3. above shall be construed to prohibit the emergency administration of hydrocortisone sodium succinate to a student for adrenal insufficiency by the school nurse or other employees designated pursuant to N.J.S.A. 18A:40-12.30 and D.3. above when the student is authorized to self-administer hydrocortisone sodium succinate pursuant to N.J.S.A. 18A:40-12.3.
5. The certified school nurse, in consultation with the Superintendent or designee, shall recruit and train volunteer designees who are determined acceptable candidates by the school nurse within each school building as deemed necessary by the nursing services plan, in accordance with N.J.S.A. 18A:40-12.32(b).
6. No school employee, including a school nurse, or any other officer or agent of a Board of Education shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.29 et al., nor shall an action before the New Jersey State Board of Nursing lie against a school nurse for any action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.30. Good faith shall not include willful misconduct, gross negligence, or recklessness, in accordance with N.J.S.A. 18A:40-12.33.

E. Administration of Glucagon

1. **In accordance with the provisions of N.J.S.A. 18A:40-12.11-21, the Board will permit the emergency administration of glucagon through appropriate delivery devices and equipment**



to a student for the treatment of severe hypoglycemia in students with diabetes:

- a. The parent of the student provides the Superintendent or designee a written authorization for the administration of glucagon;
 - b. The parent of the student provides the Superintendent or designee written orders from the physician or an advanced practice nurse that the student requires the administration of glucagon during a severe hypoglycemic episode;
 - c. The Superintendent or designee informs the parent of the student in writing that the school district and its employees or agents shall have no liability as a result of any injury arising from the administration of glucagon;
 - d. The parent of the student signs a statement acknowledging their understanding that the district shall have no liability as a result of any injury arising from the administration of glucagon to the student and that the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of glucagon to the student; and
 - e. The permission for the administration of glucagon is effective for the school year for which it is granted and must be renewed for each subsequent school year upon the fulfillment of the requirements as outlined in a. through d. above unless the emergency care plan has been modified by the treating physician.
2. In accordance with the provisions of N.J.S.A. 18A:40-12.11-2:
- a. The placement of the student's prescribed glucagon shall be in a secure, but unlocked location easily accessible by the school nurse and trained designees to ensure prompt availability in the event of emergency



situations at school or at a school-sponsored function. The location of the prescribed glucagon shall be indicated on the student's emergency care plan. Back-up glucagon, provided by the student's parent, shall also be available at the school if needed;

- b. The school nurse or trained designee shall be promptly available on site at the school and school-sponsored functions in the event of an emergency; and
 - c. The student shall be transported to a hospital emergency room by emergency services personnel after the administration of glucagon, even if the student's symptoms appear to have resolved.
3. In accordance with N.J.S.A. 18A:40-12.11-2, the school nurse has the primary responsibility for the administration of glucagon; appropriate training will be required for the assigned nurse.

The school nurse shall designate, in consultation with the Superintendent or designee, additional employees of the school district who volunteer to administer glucagon to a student when the school nurse is not physically present at the scene.

In the event that a licensed athletic trainer volunteers to administer glucagon, it shall not constitute a violation of the "Athletic Training Licensure Act" - N.J.S.A. 45:9-37.35 et seq.

The school nurse shall determine that:

- a. The designees have been properly trained in the administration of glucagon using standardized training protocols established by the NJDOE in consultation with the Department of Health;
- b. The parent of the student consented in writing to the administration of glucagon by the designee(s);
- c. The Superintendent or designee has informed the parent of the student in writing that the district and its



employees or agents shall have no liability as a result of any injury arising from the administration of glucagon to the student;

- d. The parent of the student signed a statement acknowledging their understanding that the district shall have no liability as a result of any injury arising from the administration of glucagon to the student and that the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of glucagon to the student; and
 - e. The permission is effective for the school year for which it is granted and is renewed for each subsequent school year upon fulfillment of the requirements in N.J.S.A. 18A:40-12.11-2;
4. Nothing in N.J.S.A. 18A:40-12.11-2 above shall be construed to prohibit the emergency administration of glucagon to a student for severe hypoglycemia by the school nurse or other employees designated pursuant to N.J.S.A. 18A:40-12.11-2.
 5. The certified school nurse, in consultation with the Superintendent or designee, shall recruit and train volunteer designees who are determined acceptable candidates by the school nurse within each school building as deemed necessary by the nursing services plan, in accordance with N.J.S.A. 18A:40-12.11-2.
 6. No school employee, including a school nurse, or any other officer or agent of a Board of Education shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.29 et al., nor shall an action before the New Jersey State Board of Nursing lie against a school nurse for any action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.30. Good faith shall not include willful misconduct, gross negligence, or recklessness, in accordance with N.J.S.A. 18A:40-12.33.



F. Permission for Self-Administration of Medication

In accordance with N.J.S.A. 18A:40-12.3, the Board shall permit the self-administration of medication by a student for asthma, or other potentially life-threatening illnesses, a life-threatening allergic reaction, or adrenal insufficiency provided that:

1. The parent of the student provides the Board or Superintendent or designee written authorization for the self-administration of medication;
2. The parent of the student provides the Board or Superintendent or designee a signed written certification from the physician of the student that the student has asthma or another potentially life threatening illness, is subject to a life-threatening allergic reaction, or has adrenal insufficiency and is capable of, and has been instructed in, the proper method of self-administration of medication. The written certification must include:
 - a. The student's name;
 - b. The name of the medication;
 - c. The purpose of its administration to the student for whom the medication is intended;
 - d. The proper timing and dosage of medication;
 - e. Any possible side effects of the medication;
 - f. The time when the medication will be discontinued, if applicable;
 - g. A statement that the student is physically fit to attend school and is free of contagious disease; and
 - h. A statement the medication must be administered during the school day or the student would not be able to attend school.
3. The Board or the Superintendent or designee informs the parent of the student in writing that the district and its employees or agents



shall incur no liability as a result of any injury arising from the self-administration of medication by the student;

4. The parent of the student signs a statement acknowledging that the school district shall incur no liability as a result of any injury arising from the self-administration of medication by the student and that the parent shall indemnify and hold harmless the school district, the Board, and its employees or agents against any claims arising out of the self-administration of medication by the student;
5. The parent's written authorization and the physician's written certification is reviewed by the Principal or designee with the school nurse and the school physician. The school nurse and the school physician must agree the student is capable of self-administration of the medication. If it is determined the student may self-administer medication in accordance with the request:
 - a. The request will be signed by the Principal and given to the school nurse and the student's parent;
 - b. The parent will be informed of a reason for a denied request.
6. Permission to self-administer one medication shall not be construed as permission to self-administer other medication; and
7. Permission shall be effective on the school year for which it is granted and shall be renewed for each subsequent school year upon fulfillment of the requirements in E.1. through E.6. above unless the treatment regimen has been changed by the treating physician during the school year.

G. Custodianship of Medication

1. Medications to be administered by the school nurse or a registered nurse:
 - a. All medications must be delivered to the school by the parent.



- b. All medications must be in the original container, with the prescription information affixed.
 - c. The school nurse shall be custodian of students' medication, which will be properly secured.
 - d. Any unused medication must be picked up by the student's parent **or guardian**.
 - e. After reasonable efforts to have the parent retrieve the medication have failed, any unused medication that remains in the school at the end of the school year or two school weeks after the student stops taking the medication, whichever first occurs, must be destroyed or discarded by the school nurse, in accordance with proper medical controls.
2. Medications to be self-administered by a student:
- a. Time being of the essence in cases of asthma or other potentially life threatening illnesses, or a life-threatening allergic reaction, or adrenal insufficiency, all medications to be self-administered by a student must be kept in the student's possession.
 - b. No student may possess medication for self-administration unless the proper permission has been granted by the Principal or designee and a record of the medication is on file in the office of the school nurse.
 - c. Students who are permitted to self-administer medications must secure their medication in such a manner that the medication will not be available to other students. The medication must be in a sealed container and clearly labeled with the medication name, dosage, and ordering physician. If a student's medication is ingested by someone other than the student it is prescribed for, a nurse, a teacher, or an administrator should be notified as **STAT soon as possible** and 911 should be called to the site **immediately**.



- d. Students who are permitted to self-administer medications shall only have in their possession the quantity of medication necessary for the time period of the student's school day.
- e. Notwithstanding any other law or regulation, a student who is permitted to self-administer medication in accordance with the provisions of N.J.S.A. 18A:40-12.3 shall be permitted to carry an inhaler or prescribed medication for allergic reactions, including a pre-filled auto-injector mechanism, or prescribed medication for adrenal insufficiency, at all times, provided the student does not endanger himself/herself or other persons through misuse.

H. Administration of Medication

1. No medication shall be administered to or taken by a student in school or at a school-sponsored function except as permitted by Board Policy 5330 and this Regulation.
2. Medication will only be administered to students in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, a student who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and school employees who have been trained and designated by the certified school nurse. This includes the administration of epinephrine in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6 and hydrocortisone sodium succinate in an emergency pursuant to N.J.S.A. 18A:40-12.29 and 12.30.
3. When practicable, self-administration of medication should be observed by the school nurse.
4. Students self-administering medication shall report each administration of medication and any side effects to a teacher, coach, or the individual in charge of the student during school activities. Such individuals shall report all administrations and any side effects reported or observed to the school nurse as soon as possible.



5. When a student attends a school-sponsored function at which medication may be required (such as an outdoor field trip or athletic competition) and the school nurse cannot be in attendance, the student's parent will be invited to attend. If neither the school nurse nor the parent can attend and the student does not have permission to self-administer medication and there is a risk that the student may suffer injury from lack of medication, the student will be excused from the function.

I. Emergencies

1. Any medical emergency requiring medication of students will be handled in accordance with Policy 8441 and implementing regulations on first aid and, as appropriate, the school physician's standing orders for school nurses. Arrangements will be made to transport a student to a hospital emergency room after the administration of epinephrine in accordance with N.J.S.A. 18A:40-12.5.e.(3) administration of glucagon, and after the administration of hydrocortisone sodium succinate in accordance with N.J.S.A. 18A:40-12.29.b.(3).

J. Records

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

1. The approved written request for the administration or self-administration of medication;
2. A record of each instance of the administration of the medication by the school nurse or a registered nurse;
3. A record of reports by teachers, coaches, and other individuals in charge of school activities who report student self-administration of medication;
4. A record of trained staff members that will be the delegate to administer an emergency medication
5. Any side effects that resulted from the administration of medication; and



6. Whether the supply of medication provided in cases where the medication is to be administered by the school nurse or a registered nurse was exhausted or the parent removed the medication or, if the parent failed to remove the medication, the medication was destroyed and the date on which that occurred.
- K. Notification
1. The school nurse may provide the Principal and other teaching staff members concerned with the student's educational progress with information about the medication and administration when such release of information is in the student's best educational interest.
 2. The school nurse will provide teachers, coaches, and other individuals in charge of school activities with a list of students who have been given permission to self-administer medication.
 3. The school nurse will inform the student's parent of any difficulty in the administration of medication or any side effects.
 4. The school nurse will report to the school physician any student who appears to be adversely affected by the medication.

Adopted: 23 August 2010

Revised: 22 August 2016

DRAFT: 18 May 2020



7243 SUPERVISION OF CONSTRUCTION (M)

The Board of Education directs that the Superintendent or designee be responsible for the supervision of all building construction in this school district. Supervision shall include field inspection of the construction contractor's operations, administrative review of the activities of the architect relating to the construction, and any other construction matters relating to the interests of the school district.

The Superintendent or designee shall report periodically to the Board on the progress of the work of the construction contractor(s).

The Board shall not employ for pay or contract for the paid services of any person serving in a position which involves regular contact with students unless the Board has first determined, consistent with the requirements and standards of N.J.S.A. 18A:6-7.1 et seq., that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or the State Bureau of Identification which would disqualify the individual from being employed or utilized in such capacity or position.

The Superintendent shall direct the School Business Administrator/Board Secretary or designee to act as liaison to all construction contractors for school facility and construction projects to obtain a list of the individuals who will have regular contact with students and will be employed by or working for the contractor on a school district project that will be undergoing a criminal history record check pursuant to the requirements of N.J.S.A. 18A:6-7.1 et seq. The liaison shall provide the list of those contracted employees to the Superintendent or designee and the Human Resources Director. The Superintendent or designee and the Human Resources Director who receive any adverse action correspondence from the New Jersey Department of Education (NJDOE) related to the criminal history record check process shall review the contracted company list in order to determine if the subject of that correspondence is either a school employee or an employee of any contract service provider and take appropriate action. No employee of a contracted service provider shall commence work at a school facility without having first obtained an approval for employment from the NJDOE. Approvals for employment of these contracted employees shall be maintained with the liaison and copies forwarded to the Superintendent's office.

A change order involving additional cost will be submitted to the Board for review and approval.



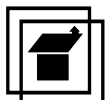
SUPERVISION OF CONSTRUCTION (M)

A change order not involving monetary considerations may be acted upon solely by the Superintendent or designee and reported to the Board.

Upon completion of a building project and a final inspection of all its aspects by the architect, contractors, and school officials, a recommendation for acceptance shall be made to the Board by the Superintendent or designee.

N.J.S.A. 18A:6-7.1 et seq.; 18A:18A-16; 18A:18A-43; 18A:18A-44
N.J.S.A. 18A:54-30

Adopted: 23 August 2010
DRAFT: 18 May 2020



8210 SCHOOL YEAR

The Board of Education recognizes that the preparation of a school calendar is essential to orderly educational planning and to the efficient operation of the school district.

The Board shall annually approve the days when the schools will be in session for instructional purposes. The school calendar will provide no fewer than one hundred eighty days of instruction in accordance with N.J.S.A. 18A:7F-9. Days on which school is closed for holidays, teachers' institutes, and inclement weather shall not be considered as days in session.

A half-day class or shortened school day shall be considered the equivalent of a full day only if school is in session for four or more hours, exclusive of recess periods or lunch periods.

A school day shall consist of not less than four hours, except that one continuous session of two and one-half hours may be considered a full day for Kindergarten in accordance with N.J.A.C. 6A:32-8.3(b).

The Commissioner of Education shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis. Staff members shall avoid, whenever possible, scheduling a test on a religious holiday commonly observed by residents of the district.

The Superintendent shall annually prepare and submit to the Board a school calendar for the next school year no later than May 1. The Board reserves the right to alter the school calendar when: such alteration is feasible and serves the best interests of the students of this district; the number of school closings during the school year extend the school year past a reasonable closing date in June; there is an extended school closing during the school year due to an unforeseen circumstance; and/or due to any reason deemed in the best interest of students.

N.J.S.A. 18A:25-3; 18A:36-2; 18A:36-16

N.J.S.A. 18A:54-25

N.J.A.C. 6A:32-8.3

Adopted: 23 August 2010

DRAFT: 18 May 2020



8220 SCHOOL DAY (M)

The Board of Education shall annually approve the time that school(s) will be in session, including the starting and ending time of a shortened day. A school day shall be in accordance with N.J.A.C. 6A:32-8.3.

The schools of the district will be in session for students on those days and times recommended by the Superintendent and annually approved by the Board.

The Superintendent may close school, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members or other good cause. A shortened school day, whether it is planned or emergent (as in the case of inclement weather), must meet certain requirements in order to count toward the one hundred eighty day requirement of N.J.S.A. 18A:7F-9.

The Superintendent shall inform the Board President of any such alteration as soon as possible and shall prepare rules for the proper and timely notification of concerned persons in the event of any delayed opening or emergency school closing.

N.J.A.C. 6A:32-8.3

Adopted: 23 August 2010
DRAFT: 18 May 2020



R 8220 SCHOOL CLOSINGS

The following procedures will govern the unscheduled closing of school for the entire school day, the delayed opening of school, and the early closing of school. No single set of rules can anticipate the problems that may be encountered when schools must be closed, and Building Principals may be required to exercise independent judgment in individual circumstances. Any consequent deviation from these rules shall be approved by the Superintendent.

A. Notification Provisions

1. The Superintendent or designee shall notify media outlets and/or activate an emergency call system when a decision is made for an unscheduled closing of school for the entire school day, the delayed opening of school, or the early closing of school.
2. Parent(s) will be notified at the beginning of each school year that they will be notified of an emergency school closing day by means of announcements over the media outlets listed above.

B. All Day Closing

1. The decision to close schools for the day will be made in accordance with Policy 8220. As soon as the decision is made, the Superintendent or designee will promptly notify:
 - a. Media outlets.
 - b. All school staff members;
 - c. (private schools to which transportation is provided for district children);
 - d. Police Departments (municipalities that are affected by decision or that provide school crossing guards);
 - e. Board of Education President; and
 - f. Any other individuals or organizations the Superintendent or designee determines the need to be notified.



2. Custodial personnel are expected to report for work as needed.
- C. Delayed Opening
1. The decision to delay the opening of school will be made as soon as practicable. Notice of the delayed opening will be given in accordance with B. above.
 2. Custodial personnel are expected to report to work, as needed, at a time determined by the superintendent or designee, if the opening of school is delayed.
 3. If weather conditions change after a delayed opening has been announced, the Superintendent may decide to close schools for the day. This decision will be made as soon as practicable. Notice of the closing of schools for the day will be given in accordance with B.1. above.
 4. The Principal of each school will modify the school's schedule to accommodate the shorter day. After-school and athletic events may be canceled.
- D. Early Dismissal
1. The decision by the Superintendent or designee to close school early will be promptly relayed to the media outlets, school staff members, and the people or organizations listed in B.1. above.
 2. Building Principals in the affected schools will promptly notify all school staff members of the early closing, using appropriate building procedures.
 3. Parents may be notified of an early dismissal through an emergency call system, district or school website, a telephone communication chain, or any other method or process deemed appropriate.
 4. A parent may come to the school and sign out his/her child at any time after the decision to close early has been made. Any removal



of a child must be in strict accordance with Policy and Regulation 5230 regarding the person(s) to whom a child may be released.

5. The Principal may designate a safe and secure location in the school building to which may be assigned students whose parent or temporary caretaker could not be reached by telephone or other means or the student was unable to be released from school early for good reason.
 - a. A principal or designee will be assigned to supervise the students who remain in the school.

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REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)

8462 REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)

The Board of Education recognizes early detection of missing, abused, or neglected children is important in protecting the health, safety, and welfare of all children. In recognition of the importance of early detection of missing, abused, or neglected children, the Board of Education adopts this Policy pursuant to the requirements of N.J.S.A. 18A:36-24 and 18A:36-25. The Board provides this Policy for its employees, volunteers, or interns for the early detection of missing, abused, or neglected children through notification of, reporting to, and cooperation with the appropriate law enforcement and child welfare authorities pursuant to N.J.S.A. 18A:36-24 and 18A:36-25 et seq., N.J.A.C. 6A:16-11.1, N.J.S.A. 9:6-8.10, and N.J.A.C. 6A:22-4.1(d).

Employees, volunteers, or interns working in the school district shall immediately notify designated child welfare authorities of incidents of alleged missing, abused, and/or neglected children. Reports of incidents of alleged missing, abused, or neglected children shall be reported to the New Jersey State Central Registry (SCR) at 1-877 NJ ABUSE or to any other telephone number designated by the appropriate child welfare authorities. If the child is in immediate danger a call shall be placed to 911 as well as to the SCR.

The school district shall prominently display information about the Department of Children and Families' State Central Registry, a toll-free hotline for reporting child abuse, in each school of the district. The information shall give instructions to call 911 for emergencies and shall include directions for accessing the Department of Children and Families' website or social media platforms for more information on reporting abuse, neglect, and exploitation.

The information shall be in a format and language that is clear, simple, and understandable. The information shall be on a poster and displayed at each school in at least one high-traffic, highly and clearly visible public area that is readily accessible to and widely used by students, pursuant to N.J.S.A. 18A:33.28.

The person having reason to believe that a child may be missing or may have been abused or neglected may inform the Principal or other designated school official(s) prior to notifying designated child welfare authorities if the action will not delay immediate notification. The person notifying designated child welfare authorities shall inform the Principal or other designated school official(s) of the notification, if such had not occurred prior to the notification. Notice to the



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Principal or other designated school official(s) need not be given when the person believes that such notice would likely endanger the reporter or student involved or when the person believes that such disclosure would likely result in retaliation against the student or in discrimination against the reporter with respect to his or her employment.

The Principal or other designated school official(s) upon being notified by a person having reason to believe that a child may be missing or may have been abused or neglected, must notify appropriate law enforcement authorities. Notification to appropriate law enforcement authorities shall be made for all reports by employees, volunteers, or interns working in the school district. Confirmation by another person is not required for a school district employee, volunteer, or intern to report the suspected missing, abused, or neglected child situation.

School district officials will cooperate with designated child welfare and law enforcement authorities in all investigations of potentially missing, abused, or neglected children in accordance with the provisions of N.J.A.C. 6A:16-11.1(a)5.

The district designates Superintendent or designee as the school district's liaison to designated child welfare authorities to act as the primary contact person between the school district and child welfare authorities with regard to general information sharing and the development of mutual training and other cooperative efforts. The district designates the Superintendent or designee as the school district's liaison to law enforcement authorities to act as the primary contact person between the school district and law enforcement authorities, pursuant to N.J.A.C. 6A:16-6.2(b)1, consistent with the Memorandum of Agreement, pursuant to N.J.A.C. 6A:16-6.2(b)13.

An employee, volunteer, or intern working in the school district who has been named as a suspect in a notification to child welfare and law enforcement authorities regarding a missing, abused, or neglected child situation shall be entitled to due process rights, including those rights defined in N.J.A.C. 6A:16-11.1(a)9.

The Superintendent or designee shall provide training to school district employees, volunteers, or interns on the district's policy and procedures for reporting allegations of missing, abused, or neglected child situations. All new school district employees, volunteers, or interns working in the district shall receive the required information and training as part of their orientation.



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There shall be no reprisal or retaliation against any person who, in good faith, reports or causes a report to be made of a potentially missing, abused, or neglected child situation pursuant to N.J.S.A. 9:6-8.13.

N.J.S.A. 18A:33-28; 18A:36-24; 18A:36-25 et seq.
N.J.A.C. 6A:16-11.1

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