

CHAPTER 32

SCHOOL DISTRICT OPERATIONS

Authority

N.J.S.A. 18A:4-10, 18A:4-15, 18A:6-7.2a, 18A:6-50, 18A:7A-1, 18A:7A-1.1, 18A:10-6, 18A:12-21 et seq., 18A:13-14, 18A:16-1, 18A:17-14 to 14.3, 18A:17-17, 18A:17-20, 18A:17-32, 18A:22-14, 18A:22-19, 18A:24-11, 18A:27-15, 18A:28-9, 18A:28-13, 18A:29-6 through 16, 18A:38-1, 18A:40-12.1, and 18A:49-1 to 8.

Source and Effective Date

R.2005 d.298, effective September 6, 2005. See: 37 N.J.R. 1982(a), 37 N.J.R. 3322(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 32, School District Operations, expires on September 6, 2014. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 32, School District Operations, was adopted as new rules by R.2009 d.298, effective September 6, 2005. See: Source and Effective Date.

Subchapter 15, Criminal History Review, was adopted as new rules by R.2009 d.306, effective October 5, 2009. See: 41 N.J.R. 2542(a), 41 N.J.R. 3798(b).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 32, School District Operations, was extended by gubernatorial directive from September 6, 2010 to September 6, 2012. See: 42 N.J.R. 2243(a).

Subchapter 4, Employment and Supervision of Teaching Staff, was renamed Employment of Teaching Staff; former Subchapter 12, Annual Reporting and Planning Requirements, Subchapter 14, State and Federally Mandated Programs and Services, and Subchapter 15, Criminal History Review, were repealed; and Subchapter 13, Student Behavior, was recodified as Subchapter 12, Student Behavior, by R.2013 d.141, effective December 16, 2013. See: 45 N.J.R. 419(a), 45 N.J.R. 2590(a).

Petition for Rulemaking. See: 46 N.J.R. 400(a), 643(a).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. SCOPE AND PURPOSE

6A:32-1.1 Scope and purpose

SUBCHAPTER 2. DEFINITIONS

6A:32-2.1 Definitions

SUBCHAPTER 3. DISTRICT BOARDS OF EDUCATION—GENERAL

- 6A:32-3.1 Special meetings of district boards of education
6A:32-3.2 Requirements for the code of ethics for district board of education members and charter school board of trustees members
6A:32-3.3 Boards of school estimate

SUBCHAPTER 4. EMPLOYMENT OF TEACHING STAFF

- 6A:32-4.1 Employment of teaching staff
6A:32-4.2 Approval of paraprofessional staff
6A:32-4.3 Access to personnel records
6A:32-4.4 through 6A:32-4.9 (Reserved)

SUBCHAPTER 5. SENIORITY

6A:32-5.1 Standards for determining seniority

SUBCHAPTER 6. SCHOOL EMPLOYEE PHYSICAL EXAMINATIONS

- 6A:32-6.1 Scope and purpose
6A:32-6.2 Policies and procedures for employee physical examinations
6A:32-6.3 Requirements of physical examinations

SUBCHAPTER 7. STUDENT RECORDS

- 6A:32-7.1 General considerations
6A:32-7.2 School contact directory for official use
6A:32-7.3 Mandated student records
6A:32-7.4 Maintenance and security of student records
6A:32-7.5 Access to student records
6A:32-7.6 Conditions for access to student records
6A:32-7.7 Rights of appeal for parents and adult students
6A:32-7.8 Retention and disposal of student records

SUBCHAPTER 8. STUDENT ATTENDANCE AND ACCOUNTING

- 6A:32-8.1 School register
6A:32-8.2 School enrollment
6A:32-8.3 School attendance

SUBCHAPTER 9. ATHLETICS PROCEDURES

6A:32-9.1 General requirements

SUBCHAPTER 10. SUMMER SCHOOL SESSIONS

- 6A:32-10.1 General
6A:32-10.2 Costs and tuition
6A:32-10.3 Staffing
6A:32-10.4 Student assignment and credit
6A:32-10.5 (Reserved)

SUBCHAPTER 11. WITHDRAWAL FROM REGIONAL SCHOOL DISTRICTS

- 6A:32-11.1 Application and data for investigation of advisability of withdrawal or dissolution
6A:32-11.2 Investigation and report by executive county superintendent
6A:32-11.3 Special school election
6A:32-11.4 Final determination of board of review
6A:32-11.5 Effective date of withdrawal
6A:32-11.6 Staff tenure and seniority rights

SUBCHAPTER 12. STUDENT BEHAVIOR

- 6A:32-12.1 Student attendance
6A:32-12.2 Guidance and counseling

SUBCHAPTERS 13 THROUGH 15. (RESERVED)

## SUBCHAPTER 1. SCOPE AND PURPOSE

## 6A:32-1.1 Scope and purpose

The rules in this chapter are intended to provide assistance to district boards of education and school district administrators regarding the daily operation of schools and school districts.

Amended by R.2013 d.141, effective December 16, 2013.

See: 45 N.J.R. 419(a), 45 N.J.R. 2590(a).

Substituted "schools and school districts" for "their schools".

## SUBCHAPTER 2. DEFINITIONS

## 6A:32-2.1 Definitions

The following words and terms shall have the following meanings when used in this chapter unless the context clearly indicates otherwise:

"Access" means the right to view, make notes, and/or reproduce a student record.

"Adult student" means a person who is at least 18 years of age, or is attending an institution of postsecondary education, or is an emancipated minor.

"Advanced course" means any course or subject not previously taken in an approved school district program for which additional credits or advanced placement may be awarded upon successful completion of the course.

"Average daily attendance" means the total number of days that a student is present in school divided by the total possible number of days of attendance.

"Board of school estimate" means a group of individuals who are appointed in accordance with N.J.S.A. 18A:22-1 and 2 and are responsible for annually preparing a budget for Type I school districts pursuant to N.J.S.A. 18A:22-7.

"Chief school administrator" means the superintendent of schools or the administrative principal if there is no superintendent.

"Elementary" means kindergarten, grades one through six and grades seven and eight without departmental instruction.

"Enrichment course" means any course or subject of a vocational nature for which no credits are awarded.

"Executive county superintendent" means a county superintendent of schools pursuant to N.J.S.A. 18A:7-1 et seq.

"Health history" means the record of a person's past health events obtained in writing, completed by the individual or his or her physician.

"Health screening" means the use of one or more diagnostic tools to test a person for the presence or precursors of a particular disease.

"Mandated student records" means student records that school districts compile pursuant to State statute, regulation, or authorized administrative directive.

"Paraprofessional" means a school or classroom aide who assists appropriately certified personnel with the supervision of student activities.

"Parent" means the natural or adoptive parent, legal guardian, surrogate parent appointed according to N.J.A.C. 6A:14-2.2, or a person acting in the place of a parent (such as a grandparent or stepparent with whom the student lives or a person legally responsible for the student's welfare). Unless parental rights have been terminated by a court of appropriate jurisdiction, the parent retains all rights under this chapter. In addition, a foster parent may act as a parent under this chapter if the parent's authority to make education decisions on the student's behalf has been terminated by a court of appropriate jurisdiction.

"Permitted student records" means records that a district board of education has authorized, by resolution adopted at a regular public meeting, to be collected to promote the educational welfare of students.

"Physical examination" means the assessment of an individual's health, in accordance with the requirements of N.J.A.C. 6A:16-2.2.

"Remedial course" means any course or subject that is a review of a course or subject previously taken for which credits or placement may be awarded upon successful completion of the course.

"School contact directory for official use" means a compilation by a district board of education that includes the following information for each student: name, address, telephone number, date of birth and school of enrollment. The directory may be provided for official use only to judicial, law enforcement, and medical personnel.

"Secondary" means grades nine through 12 in all high schools; grades seven and eight in junior high schools; grades seven, eight, and nine in middle schools; and grades seven and eight in elementary schools having departmental instruction.

"Statement of assurance" means a document submitted by the chief school administrator to the executive county superintendent that verifies the development and implementation of the school-level plan.

"Student discipline record" means information maintained in a student's record of all disciplinary actions taken against a student by a school district pursuant to N.J.S.A. 18A:36-25.1.b.

"Student information directory" means a publication of a district board of education that includes the following information relating to a student. It shall be used only by authorized school district personnel and for designated official use by judicial, law enforcement, and medical personnel and not for general public consumption.